

active in conjunction with Witeck-Combs Communications. When asked whether same-sex couples should have the rights and benefits that are provided to legally married couples, the respondents expressed strong support:

- 71 percent approve of hospital visitation rights.
- 66 percent approve of emergency health care authority.
- 60 percent approve of joint property rights.
- 59 percent approve of estate inheritance laws.
- 48 percent approve of Social Security survivor benefits.



Attorney Susan Sommer (second from left) congratulates Arkansas Sodomites (from left) Bryan Manire, Vernon Stokay, Charlotte Downey and Elena Picado

When asked specifically about the distribution of \$2.3 billion raised for families directly affected by the Sept. 11 terrorist attacks, a plurality of respondents (48 percent) supported giving the same compensation to queer couples as to married couples. Just less than a third (31 percent) indicated they were opposed, and one in five (21 percent) said they neither supported nor opposed equal benefits.

"The term 'same-sex marriage' perhaps remains politicized and controversial," said Bob Witeck, Witeck-Combs Communications CEO. "However, when basic rights of marriage and civil unions are spelled out, it's not so surprising that the American people increasingly favor fairness and equity for all couples, including same-sex unions."

AT&T Corp. shareholders rejected once again the removal of the nation's oldest sexual orientation nondiscrimination workplace policy during the company's 118th annual meeting July 10 in Charleston, S.C.

With more than 2.3 billion shares cast against the proposal, only 151 million shares—6 percent—supported it. The policy has been in effect since 1975.

"Shareholders are to be congratulated for again rejecting this regressive proposal, the eliminating of nondiscrimination based upon sexual orientation," said Gregory P. Srnick, co-president of AT&T's Lesbian and Gay Business Resource Group. "The primary purpose of this 27-year-old policy has always been to foster an inclusive workplace. This is not a special right. All employees should be free of discrimination."

The proposal was sponsored by Pro Vita Advisors, an anti-abortion religious group that promotes shareholder activism to "challenge corporations involved in immoral and anti-life activities." Its Scripture-based mission also includes lobbying against contraception, pornography and gambling.

**ARKANSAS**

The Arkansas Supreme Court ruled July 9 that the state's same-sex-only sodomy law violates constitutional rights to privacy and equal protection. Lambda Legal was successful in urging the judges, on behalf of seven gay and lesbian residents, to void the ban on intimate relations between consenting adults.

Ruling 5-2, the court issued a lengthy decision that emphasizes all Arkansans' expectations of privacy in their homes. It also underscores that gay men and lesbians share the same constitutional protections as others.

Lambda filed the case in January 1998, and the state fought unsuccessfully to have it dis-

missed. Judge David B. Bogard of the Pulaski County Circuit Court overturned the law in March 2001, ruling it violated the right to privacy and equal protection under the Arkansas Constitution.

His decision marked the first time an Arkansas court recognized that there is a right to privacy under the state constitution. The Office of the Attorney General of Arkansas appealed Bogard's ruling.

"The General Assembly cannot act, under the cloak of police power or public morality, arbitrarily to invade personal liberties of the individual citizen," the court wrote. The sodomy law "does invade such liberties, arbitrarily condemning conduct between same-sex actors while permitting the exact same conduct among opposite-sex actors. [The state] has failed to demonstrate how such a distinction serves a legitimate public interest."

In a related story, Lambda asked the U.S. Supreme Court to review the Texas "Homosexual Conduct" Law and declare it unconstitutional July 16. The statute bans intimate relations, including oral and anal sex, between consenting adults of the same sex.

**VIRGINIA**

Democratic Gov. Mark Warner has named openly gay Arlington County Board member Jay Fisette to the Virginia Housing Development Authority, a privately funded agency that helps residents of the state obtain affordable housing.

Existing policy has denied housing loans to same-sex couples since 1980. The authority voted 6-1 in January to keep the anti-gay policy intact.



Jay Fisette

"Jay Fisette is an outstanding choice who will continue to serve Virginians well," said Chad Johnson, National Stonewall Democrats executive director. "This appointment helps to slowly build a Democratic majority on the authority that will eventually overturn anti-gay policy."

In 1994, the agency changed its policy to allow unmarried couples to apply for loans but rescinded the language that year under pressure by Republican Gov. George Allen,

who feared the change would encourage gay couples to cohabitate. Despite its history of anti-gay discrimination, the authority's own mission includes a statement that it actively works to "oppose discrimination in housing, employment and procurement."

Fisette, the only openly gay official in Virginia, has served on the Arlington County Board since 1997. He also is a board member of the Metropolitan Washington Council of Governments. □

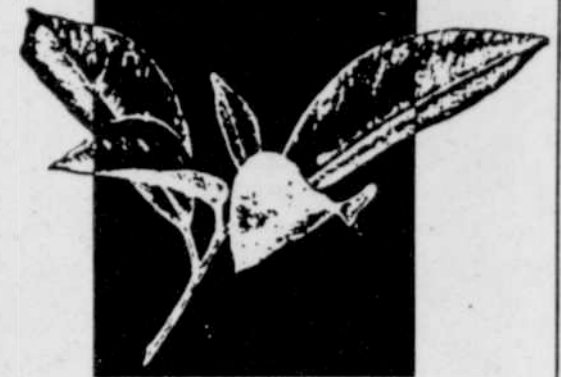
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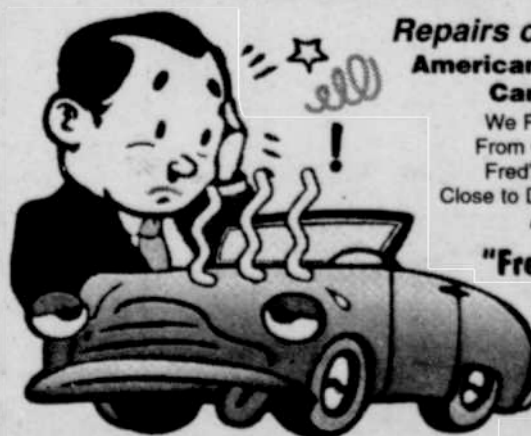
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