

NATIONAL news

pro-gay diversity education program agreed Sept. 4 to dismiss the lawsuit, ending nearly two years of litigation. The lawsuit attacked the district for presenting a play titled *Cootie Shots: Theatrical Inoculations Against Bigotry* in two elementary schools.

"The plaintiffs' decision to walk away at this stage of the case shows that their claims were baseless," attorney Julia Harumi Mass said. "It shows that schools have the authority to require attendance at tolerance-building and diversity education programs that include teaching tolerance for lesbian and gay students."

The play, which was performed by the educational theater company Fringe Benefits, tackles stereotypes and discrimination in an age-appropriate way through short plays, songs and poems. Students, parents and educators in more than 100 schools throughout California and other states have enthusiastically received *Cootie Shots*.

The lawsuit, which was touted in a Jan. 31, 2002, press release by the right-wing Pacific Justice Institute as the "first in a major litigation campaign," said parents had a right to prevent their children from watching the play because it constituted "sex education." They also claimed that showing *Cootie Shots* to their kids violated their religious freedoms.

"Teaching tolerance for lesbian and gay students has nothing to do sex education or religious freedom," attorney Tamara Lange said. "This lawsuit was a mean-spirited and vicious attack on lesbian and gay people that aimed to destroy an outstanding tool for teaching tolerance for all students."

Gov. Gray Davis signed a bill Sept. 11 that allows school districts to receive grants to train teachers in hatred and intolerance prevention.

"This new law will encourage schools to embrace the increasing diversity of California's population and to better address prejudice and bigotry," said Geoffrey Kors, Equality California executive director. "This is especially important for lesbian, gay, bisexual and transgender students, who experience a high dropout rate due to harassment they experience at school."

Assembly Bill 1250 is the first measure by John Laird, D-Santa Cruz, to be signed by Davis. Laird, along with Mark Leno, D-San Francisco, made history last fall as the first out gay men ever elected to the Legislature. Leno's first bill, a measure prohibiting housing and employment discrimination based on gender identity, received the governor's signature in August.

Gov. Gray Davis signed legislation Sept. 8 that will protect foster children and caretakers from bias based on a range of factors including sexual orientation, gender identity and HIV/AIDS status. Assembly Bill 458 provides that foster parents and staff will receive information on the nondiscrimination requirement in the course of existing training hours.

"This bill will ensure that at-risk youth—including lesbian, gay, bisexual and transgender youth—are better protected while in California's foster care system," said Geoffrey Kors, Equality California executive director. "This is not a complicated or controversial issue: We have an obligation to protect our most vulnerable foster children from harassment and discrimination."

PENNSYLVANIA

A \$100,000 settlement in the case of a teenager who committed suicide after two police officers threatened to "out" him to his family sends a clear message to government officials to stay out of the private lives of queer youth, the American Civil Liberties Union said Sept. 12.

"No amount of money can replace what our client lost because of the actions of the police, but in paying this settlement the police department is acknowledging the role it played in Marcus Wayman's death," said David Rudovsky, who represented the 18-year-old's mother, Madonna Sterling. "And an important part of Marcus' legacy is the message that his case sends to government officials that they must respect young people's privacy about their sexual orientation."

Wayman, a rural Pennsylvania high school football player, was in a parked car with a 17-year-old male friend when police questioned the two, found condoms while searching the vehicle and arrested them for underage drinking. At the Minersville police station, officers lectured the two teens about the Bible's condemnation of homosexuality and threatened to tell Wayman's grandfather that he was gay.

After Wayman was released from custody, he went home and shot himself in the head. Sterling sued the town and the officers for misconduct, discrimination and violation of the right to privacy.

In an earlier ruling in Sterling's case, the Third Circuit Court of Appeals in Philadelphia ruled that police violated Wayman's constitutional rights when they threatened to tell his family that he was gay. The court rejected the argument that gay men and lesbians are not protected by the right to privacy and ruled instead that "it is difficult to imagine a more private matter than one's sexuality."

The officers had asked the federal appeals court to let them out of the case on the basis that it was not clear that the right to privacy protects queers. The appeals court denied that request and sent the case back to the lower court for a trial, which resulted in the settlement.

"Although the police have taken our son, destroyed our family and caused irreparable damages, we have proven that our elected officials must be held accountable for their actions," Sterling said. "We now call upon the public to support our crusade to remove these dangerous rogue police from Minersville and Borough—we demand that its police officers be adequately trained in sensitivity to sexual minority issues and that a written policy be adopted. Rest assured, this is only the beginning."

MICHIGAN

An arrest has been made in the abduction and murder of an 18-year-old from Grand Rapids. Justin Bogdanik had been discovered in a ditch in Livingston County two weeks prior to his death July 8.

The suspect, James Moore, is implicated in several sexual assaults of young men. Bogdanik is the only known homicide tied to Moore at this time.

"Perhaps with this arrest, those who knew and loved Justin can find some solace," said Jeffrey Montgomery, Triangle Foundation executive director. "Pickup crimes are an ever-present threat in the gay community, leaving innocent people vulnerable to danger and death at the hand of opportunists and unstable people who are often conflicted about their own sexuality and who often stalk and bait their potential victims."

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



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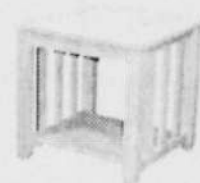
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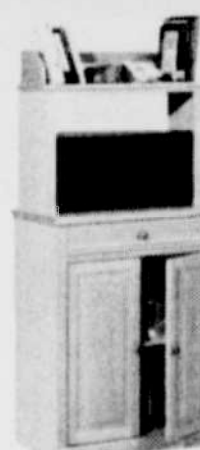


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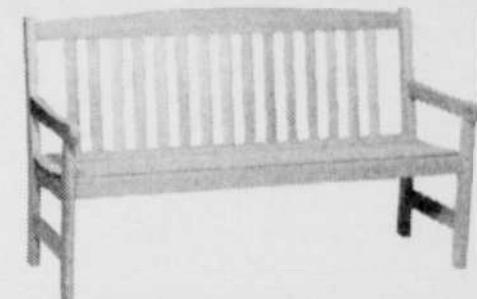


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