



## PFLAG Cape Cod, Brewster

Parents, Families, Friends of Lesbians, Gays, Bisexuals, Transgenders  
October - December **NEWSLETTER** Brewster, MA

### Same-Sex Marriage in Three More States?

#### IOWA

The gay marriage debate moved to the Midwest as the Iowa Supreme Court heard arguments in a challenge to the state's ban on same-sex marriage.

If the high court rules in favor of the half dozen gay couples who filed the lawsuit, it would make Iowa the fourth state behind Massachusetts, California, and Connecticut to uphold the right of same-sex couples to legally marry. [See section on California.]

The Iowa case has been moving through the legal system for more than three years, and it could take a year or more for the state Supreme Court to issue a ruling.

Lambda Legal filed the lawsuit in 2005 on behalf of six Iowa couples who were denied marriage licenses, as well as three of the couples' children.

That lawsuit prompted a ruling in August, 2007, by Polk County District Court Judge Robert Hanson, who said a state law allowing marriage only between a man and a woman violated the constitutional rights of due process and equal protection.

After that ruling, nearly two dozen people applied for marriage licenses, but only one couple managed to get married before Hanson stayed his decision the next day in anticipation of the state's appeal to the Supreme Court.

Currently, attorneys for both sides are arguing their positions and are be-

ing questioned by the Judges. When asked whether recognizing same-sex marriage would not in fact change the institution of marriage itself, an equal-marriage attorney responded, "We're not suggesting a new institution. We're suggesting that everyone be able to participate equally."

Aderson François, a law professor who heads Washington-based Howard University's Civil Rights Clinic, said that while a majority of Americans may oppose gay marriage, it should be left to the courts to decide issues of constitutional equality. "It doesn't really matter whether a majority of people want to deny that right, the constitution simply doesn't provide for that," he said.

#### NEW JERSEY

The New Jersey Civil Union Review Commission concluded that the state's two-year-old civil union law does not do enough to give gay couples the same protections as heterosexual married couples.

"This commission finds that the separate categorization established by the Civil Union Act invites and encourages unequal treatment of same-sex couples and their children," the report says. The findings of the commission's thirteen members were unanimous.

"The commission's report should spark a renewed sense of purpose and urgency to overcoming one of

society's last remaining barriers to full equality for all residents," said Assembly Speaker Joseph Roberts Jr., a Democrat from Camden and one of the key figures in setting the Legislature's agenda.

Robert Corrales, a spokesman for Gov. Jon S. Corzine, said the governor would not comment on the report until it was presented. But in the past, Corzine has said he would sign a bill allowing gay marriage.

#### CALIFORNIA

In the November election, California voters voided the state Supreme Court ruling legalizing same-sex marriage. The legality of the vote, however, is back in the hands of the court, which will hear arguments in the case early next year.

The justices said that in addition to hearing arguments on the validity of the vote, the court wants to address what effect, if any, a ruling upholding the amendment would have on the estimated 18,000 same-sex marriages that were sanctioned in California before Election Day.

Oral arguments could be scheduled as early as March, but a ruling would not be likely for months after that.

**Connecticut and Massachusetts are the only states that allow gay marriage, and both were ordered to do so by their highest courts.**

# NEWS FROM ALL AROUND

**ARKANSAS:** voters last month approved a measure blocking all unmarried couples from adopting or fostering children. The measure does not specifically name gays.

**BRAZIL:** Brazilian police detained a retired officer in connection with the murders of thirteen gay men in a low-income suburb of Sao Paulo. Retired state police Sgt. Jairo Franco was taken into custody after a witness identified him as the killer of a gay man on August 19. He is suspected of acting alone in all of the killings which took place between February 2007 and August 2008.

**CALIFORNIA PROP 8 POLL:** Voters' economic status and religious convictions played a greater role than race or age in determining whether they supported the Nov. ballot measure outlawing same-sex marriage in California. The ban drew its strongest support from evangelical Christians and voters who didn't attend college. [*Public Policy Institute of California*]

**CALIFORNIA:** The 14-year old boy accused of killing openly gay teen Larry King was found competent to stand trial. Brandon McInerney is charged with murder as a hate crime and is being tried as an adult. If convicted he could be sentenced to 51 years to life. King, 15, often dressed in a feminine manner and told friends he was gay. He was shot in the head during class at an Oxnard school in February. More than twenty other students were in the room at the time. King was honored earlier this year at schools across the country as part of the National Day of Silence.

