

**NATIONAL news**



Former Alabama Chief Justice Roy Moore (right, with wife Kayla and son Caleb) called homosexuality "abhorrent, immoral" and "detestable" as well as "an abominable sin"

[homosexual] conduct with physical penalties such as confinement and even execution...to prevent the subversion of children toward this lifestyle."

The National Gay and Lesbian Task Force, which called for Moore's removal 21 months ago, hailed the nine-member panel's unanimous decision. "We are glad that, nearly two years after Chief Justice Moore shocked the American public with his medieval endorsement of capital punishment for gay people, fair-minded Alabamians have agreed that Moore is not suited to lead this most sacred and important institution of our judicial branch of government," executive director Matt Foreman said.

**GEORGIA**

Lambda Legal announced Nov. 5 a lawsuit settlement requiring civil rights safeguards when faith-based organizations receive taxpayer dollars to provide child welfare social services. The terms dictate that these charities must not infringe on the rights of employees, taxpayers, recipients of services or religious groups.

"This settlement is a significant breakthrough in the national debate over whether more taxpayer money should be given to religious organizations," attorney Susan Sommer said. "There can't be a sign on the door of a government-funded social services provider saying 'Taxpayer Funded Position: Jews and Catholics Need Not Apply.'"

The closely watched case, filed in August 2002, said taxpayer money was being used unconstitutionally to discriminate in employment and services at the United Methodist Children's Home. Sommer represented Aimee Bellmore, a highly capable youth counselor who had been told she soon would be promoted but instead was fired after the agency learned she was a lesbian. Another plaintiff, Alan Yorker, an exceptionally qualified psychotherapist with more than 20 years of experience, interviewed for a position at the children's home but was turned away when, as the interview began, a senior staff member realized he was Jewish and told him the agency does not hire Jews.

**CALIFORNIA**

Call it a mixed message at best. Or maybe politics at worst. During the same week President Bush issued an anti-gay marriage proclamation, he sent enthusiastic 35th anniversary congratulations to the predominantly gay Metropolitan Community Churches, a group that performs more than 6,000 same-sex weddings annually.

MCC, one of the world's largest gay organizations, was

founded in 1968 by the Rev. Elder Troy D. Perry. Today, it boasts almost 300 churches for its 43,000 members and adherents in 22 countries.

In Bush's letter dated Oct. 14 to MCC's founding congregation in Los Angeles, he wrote: "By encouraging the celebration of faith and sharing of God's love and boundless mercy, churches like yours put hope in people's hearts and a sense of purpose in their lives. This milestone provides an opportunity to reflect on your years of service and to rejoice in God's faithfulness to your congregation."

The letter was written during "Marriage Protection Week," an effort endorsed by Bush and organized by religious right leaders such as Jerry Falwell, James Dobson, the Southern Baptist Convention and the American Family Association to deny equality under the law to gay men and lesbians.

Bush's letter left the Rev. Neil Thomas, senior pastor of MCC Los Angeles, baffled. "How does one denounce the right of gays and lesbians to marry in their churches and suggest they are incapable of having healthy marriages in one moment, and in the next rejoice in God's faithfulness to a gay and lesbian congregation that performs such same-sex marriages?"

One week after Lambda Legal and San Francisco activists launched protests against Cirque du Soleil for discriminating against people with HIV, the company has started sending a six-paragraph letter to members of the public—admitting it fired a gymnast solely because he has HIV but claiming such action is not "discrimination."

"Today, it's clearer than ever that Cirque du Soleil just doesn't get it," attorney Michael Adams said. "People with HIV can work safely in a wide variety of jobs, and it's illegal to fire people because they have HIV."

Protesters launched the campaign, "Discrimination: Another Side of Cirque du Soleil," by greeting people waiting in line to see the opening night performance of *Alegria* Nov. 6 with leaflets and materials on the company's discrimination.

Lambda Legal filed a federal discrimination complaint in July against Cirque du Soleil on behalf of Matthew Cusick, who was fired because he has HIV. Although the company's own doctors cleared him to safely perform for the Las Vegas-based show *Mystere*, managers

told him that because he has HIV they would not continue to employ him. Cusick describes the Cirque du Soleil position as a "dream job" for any gymnast.

In the letter Cirque du Soleil is sending members of the public who write to complain about the discrimination, senior staffer Renee-Claude Menard says Cusick was fired "solely for safety reasons." Cusick was hired to perform on the Russian high bar and the Chinese poles. Menard's letter and Cirque du Soleil's other public statements on the issue offer no explanation for how a highly trained gymnast could transmit HIV while performing in such a heavily rehearsed and choreographed show.

