

**NATIONAL news**

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Steven Petrow

"Earlier this year, we launched a new initiative to bring DP benefits to the last large media holdouts: AP, NBC and MediaNews Group," said Steven Petrow, National Lesbian & Gay Journalists Association president. "With AP's decision, NLGJA will now focus more intently on the last two major news organizations."



Shannon Rose and Jane Brooks

**CALIFORNIA**

The American Civil Liberties Union filed a lawsuit May 1 against an Orange County adoption agency for discriminating against a lesbian couple who sought to adopt children under foster care.

According to the legal complaint, the Olive Crest agency is licensed and regulated by the state and has contracts with four California counties to recruit, train and certify foster and adoptive families and to place foster children with these families. Because it is performing this function on behalf of state and county governments, it is bound by both the constitutional requirement to give all prospective adoptive parents equal treatment under the law as well as California anti-discrimination laws that apply to businesses and nonprofits.

The case arose in July 2002 when medical doctor Shannon Rose and law student Jane Brooks applied to become certified as foster/adoptive parents with the goal of adopting foster children through Olive Crest. The women received repeated assurances that they would be treated fairly.

They filled out numerous forms, got fingerprinted and went through the extensive home study process required for certification. Their Olive Crest social worker told them that their home study was fine and that they had been "precertified" as foster/adoptive parents.

But in September 2002 they were told their adoption process had been suspended. Under Olive Crest's new Foster Family Recruitment Policy, they were told, the agency "prefers to place children with nuclear families" and "other applicants will be considered on a case-by-case basis."

"We were devastated when we heard that Olive Crest planned to stall our certification process," Rose said. "The ones who suffer the most, though, are the children who are waiting for a place to call home."

Attorneys filed a motion June 2 to intervene in an existing lawsuit on behalf of a parents group and a children's theater company who support a school board that has come under fire for providing diversity education through the arts.

"The school district did not violate anyone's rights," said Julia Harumi Mass of the American Civil Liberties Union of Northern California. "In fact, providing diversity education is an

important way to protect students from discrimination and harassment. In a state as diverse as California, these programs are urgently needed to make our schools safe and fair for all students."

The lawsuit, Citizens for Parental Rights vs. Novato Unified School District, was filed earlier this year against board officials in Novato, a town of about 50,000 located 30 miles north of San Francisco. The ACLU is representing United for Safe Schools Novato, a coalition of parents, students and organizations concerned with equality, and Fringe Benefits, a Los Angeles-based theater company whose production of a play on tolerance has been used by the board as part of its diversity curriculum.

According to the ACLU, the lawsuit was filed against the district for presenting *Cootie Shots: Theatrical Inoculations Against Bigotry* in two elementary schools. The series of plays, poems and songs illustrates the hurtful effects of name-calling and strategies for coping with intolerance in a school setting. In one entertaining twist on a traditional fairy tale, a tomboy encounters Rapunzel in her tower and persuades her to play outside instead of waiting for her prince.

The state Assembly approved two landmark bills June 4 that would provide significant rights and responsibilities to registered domestic partners and reduce discrimination in the workplace. The measures now head to the Senate, where a policy committee will consider them this month.

Assembly Bill 205 would grant registered domestic partners nearly all the rights, benefits and responsibilities currently granted only to spouses under state law. AB 17 would prohibit state agencies from contracting with businesses that discriminate in providing benefits to an employee with a spouse and an employee with a registered domestic partner.

AB 205 received a vote of 41-32, while AB 17 garnered a vote of 42-32. All of the support votes came from Democratic members of the Assembly, while every Republican voted against both measures.

**NEW YORK**

Following a request from Gov. George Pataki, the Unemployment Insurance Appeal Board has agreed to reconsider its decision denying unemployment benefits to Jeanne Newland, a lesbian who left her job in Rochester to relocate with her partner of nearly six years.

The American Civil Liberties Union filed an appeal on behalf of Newland that is pending in the New York Supreme Court's Appellate Division, Third Department. In a letter to the court, the state attorney general's office has asked it to refrain from deciding the case, pending the reconsideration by the appeal board.

Newland worked as a technical support representative for Element K, an educational technology company. She left her job in November 2000 to be with her partner, who had accepted a higher-paying job in Virginia.

After the couple moved, Newland looked aggressively for employment but had no luck. Nine months later, she was urged by the local unemployment office to file for benefits from the state of New York, which regularly grants such benefits to married couples and occasionally to engaged couples.

The legal standard by which the Labor Department reviews such matters is not based on marriage but on whether the person seeking benefits had "good cause" to leave his or her job. Nevertheless, when Newland applied for benefits, she was denied simply because she is not married to her partner.

"I hope that our relationship and commitment to each other will finally be recognized for what it is," she said. "After having such a difficult

time finding a job and struggling financially, it's encouraging to know that my case may make a difference to other lesbian and gay couples who find themselves in the position that I was in."



Aaron Price

**GEORGIA**

A former college student was convicted June 11 in the beating of a dormmate he thought was making sexual advances toward him. Aaron Price, 19, was found guilty of aggravated assault and battery but was acquitted of committing a hate crime.

He was sentenced in Fulton County Superior Court to two 10-year terms, which will be served concurrently. He is the first person to be tried under Georgia's hate crimes law, which was passed in 2000.

Price said he interpreted stares into a shower stall from Gregory Love as sexual advances and claimed he was acting in self-defense when he left the bathroom and returned to assault Love with a baseball bat last November at Morehouse College in Atlanta. Love, who suffered a fractured skull in the attack, said he did not have his glasses on and mistook Price for his roommate.

**PENNSYLVANIA**

One week after its nondiscrimination policy was made public, the Cradle of Liberty Council of the Boy Scouts of America officially ousted 18-year-old Gregory Lattera and apparently fired him from the summer camp job he held for the past three years for revealing his sexual orientation.



Gregory Lattera

In a letter dated June 6, Scout executive William T. Dwyer III told Lattera: "We have received information that has compelled us to revoke your registration. We therefore request that you sever any relationship you may have with the Boy Scouts of America. A refund of your registration fee is enclosed."

The letter gave no indication of what the BSA's actions were based on or what Lattera had to address in his request for a review. Within hours of receiving the letter, he called Dwyer for details about his expulsion.

"He hung up on me as I was trying to get the rest of my questions out," Lattera reported. "He said: 'Well there ya go...you went and made your sexual orientation open. If you had just kept your mouth shut and been a good Scout and employee you wouldn't have this problem.' I said, 'I have a few more questions,' and Dwyer said, 'God bless you, Greg' and hung up. That was the end of the conversation."

Two years ago, the Boston Minuteman Council of the BSA adopted a similar non-discrimination policy. One week after it was reported in *The Boston Globe*, the council backpedaled when Mark Noel, another openly gay Eagle Scout, was turned down for a position as a merit badge counselor. [E]

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