**CONNECTICUT:** On October 10, the state Supreme Court ruled to uphold the freedom to marry for same-sex couples. The case was brought by GLAD on behalf of eight same-sex

couples who sought to end marriage discrimination in Connecticut.

**FLORIDA:** The Attorney General's office is preparing to appeal a ruling by a Miami judge striking down the state ban on adoptions by gays and lesbians. No matter which way the appeals court rules, it is expected the case will end up in the Florida Supreme Court. Florida law allows gays to serve as foster parents but not adopt. Two lower court judges have so far ruled against the law.

**LONDON:** A lesbian soldier who was subjected to long-term harassment from a sergeant who wanted her to have sex with him was awarded nearly \$380,000 by a British employment tribunal. The amount was half of what Lance Bombardier Kerry Fletcher, 32, had sought, but is still one of the biggest payouts imposed by a workers' rights board in England.

**MINNESOTA:** Larry Craig lost his appeal in the airport gay sting case. A three-judge panel of the Minnesota Court of Appeals rejected the Senator's bid to toss out his disorderly conduct conviction.

**NATION:** An outspoken voice in conservative Christian politics resigned from the National Association of Evangelicals after a radio interview in which he voiced support for same-sex civil unions and said he is "shifting" on gay marriage. The Rev. Richard Cizik's comments — made on a Dec. 2 "Fresh Air" broadcast on National Public Radio — triggered an uproar that led to his stepping down as NAE Vice President of Governmental Affairs.

**NEWSWEEK MAGAZINE:** Some religious leaders are up in arms over a December 15 cover story about gay marriage. Lisa Miller's article is depicted on the cover by a Bible with

a rainbow bookmark and the title, "Religious Case for Gay Marriage."

**NYC:** Four attackers may have mistaken two brothers walking arm in arm as gay before using an aluminum baseball bat, a bottle, and their feet to beat one of them into critical condition. He died later in a hospital.

**OHIO:** The chief financial officer of Cincinnati Christian University pleaded not guilty to prostitution charges. Police arrested Robert Williams, 52, after he allegedly got into a man's car. Openly-gay students are not accepted by the university, and students who come out of the closet can be expelled.

**UNITED NATIONS:** A declaration against discrimination based on sexual orientation and gender identity, signed by twenty-seven countries of the European Union, will be presented to the General Assembly in December. The initiative will take the form of a solemn declaration from UN states, rather than a vote in the UN. More than 80 countries criminalize same-sex relations. Punishments range from a few years in jail to life imprisonment, and in some places the mandatory punishment for homosexuality is death by execution. After the declaration is presented, it is hoped that momentum for decriminalisation will build and there will be enough support for a resolution to be passed in the UN. The Vatican is opposed to decriminalization.

**WEST VIRGINIA:** The Supreme Court agreed to hear a case involving a lesbian couple's appeal of a lower court ruling that removed a child they had reared from birth. The Judge said they were acceptable as foster parents, but not as adoptive parents. He wants the child placed with a married, opposite-sex couple for adoption.

## Doubts About “Don’t Ask, Don’t Tell”

A federal appeals court refused to reconsider a ruling that raised doubts about the constitutionality of the “don’t ask, don’t tell” policy for gays in the military. Circuit Court of Appeals in San Francisco denied the Air Force’s request for a rehearing of a May 21 decision reviving a suit by a female officer in Washington state who was discharged because she had a relationship with another woman.

The three-judge panel in that decision said the U.S. Supreme Court’s 2003 ruling overturning state laws against gay sex established a new level of constitutional protection for gays and lesbians. Under that standard, the appeals court said, the military can’t automatically discharge all openly gay soldiers, but must prove in each case that dismissal would promote troop readiness or unit cohesion.

The Air Force has 90 days to appeal to the Supreme Court or allow the ruling to become binding on federal courts in the Ninth Circuit, which includes California and eight other states. Even if the Bush administration appeals before leaving office, Obama could withdraw the appeal. Allowing the Ninth Circuit ruling to stand would be a cautious step toward repeal of “Don’t Ask....”

