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North Carolina school officials illegally censored gay student candidate Jarred Gamwell's posters

NORTH CAROLINA

The American Civil Liberties Union expressed disappointment April 27 after a North Carolina court denied without explanation its motion to end school officials' censorship of a gay junior's campaign posters promoting his run for student body president. Superior Court Judge Dwight Cranford issued the decision after 40 minutes of arguments by both sides.

Jarred Gamwell, 17, said he made the posters to let other students know he's gay to show he'd celebrate diversity if elected. The posters—one with the slogan "Queer Eye for Hunt High" and another reading "Gay Guys Know Everything"—were removed by administrators at James Baxter Hunt Jr. High School in Wilson last month with no explanation.

Other students' campaign posters referencing popular media catchphrases—one that reads, "What can Brown do for you?" and another stating, "It's Miller Time!"—were left undisturbed by the school. Gamwell approached the ACLU for assistance after Principal Bill Williamson ordered the removal of the posters and then refused to explain why.

"First my principal took down my posters without explaining why, and now this judge has ruled against me, also without explaining why, so of course I'm disappointed," Gamwell said. "But the support I got from other students at my school today about this was amazing. People cheered for me in the halls, and students who have never spoken to me came up to tell me how great they think it is that I'm fighting this."

VERMONT

The town of Hardwick settled a discrimination claim April 22 after the state's attorney general ruled that Vermont law prohibits discrimination against trans people in employment, public accommodations, housing and other areas. In a November 2003 ruling, the attorney general found probable cause that Hardwick illegally fired Officer Anthony Barreto-Neto because he is trans.

"The attorney general clearly found that transgender persons are protected under Vermont's prohibitions against sex or sexual orientation discrimination," said Jennifer Levi of Gay & Lesbian Advocates & Defenders, which represented Barreto-Neto in the case. "This is a groundbreaking decision for transgender people who have historically been excluded from many civil rights protections and continue to experience pervasive discrimination."

Barreto-Neto was hired at the Hardwick Municipal Police Department in April 2002. After officials found a Web site describing him as a "transsexual," town officials presumed his inability to do the job.

The officer was then subjected to a continual pattern of harassment and inferior work conditions so severe he was forced to leave his job. In its ruling, the attorney general's office credited testimony of former Police Chief Gregory Rambo, saying he was directed to make Barreto-Neto so uncomfortable that he would have to leave the force.

Hardwick awarded Barreto-Neto \$90,000, adopted a formal nondiscrimination policy covering trans employees and pledged to train its employees on trans issues.

CALIFORNIA

One week into the murder trial of Newark teen Gwen Araujo, defense attorneys began laying the groundwork for an aggressive "trans panic" defense—a new twist on the old "gay panic" defense. The 17-year-old trans woman was viciously attacked and killed by four of her peers Oct. 3, 2002. Opening statements in the murder trial of three of the men began April 15 in Hayward.

Araujo was beaten severely—using fists, canned goods and a metal skillet—then strangled to death. Her attackers then wrapped her in blankets and hit her in the head with a shovel before placing her body in a pickup.

She was driven to a remote location and buried in a shallow grave near South Lake Tahoe, where her body was found two weeks later after one of her attackers, Jaron Nabors, 20, confessed to police. Three men—Michael Magidson, 23, and Jose Merel and Jason Cazares, both 24—are on trial for her murder. Nabors was also charged but pleaded guilty to manslaughter and, in exchange for testifying against the others, was promised an 11-year prison sentence.

Defense attorneys have claimed that Araujo "deceived" her attackers and that learning her biological sex caused one defendant to become enraged "beyond reason." One attorney claimed that no hate crime had been committed.

"One reason the defense lawyers think they can get away with these arguments is because of pervasively negative stereotypes about transgender women," said Christopher Daley, Transgender Law Center co-director. "Clearly, like all transgender people, Gwen wasn't deceiving anyone when she dressed like and presented herself as the young woman that she truly was. And just like transgender people in any other context—work, housing, school, etc.—she was under no obligation to disclose her gender identity to anyone, including the defendants."

In a historic first, the Assembly Judiciary Committee approved April 20 the groundbreaking Marriage License Nondiscrimination Act by Mark Leno, D-San Francisco. The vote, divided along party lines, was 8-3.

This marks the first time in the nation's history that a state legislative body has voted in favor of issuing marriage licenses to gay and lesbian couples. The act now moves on to the Assembly Appropriations Committee.

