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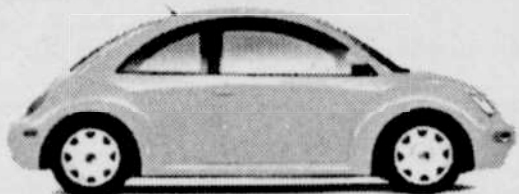
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NATIONAL news

LOUISIANA

Winn-Dixie Stores, a major Fortune 500 company that has been under attack for 14 months for firing a truck driver who cross-dressed off-duty, is trying to shut down a Web site protesting the Southern grocery giant's actions, the American Civil Liberties Union said Dec. 18.

"Winn-Dixie fired Peter Oiler because they thought he'd harm the company's image," said Matt Coles, Lesbian and Gay Rights Project director. "But now they see it's their own discrimination that's harming their image."

For the second holiday season in a row, ShameOnWinnDixie.com provides background on Oiler as well as information on the pending federal lawsuit on his behalf. He worked for nearly 20 years at the company's Louisiana branch before being fired for occasionally cross-dressing away from work. The Internet site, created and maintained by a coalition of activists working with the ACLU, also includes contact information for Oiler's former supervisors and executives involved in firing him.

In a letter to a trans woman in rural Alabama who helped design the Web pages more than a year ago, Winn-Dixie's corporate attorney demanded that it be removed "immediately." Coles said the company's demands are groundless.

"ShameOnWinnDixie.com isn't going anywhere," said Courtney Sharp, a trans activist in New Orleans who helped organize the Internet site and the holiday mobilizations. "This attempt to bully us out of holding Winn-Dixie accountable won't work. We're more energized than ever because our message is clearly getting through, and Winn-Dixie is nervous."

People are being urged to contact Al Rowland, Winn-Dixie national president and CEO, to express their opposition to Oiler's firing and the censorship attempts. Meanwhile, activists in Georgia and Florida announced that they are continuing plans to demonstrate outside the company's headquarters Jan. 4 in Jacksonville, Fla., marking the two-year anniversary of the termination and honoring Terrianne Summers, the trans woman who led protest efforts for the past two years and was murdered last month in a possible hate crime.

"Two years after Peter Oiler lost his job—nearly costing him and his wife their home—we will tell Winn-Dixie that its actions are appalling and that we haven't forgotten," said Jessica Archer, Florida Organization for Gender Equality executive director.

WISCONSIN

The chief investigator of a lesbian's murder seems to be ignoring continued calls for the examination of evidence pointing to a possible hate crime. Milwaukee District Attorney E. Michael McCann even suggested to the victim's family that the state's hate crimes law could allow the defendant to get off easy.

Juana Vega died Nov. 11 of multiple gunshot wounds to her face and chest. Pablo Parrilla, the brother of her ex-girlfriend, Melodia "Ria," allegedly assaulted her and shot her five times at point-blank range.

He objected to the relationship and often used derogatory epithets in reference to the couple. He reportedly threatened to kill Vega for "turning his sister gay."



E. Michael McCann



Peter Oiler and his wife, Shirley; Winn-Dixie's corporate attorney tries to stifle protests (inset)

At the beginning of the inquiry, McCann met with the family and Milwaukee activists, showing a willingness to consider investigating the case as a hate crime. But conversations with Vega's acquaintances indicate nobody has examined or looked

for such evidence. No new witnesses to the crime nor friends and family of the deceased have been interviewed.

Elizabeth Birch, Human Rights Campaign executive director, has serious reservations about the investigation. "Regardless of any eventual homicide conviction in this case...unless you fully investigate the possibility that this act was a hate crime and charge the defendant accordingly if the evidence supports it, justice will not be served," she wrote in a Dec. 20 letter to McCann.

More concerning to HRC is his suggestion to Vega's family Dec. 17 that using Wisconsin's hate crimes laws in this case could result in Parrilla being convicted of a lesser charge. Such a scenario would be possible only if evidence supports acquittal on the higher charge or if he succeeds in using an "adequate provocation" defense.

Both of these outcomes seem highly unlikely to occur given the evidence revealed so far. But most important, neither one is made more likely by charging Parrilla with a hate crime, HRC says.

"To imply that a defendant could be convicted of a lesser charge if a case is pursued as a hate crime flies in the face of the intent of hate crimes law in general and Wisconsin law in particular," Birch wrote. "Like every other criminal statute, successful prosecution under a hate crimes law depends on the quality of evidence and the determination of the prosecutor. Your apparent reluctance to use Wisconsin's hate crimes statute is, therefore, particularly disturbing to Ms. Vega's family and the gay and lesbian community in Milwaukee. Without your support, justice in this case will never be complete."

The state of Wisconsin enhances penalties when victims intentionally are selected because of their race, religion, color, disability, sexual orientation, national origin or ancestry. When that mechanism is not applied, criminals are not being prosecuted to