



A California country club denied benefits to B. Birgit Koebke and Kendall French because they are gay

benefits to married couples and occasionally to engaged couples in these circumstances.

The Labor Department as well as the Unemployment Insurance Appeal Board initially denied Newland's request for benefits. Last June, after the ACLU filed suit, the board agreed to reconsider its ruling.

"The Department of Labor understands that love and commitment makes a family," said Alan Van Capelle, Empire State Pride Agenda executive director. "We applaud the department's decision to permanently change its policy to recognize that all New York families need to be supported by their government."

The Labor Department outlined its change of policy in a letter to the board, asking it to give Newland the benefits. It pointed out that, like married couples, unmarried couples in committed relationships may also have "good cause" for leaving a job to follow their partners.

Because of the change of policy, gay and lesbian New Yorkers who relocate to be with their partners can seek unemployment benefits. Couples in this position will have to provide proof of a "long-term committed relationship."

CALIFORNIA

A state appeals court heard arguments Feb. 9 in the case of a San Diego lesbian couple whose country club refused to treat them like other committed couples. Lambda Legal, which represents the women, is asking the court to order the club to treat same-sex couples equally and fairly.

"Gay men and lesbians currently cannot marry under California law," attorney Jon Davidson said. "By adopting policies that only give privileges to married couples, the country club automatically discriminates against lesbian and gay people."

B. Birgit Koebke and Kendall French were denied full benefit of Koebke's Bernardo Heights Country Club membership because they are not married. Club policy allows a spouse to be included in membership. Although the couple

have been domestic partners since 1993, the club refuses to recognize their relationship and forces them to pay additional greens fees whenever French seeks to play golf as Koebke's "guest."

Since 1995, Koebke has worked to obtain a change to the membership transfer policy, citing heterosexual couples who were not married but able to extend club privileges to their partners. By excluding Koebke and French from its membership transfer policy, Lambda Legal says, the club is in violation of state laws prohibiting discrimination based on sexual orientation, marital status and sex.

"Other members have their 'better half' recognized and accepted at the club, while Kendall is only my 'guest,'" Koebke said. "We just want to be treated equally and play golf together. It's not rocket science."

OHIO

Ohio banned marriage and marriage-related benefits for same-sex and other unmarried

couples Feb. 6. The law not only prohibits any recognition of marriages between same-sex couples but also precludes the "recognition or extension of the specific statutory benefits of a legal marriage" to any unmarried couple.

It also prevents state employees from ever receiving health insurance benefits for their unmarried partners. Additionally, out-of-state same-sex couples who are both legal parents of their children may see these adoptions invalidated or not honored when they come to Ohio.

A broad range of Ohioans spoke out against House Bill 272—including Ohio State University



Karen Holbrook says an anti-gay law will hinder Ohio State University from attracting top-tier researchers

president Karen Holbrook, who urged Republican Gov. Bob Taft to veto the legislation, saying it would have an "adverse impact on...one of Ohio's largest employers to attract and retain employees." Several other companies expressed opposition to the measure, including Fortune 500-ranked NCR Corp., based in Dayton, and Missing Lynx, a software company based in San Ramon,

Calif., that was set to consider relocating to Cleveland if Taft vetoed the measure.

"This bill is a giant step backward for the state of Ohio," said Patrick Guerriero, Log Cabin Republicans executive director. "Gov. Taft, part of a legendary family in Republican history, did grave disservice to our party."

Ohio becomes the 39th state with a law banning marriage rights for same-sex couples; however, no other state prohibits the extension of benefits to all unmarried couples. South Carolina state Rep. Gloria Haskins, a Republican, introduced a measure Jan. 29 that also would prohibit such benefits for unmarried couples.

TENNESSEE

The Tennessee Court of Appeals will reconsider a lower court order that prevents a gay father from "exposing" his son to his partner, the American Civil Liberties Union of Tennessee announced Feb. 9.

During Joe Hogue's divorce, the lower court judge issued a restraining order barring him from "taking the child around or otherwise exposing the child to his gay lover(s) and/or his gay lifestyle." In September 2002, Hogue was found in contempt of the order and was sentenced to two days in jail after his ex-wife complained that he told his son that he was gay. The judge also significantly reduced Hogue's visitation with his son and gave the ex-wife all decision-making power over the child.

Hogue appealed the contempt charge to the Tennessee Court of Appeals, which cleared him in January because revealing his sexual orientation to his son was not part of the restraining order. However, the court went on to say that the restraining order was valid. Following a request by the ACLU, the court has agreed to reconsider its decision.

"For two years now, I have had to hide an important part of my life from my son. I hope the court will understand that visitation restrictions like these deny children honest relationships with their parents," Hogue said. "It's hard to teach your child how to be honest and stand up for what's right if you aren't even allowed to be truthful about who you are."

GEORGIA

U.S. Sen. Zell Miller, D-Ga., who has committed to campaign for the reelection of President Bush, voiced support Feb. 9 for the anti-gay Federal Marriage Amendment. He is the only Democratic senator in favor of the proposal.

"Sen. Miller has turned his back on thousands of Georgia families as well as his own party," said Dave Noble, National Stonewall Democrats executive director. "In doing so, he has joined a small fringe of politicians who have chosen to trample on state rights, ignore human rights and radically rewrite our own Constitution."

Senate Joint Resolution 26 would force states to deny recognition of same-sex marital relationships and would require any state that recognizes such relationships to amend their own constitution. The resolution has six Republican sponsors in the U.S. Senate. A similar resolution has been introduced in the U.S. House with 103 Republican and six Democratic sponsors. **JM**



Zell Miller

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