

**NATIONAL news**

and gender identity, including a law unanimously passed May 1 by the Covington City Commission.

"This groundbreaking measure comes on the heels of exciting local victories here in Kentucky," said Andrea Hildebran, Kentucky Fairness Alliance executive director. "We are proud of our members statewide who have worked so effectively to create fairness protections for all."

It is still legal to fire someone based on sexual orientation in 36 states. A federal bill, the Employment Nondiscrimination Act, seeks to address this issue.

**ILLINOIS**

The village of Westmont will pay \$125,000 to a man who was denied a job in the police department, settling a lawsuit against the town for HIV discrimination, Lambda Legal announced May 29.

"This settlement is a tremendous victory for people with HIV who continue to face discrimination in the workplace," attorney Camilla Taylor said. "Our client was denied a job regardless of how well he could perform the duties. This kind of HIV discrimination isn't just illegal—it keeps people from pursuing their professional dreams."

Richard Roe, a name selected to protect the plaintiff's identity, is a quality officer who wanted to continue his chosen career with a police department in Illinois. From early on, he emerged as a clear favorite for the job in Westmont, a village of 25,000 west of Chicago. With his previous experience, he easily passed the initial screening requirements, including a physical ability test, a written exam and a psychological evaluation.

But at a medical examination required before an offer of employment is made, Roe tested positive for HIV. A doctor, chosen by the police department, said that he was fully able to do the job and that he did not pose a threat to others. Still, the department refused to hire him.

In addition to the monetary portion of the settlement, police commissioners will undergo annual training for the next three years on HIV-related issues, both on how HIV is transmitted and legal issues relating to employment. Westmont officials also agreed to stop using pre-employment medical exams or screenings and not ask whether applicants have tested positive for HIV. The police department has agreed to a nondiscrimination policy for applicants or employees based on their HIV status and will notify all employees that this policy has been adopted.

**PENNSYLVANIA**

The Philadelphia-based Boy Scouts of America council decided May 30 to expand its nondiscrimination policy to include sexual orientation. The unanimous vote by the board of the Cradle of Liberty Council, the nation's third-largest BSA council, highlights the discriminatory nature of the group's national anti-gay policy.

"The Cradle of Liberty Council sent a strong message to the national group this month that honesty, service and leadership are impossible skills to learn in a discriminatory environment," said Seth Kilbourn, Human Rights Campaign national field director. "This move is a loud and clear signal that safe and inclusive policies provide the richest settings for young people to thrive in."

The council serves more than 87,000 members in Delaware, Montgomery and Philadelphia counties. According to The Associated Press, the United Way organized talks that led to the vote after receiving complaints following the U.S. Supreme Court ruling in June 2000 allowing the BSA to continue its gay ban.

In a 5-4 decision, the court overturned the New Jersey Supreme Court decision that the

BSA's ban on gays violated the state's anti-discrimination ordinance. Since then, however, many groups have cut off funding to their BSA chapters because of the exclusionary policy and its divergence with local nondiscrimination laws.



Mark Foley

**FLORIDA**

U.S. Rep. Mark Foley, R-Fla., asserted during a telephone conversation with select reporters May 22 that he would not discuss his sexual orientation despite deafening whispers that he is a closet case. Bob Norman's May 8 column in the Palm Beach *New Times* alleged that the conservative congressman, who is seeking his party's nomination for U.S. Senate in 2004, is gay.

"Congressman Foley...asserted his choice not to discuss his private life, which we respect," said Chuck Wolfe, Gay & Lesbian Victory Fund executive director. "At those junctures where Congressman Foley does reference either his personal life or homosexuality, we call on him to be factual and truthful, so as to respect the decision of millions of gay Americans to live open, honest lives."

**NEW HAMPSHIRE**

Openly gay state Rep. Corey Corbin of Rockingham switched from Republican to Democrat last month.

"One of the motivating factors in my decision to leave the GOP were the comments of U.S. Sen. Rick Santorum, R-Pa., in which he likened homosexuality to incest, bestiality and an immoral lifestyle," he said. "Being a gay man and, up until this week, a Republican, those comments truly summed up for me the attitude of the GOP towards the millions of gay men and women who work, raise families, pay taxes and contribute to our society. We are hated, we are marginalized and are basically unwanted by a party that has forsaken the principles of Abraham Lincoln and become dominated by a right wing that falls far short of representing mainstream America."



Corey Corbin


At 33, Corbin is one of the youngest members of the House, where he served as Republican whip of the Labor and Industry Committee. He first was elected in 2000. **JM**

Compiled by News Editor JIM RADOSTA, who can be reached at jim@justout.com.

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