"This is an incredible victory not only for California's lesbian and gay couples and their children but for all people who believe in equal rights," said Geoffrey Kors, Equality California executive director. "The committee today voted to return California to the definition of marriage that existed before 1977, when the Legislature changed it from a contract between 'two people' to a contract between 'a man and a woman.' That law is the only remaining law in California enacted by this body that affirmatively discriminates against a protected group of Californians."

MAINE

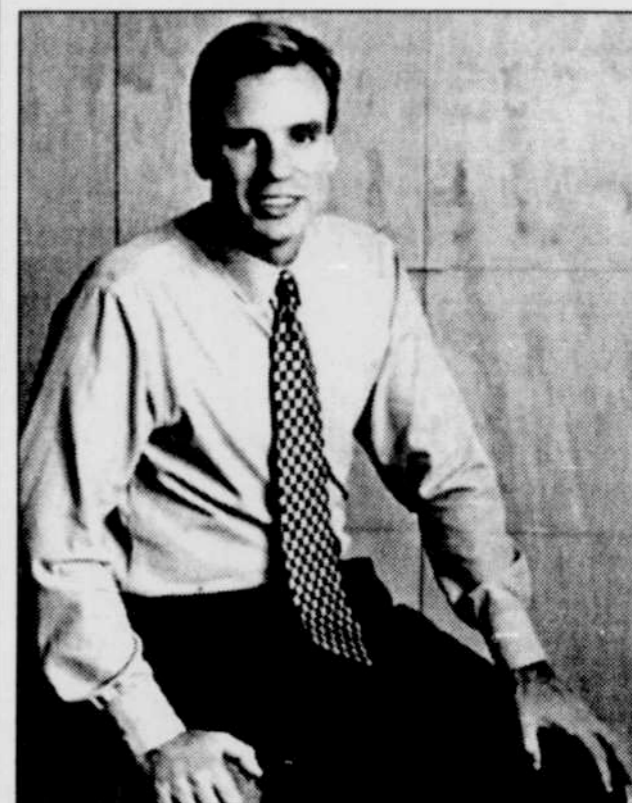
The Legislature took a step toward equality April 27 by passing a domestic partnership registry bill.

The measure will provide inheritance rights, next-of-kin status, victim's compensation

and guardian and conservator rights to domestic partners. Democratic Gov. John Baldacci is expected to sign the bill shortly.

This measure passed the House on April 12 with an 84-58 vote and the Senate on April 27 with an 18-14 vote. If the governor signs the bill, Maine will become the fifth state to pass a law providing rights to unmarried couples.

"The Senate's enactment vote on this bill reaffirms what we believe is the responsibility of our elected officials in Augusta—to ensure that all Maine citizens are treated fairly and equally under the law," said Betsy Smith, Equality Maine executive director.



Virginia Gov. Mark Warner cannot veto one of the nation's most discriminatory laws

VIRGINIA

The General Assembly passed into law April 21 one of the most discriminatory and restrictive anti-family and anti-marriage bills in the country. The law not only prohibits the state from recognizing civil unions, but it also outlaws "any partnership contract or other arrangements that purport to provide the benefits of marriage."

"The lawmakers have codified second-class citizen status for hundreds of thousands of Virginians," said Dyana Mason, Equality Virginia executive director. "We are not only disappointed, but we are outraged that short-sighted Virginia extremists succeeded in condoning discrimination."

Democratic Gov. Mark Warner amended the so-called "Marriage Affirmation Act" April 16 by removing the "partnership contracts and other arrangements" language. However, the assembly rejected those changes and voted to pass the original version of the bill, sponsored by Delegate Robert Marshall, R-Manassas. Both chambers passed the measure by more than a two-thirds vote—disallowing a veto by the governor. The measure will become law July 1.

Warner told The Associated Press on April 16 that the measure attempts to "violate contracts between individuals, whether they are gay or straight." He added: "The ramifications of this could be enormous in terms of their ability

to break apart business partnerships. It would move Virginia so far out of the mainstream that that's not where I think we ought to be."

OKLAHOMA

The House passed an amendment to the state constitution April 22 that would deny marriage, civil unions and domestic partnerships to same-sex couples, sending it to the ballot this November.

Nine similar anti-marriage



Maine Gov. John Baldacci is expected to sign a domestic partnership registry bill