



Bill Frist

Senate Majority Leader Bill Frist, R-Tenn., criticized last month's Supreme Court decision banning state sodomy laws June 29 on ABC's *This Week*, saying it could lead to increased prostitution and drug dealing. He went on to say he endorsed an amendment to the U.S. Constitution to ban legal marriage for gay and lesbian couples in long-term, committed relationships.

In his majority opinion in *Lawrence vs. Texas*, Justice Anthony Kennedy specifically addressed the issues raised by Frist. This case "does not involve persons who might be injured or coerced or who are situated in relationships where consent might not easily be refused. It does not involve public conduct or prostitution," Kennedy wrote. "The petitioners are entitled to respect for their private lives. The state cannot demean their existence or control their destiny by making their private sexual conduct a crime."

Speaking on the subject of gay marriage and a proposed constitutional amendment prohibiting gay marriage, Frist went on to say: "I very much feel that marriage is a sacrament, and that sacrament should extend and can extend to that legal entity of a union between—what is traditionally in our Western values has been defined—as between a man and a woman. So I would support the amendment."

KANSAS

The U.S. Supreme Court ordered the case of a young gay man back to a Kansas appeals court for further consideration June 27 in light of its historic ruling on sexual intimacy issued June 26.

The decision vacated Matthew Limon's sentence and instructed the Kansas Court of Appeals to review his case. By doing so, the court further affirmed its mandate in *Lawrence vs. Texas* that states no longer can penalize the sexual conduct of gay people differently.

Limon is appealing a 17-year prison sentence he received because shortly after he turned 18 he performed consensual oral sex on a nearly 15-year-old male at a residential school for developmentally disabled youth where they both lived in Miami County. If he had instead performed oral sex on a female of the same age, he would have received 12 months in jail under the "Romeo and Juliet Law," which applies only to heterosexuals. The Kansas statute stipulates that consensual oral sex between two teens is a lesser crime if the younger person is 14 to 16, if the older person is younger than 19, if the age difference is less than four years, if no third parties are involved and if the two teen-agers "are members of the opposite sex."

"Until yesterday, Matthew Limon was facing

the likelihood of being in prison until he was 36 years old, while he would have been released before turning 20 if he were heterosexual," said James Esseks of the American Civil Liberties Union. "This is a great first step toward correcting the massive injustice that has been done to Matthew Limon."

In addition to the Kansas law, sexual conduct laws that treat young gay people differently from heterosexuals remain on the books in Texas, Alabama, California, Virginia and Georgia, Esseks said. The *Lawrence* decision calls all such laws into question.

NEVADA

Lambda Legal has filed appeal papers in federal court on behalf of a woman who was fired from Harrah's Casino in Reno after 21 years for not adhering to rigid sex stereotypes in its new dress code.

In August 2000, Darlene Jespersen was terminated from her position as a bartender after the company enacted the "Personal Best" program, requiring all women in the beverage department to wear makeup, specified as foundation or powder, blush, lipstick and mascara. The women also were required to wear their hair teased, curled or styled and to wear nude or natural color stockings. Women wishing to wear nail polish were limited to clear, white, pink or red color only.

"To me, wearing makeup should be a personal choice. I'm doing the same job as male bartenders, and they don't have to wear makeup," Jespersen said.

Late last year, a federal judge ruled against Jespersen, saying the appearance standards were applied evenhandedly to both sexes, and Lambda Legal stepped in to help handle her case at the U.S. Court of Appeals for the 9th Circuit, where papers were filed June 16. "Employers are certainly allowed to require their workers to present a professional appearance—but Harrah's went too far by requiring women to fit extreme, burdensome stereotypes, which is exactly what federal civil rights laws forbid," attorney Jennifer C. Pizer said.



Harrah's Casino in Reno, Nev., fired Darlene Jespersen because she refused to conform to its sexist dress code

TEXAS

Michael Charles Hurd was shot and killed June 19 as he drove down a street in Houston. He was dressed as a woman at the time of his death.

"PFLAG condemns the hatred and misunderstanding that leads to crimes against those of us who don't appear to conform to society's repressive norms," said Sam Thoron, Parents, Families and Friends of Lesbians and Gays national president. "This cold-blooded killing would appear to be a hate crime. If so, it is yet another chilling example of the violence perpetrated against transgender people." ■

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