The case was brought by Maj. Margaret Witt of Spokane, a decorated flight nurse who was suspended without pay in 2004 and discharged in 2007 - two years short of the twenty years she needed for retirement benefits - after the Air Force learned of her longtime relationship with a civilian woman.

In its May 21 ruling, the appeals court said the Supreme Court’s 2003 decision on gay sex meant that a court can no longer accept the government’s claim that all openly gay service members weaken the armed forces.

## GLBT Elders

SAGE (Services and Advocacy for GLBT Elders) is the world’s oldest and largest non-profit agency dedicated to serving and advocating for GLBT seniors. Since its inception in 1978, SAGE has pioneered programs and services, provided technical assistance and training to expand opportunities, and provided a national voice on GLBT aging issues.

- The nation’s first Friendly Visiting program for frail and homebound GLBT seniors
- The country’s first support group for seniors with HIV
- The nation’s first program dedicated to caregiving services for GLBT seniors.
- The nation’s first GLBT Senior Drop-In Center
- National conferences devoted to GLBT aging concerns

The SAGE website offers Expert Advice and a members-only information exchange, as well as news articles. [www.sageusa.org](http://www.sageusa.org)

[The following anecdote appeared in a *New York Times* article, 10/’07.]

At 81 and with her memory fading, Gloria Donadello recalled her brush with bigotry at an assisted-living center in Santa Fe, N.M.

While sitting with friends who were laughing and making anti-gay comments, she said, “Please don’t do that, because I’m gay.”

The result of her outspokenness was swift. No longer included in conversation or welcome at meals, she plunged into depression that medication did not help. She later moved into an adult community that caters to gay men and lesbians. “I felt like I was a pariah,” she said. “For me, it was a choice between life and death.”

[Ed. Note: We are compiling information about the experiences of GLBT seniors in local nursing homes, as well as information about how “welcoming” the facilities are. Any volunteers?]

## Mexico’s *Muxe*

[Excerpted from *New York Times*, 12/08, Marc Lacey, with Katie Orlinsky from MX]

Mexico can be intolerant of homosexuality, but it can also be quite liberal. Gay-bashing incidents are common in the countryside where many Mexicans consider homosexuality a sin, and in Mexico City, same-sex domestic partnerships are legally recognized.

But nowhere are attitudes toward sex and gender quite as elastic as in the far reaches of the southern state of Oaxaca. There, in the indigenous communities around the town of Juchitán, the world is not divided into gay and straight.

The local Zapotec people have made room for a third category, which they call “*muxes*” (pronounced MOO-shays) — men who consider themselves women and live in a socially sanctioned netherworld between the two genders.

*Muxe* is a Zapotec word derived from the Spanish *mujer*, or woman; it is reserved for males who, from boyhood, have felt themselves drawn to living as a woman, and anticipating roles set out for them by the community.

Not all *muxes* express their identities the same way. Some dress as women and take hormones to change their bodies. Others favor male clothes. What they share is that the community accepts them; many believe that *muxes* have special intellectual and artistic gifts.

Every November, *muxes* inundate the town for a grand ball that attracts local men, women, and children as well as outsiders. A queen is selected and crowned by the mayor.

*Muxes* are found in all walks of life in Juchitán, but most take on traditional female roles — selling in the market, embroidering traditional garments, cooking at home. Some also become sex workers, selling their services to men.

## GAYLA Ball Dinner Dance

The ninth annual Gayla Ball will be held at the Sheraton Four Points Hotel in Eastham February 7 (snow date Feb 8), from 7 to midnight. Dinner buffet is 7:30 – 8:30, with dancing until midnight. Cash bar, cabaret entertainment, and music by DJ Shelly Cullen. This is a glamorous and joyful celebration bringing together the Cape's GLBT community.

Sponsored by the Welcoming Congregation Committee of the First Parish UU Church Brewster, this event is a Valentine delight. Tickets are \$45 per person (more if you can). [Note the reduced price for these difficult times.]

Reservations are limited, so don't wait; all seats are reserved. For information about preferred seating arrangements for dinner, pre-dinner cocktail parties at homes of church members, or for ticket reservations, call Joanne Hush at 508-896-3406. Attire is festive or fancy.

