

NORTHWEST news

CHURCH COMPLAINS ABOUT PRIDE PARADE

A downtown church is upset because partially nude women marched past parishioners as they were leaving services June 16 during Portland Pride 2002.

First Baptist Church is located at 909 S.W. 11th Ave., just three blocks from Lincoln High School, where the parade steps off. Senior pastor Roger E. Compton outlined his concerns in a June 19 letter to Mayor Vera Katz.

"Our Cambodian pastor, the Rev. Peter Im, has reported that during the parade there were several women unclothed above the waist," he wrote. "Body paint was the only covering. This is unacceptable for a public parade, especially when there are dozens of children and youth leaving church at this time. Your attention to this problem of public nudity is requested."

Compton added that the parade route "creates stress and difficulty" for members of his congregation who are trying to get to their cars and flee the scene as quickly as possible. He asked that the city change the starting time from 12:30 to 1 p.m.

Katz responded in a July 10 letter explaining that Compton's complaint was forwarded to the Bureau of Licenses for consideration when Pride Northwest submits its parade application next year. As for

the exposed skin, though, he better get used to it.

"I know that public displays of partial nudity, such as those reported by Rev. Im, are disturbing to many citizens," Katz wrote. "However, such nonsexual displays have been challenged in the past and have been found to be protected forms of free speech under state law."

Earlier this year Pride Northwest had asked that the parade start time be moved from 12:30 p.m. to noon, but the request was denied out of respect for late-morning worshipers. "I do not know if a later start time will be considered in future years," Katz stated.

Another option is to move the parade to a Saturday. However, Pride Northwest says that sum-

mer time slots are at a premium and that securing another date would be extremely difficult.

COURT: ANTI-GAY JOB BIAS VIOLATES CONSTITUTION

A Washington state appeals court July 18 unanimously ruled that firing public employees because they are gay violates the U.S. Constitution—the first ruling of its kind from any appeals court in the country.

The American Civil Liberties Union filed the lawsuit against Pullman Memorial Hospital in 1996 on behalf of Mary Jo Davis, a sonographer who was subjected to severe and ongoing harassment, then fired. A lower court dismissed the case, effectively saying the U.S. Constitution offers no refuge for gay men and lesbians who face discrimination by government agencies.

The Washington Court of Appeals disagreed in an 11-page decision. "A state actor violates a homosexual employee's right of equal protection when it treats that person differently than it treats heterosexual employees, based solely upon the employee's sexual orientation," the judges wrote.

"This is a historic ruling," said Matt Coles, ACLU Lesbian & Gay Rights Project director. "For the first time, an appeals court is saying that it's just plain unconstitutional for a government agency to fire someone for being gay."

The ruling sets a "powerful precedent," Coles said, and now will send Davis' case back to trial. She will be able to sue both the hospital and the chief radiologist who harassed her routinely.

Charles Guess constantly referred to the sonographer as a "fucking dyke" and "fucking faggot" and told another doctor, "I don't think that fucking faggot should be doing vaginal exams, and I'm not working with her." When she complained, he told administrators he didn't "agree with Mary Jo Davis' lesbian lifestyle."

Rather than discipline Guess, the hospital punished her—reducing her hours to three-quarters time so he wouldn't have to work with her. Finally, in 1994, she was fired.

At the appeals court, Guess claimed that even if it were unconstitutional to fire to Davis for being gay, he couldn't be expected to know that and therefore should be immune from legal responsibility. The judges disagreed strongly.

"The law is well established that intentional and invidious discrimination against an individual because he or she is a member of an identifiable class, violates that person's right to equal protection," they stated. "That proposition was as evident in 1994 as it is today."

According to the ACLU, the ruling will help gay men and lesbians nationwide.

"Mary Jo Davis was a good employee. She was subjected to a hellish work environment, then finally fired, because she is a lesbian," attorney Ken Choe said. "All over this country, people face discrimination because of their sexual orientation. It's particularly wrong when it's the government that does it—and this decision is now one of our most powerful weapons in fighting it."



PHOTO BY MARY DAVIS

Marchers display "unacceptable" behavior June 16 during Portland Pride 2002

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