**NEBRASKA**

The American Civil Liberties Union filed lawsuits Nov. 13 on behalf of an HIV-positive 19-year-old woman against two of her former employers, a Nebraska restaurant and Casey's General Stores Inc., for illegal discrimination.

Priscilla Doe, who is suing under a pseudonym to protect her privacy, was fired from her job as a hostess at a restaurant in the small town where she lives when the owner learned she was HIV-positive. Just one week later, she suffered significantly reduced hours and was forced to wear protective gloves by the manager at Casey's after the manager learned of her HIV status.

Doe was hired as a hostess at a restaurant in August 2002. She got along well with the owners until May 9, 2003, when she was

called just before she was to report to work and terminated over the phone. She later learned from other employees that the owners fired her because they found out she was HIV-positive.

Doe also had a second job as a shelf stocker at Casey's, a convenience store chain with more than 1,300 stores throughout the Midwest. She started off working just two nights a week. By March 2003, she was working five evenings a week and was told by her manager that she was the store's best stocker.

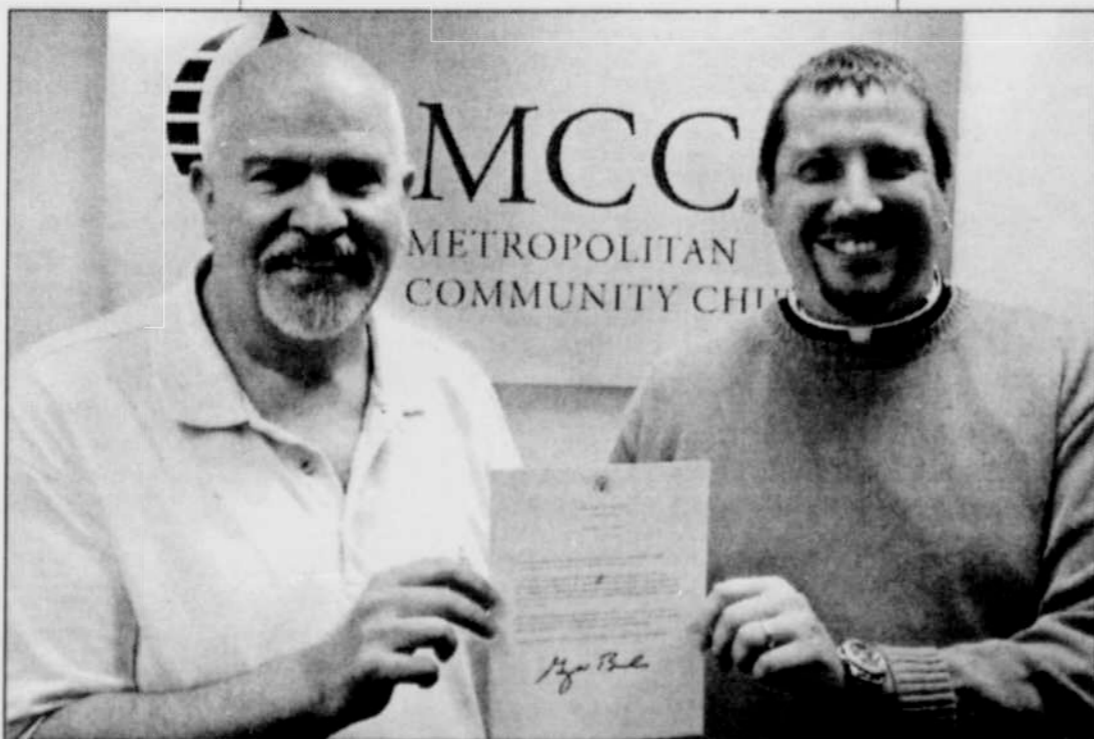
In May, shortly after she was fired from the restaurant, her manager at Casey's asked if she was HIV-positive. When she answered that she was, the manager told her that she would have to wear rubber gloves at all times, that she could not tell anyone about her HIV status and that if she came in late or violated any of these rules she would be fired. She also told Doe to look for another job. Her hours were reduced from five evenings a week to three.

"When I tested positive, my whole world turned upside down, and I had to reevaluate everything," Doe said. "I knew that living with HIV wasn't going to be easy, but I wasn't prepared for people to be so mean and ignorant." J

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



Cirque du Soleil fired gymnast Matthew Cusick because he has HIV



MCC founder/moderator the Rev. Elder Troy D. Perry (left) and MCC Los Angeles pastor the Rev. Neil Thomas show off their congratulatory letter from President Bush

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