## Scholarship Deadline March 18

The Cape Cod chapters of PFLAG are offering a \$2000 scholarship to a graduating high school senior from the Cape and Islands who is applying to a college or institution of higher learning. Applicant must be a member of a GSA (Gay/Straight Alliance), Diversity Club, or CIGSYA and have demonstrated support and advocacy for the GLBT community.

Applications will be available from high school guidance departments and are downloadable from our website, [pflagcapecod.org](http://pflagcapecod.org).

## Local PFLAG Outreach

In November Pem represented PFLAG at a showing of the film "For the Bible Tells Me So" at Church of the Holy Spirit in Orleans. She says the feedback was good, and all our literature was taken.

In January, PFLAG will do a diversity presentation for a women's group at St. Peter's Lutheran Church, Harwich.

In March CIGSYA and PFLAG will speak at a faculty diversity training at Barnstable High School, and in May a book group at St. Peter's Church will do a three-week study of an appropriate book on sexual orientation. Pem is looking for suggestions for something not too long and available in local libraries or on Amazon.com.

We're looking forward to a repeat of our PAVIA fundraising concert in the spring. The Scholarship Fund needs replenishing! Announcement in next issue.

**NOTE: Our fiscal year ended  
September 30;  
Have you paid your dues?**

## GLBT Group Meetings

PFLAG/Brewster, every third Monday, 7pm, 1st Parish Ch  
CIGSYA 56 Barnstable Rd, Hyannis, 7pm Wed & Thur  
Family-Parent Meetings, 2nd Mondays, CIGSYA House  
Straight Spouse Group: for information call 896-2620  
Transgender Support: 2nd Wednesdays 7-9pm, 1st Parish  
Winslow House, Harwich Rd, (J. Corso 362-4435)  
Gay Men's Group, Mondays 7pm, CIGSYA House, Hyannis

## Dates to Remember

**Dec 15, Jan 18, Feb 15:** Brewster PFLAG, 7 pm, 1st Parish  
**Jan 10:** 9-noon, 1st Parish UU Church, Rts. 6A & 124  
Invitation to Cape Cod church and temple members  
for a conversation about becoming more welcoming  
to the GLBT community.

**Jan 13, Feb 10, Mar 10:** Transgender Suppt. 362-4435  
**Jan 28:** GALE Reception, 6 pm, Museum of Fine Arts  
**Feb 5:** Straight for Equality Awards Gala, Washington DC  
**Feb 7:** GAYLA Ball, 7-12pm, Sheraton Eastham [see article]  
**Mar 18:** Deadline for PFLAG Scholarship applications

## PFLAG/Cape Cod, Brewster

PO Box 1167 Orleans, MA 02653

**MISSION:** *Promote the health and well-being of gay, lesbian, bisexual, and transgender persons, their families and friends, through Support, to cope with an adverse society; Education, to enlighten an ill-informed public; and Advocacy, to end discrimination and secure equal civil rights.*

**MEETINGS:** 7 pm on the third Monday of each month at 1st Parish UU Church, Brewster (Rte 6A near Rte 124 intersection). Everyone is welcome. For information call 508-398-6471 or see our webpage.

**MEMBERSHIP:** Dues-paying members support the efforts of PFLAG both locally and nationally. Fifteen dollars goes to PFLAG National (includes subscription to *Pflagpole*), and the balance is used for our own Newsletter and the purchase of pamphlets, books, and videos. Our fiscal year begins Oct. 1.

**OFFICERS:** Coordinator, Randy Lewis-Kendell; Treasurer, Joanne Hush; Corresponding Sec'y, Pem Schultz; Publicity, Joanne Hush & Pem Schultz; Newsletter, Joann Figueras & Doris Scherbak; Library, Randy Lewis-Kendell.

**NEWSLETTER:** Email [info@pflagcapecod.org](mailto:info@pflagcapecod.org).

**WEBPAGE:** [www.pflagcapecod.org](http://www.pflagcapecod.org)

## Membership Application PFLAG/Brewster

\_\_\_\$35 Family \_\_\_\$25 Individual \_\_\_\$15 Limited income

\$\_\_\_\_\_ Additional donation for local chapter

Name \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Telephone \_\_\_\_\_

Checks are payable to PFLAG/Brewster. Mail to Joanne Hush, 200 Breakwater Rd, Brewster, MA 02631