

NATIONAL news

that the law denying same-sex couples the right to marry violates the state constitution's guarantees of equality.

"Lesbian and gay couples make the same commitments to each other and their children that straight couples do," attorney David Rocah said. "Excluding lesbian and gay couples from marriage denies them and their children important safeguards and discriminates against families when they are most vulnerable."

The lawsuit was filed in state court in Baltimore on behalf of nine same-sex couples and a man whose partner recently passed away who would like to be able to marry one day. They come from all walks of life, ranging from a former civil rights worker, a bus driver and a paramedic to a teacher, a dentist and a former police officer. Some have been together for decades, some are already raising children, and one couple have a child on the way.

"When you hear the stories of the people involved in this lawsuit, it's obvious that lesbian and gay people in Maryland suffer real harms when their relationships aren't recognized," attorney Ken Choe said. "The Maryland Constitution demands equal treatment, and that means equal treatment in marriage, too."

The *Washington Post* reported that Republican Gov. Robert L. Ehrlich Jr. dismissed the suit as part of the ACLU's "far-left agenda" and promised he would support efforts in the General Assembly to clarify the current law outlawing same-sex marriage.

"Traditional marriage in my view and the view of most Marylanders and Americans is the cornerstone of our society," he said. "That used to be common sense."



Ruth Berman (left) and Constance Kurtz are suing the state of Florida for the right to marry

FLORIDA

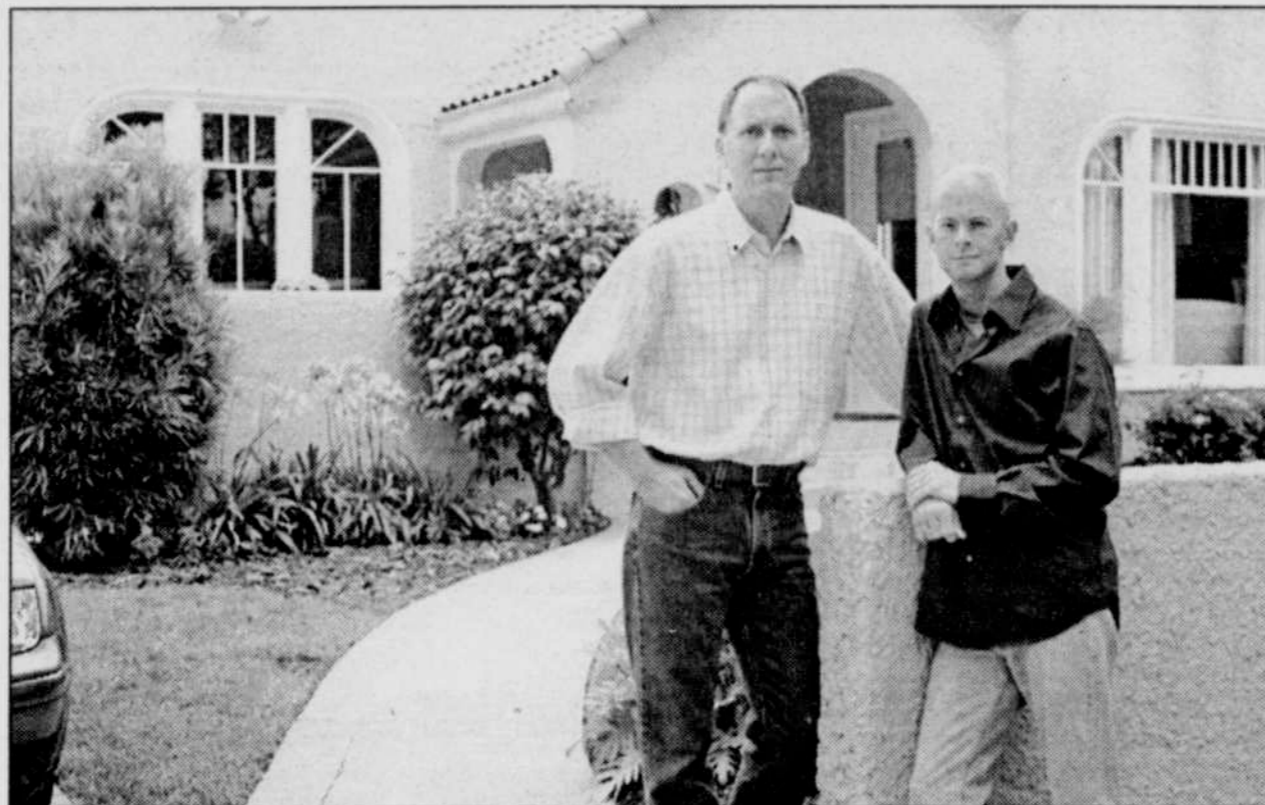
A lawsuit was filed July 1 on behalf of seven long-term gay and lesbian couples to challenge the Florida statute prohibiting marriage between same-sex partners.

"The best defense is a good offense, and we will encourage lawsuits to flood the courts," said Robin Tyler, executive director of DontAmend.com. "We are very grateful that a nationally famous attorney, Ellis Rubin, would be willing to take these cases in Florida and that his law firm is doing them pro bono."

Among the plaintiffs are Ruth Berman and Constance Kurtz of West Palm Beach, who were the subject of the award-winning documentary *Ruthie & Connie: Every Room in the House*. They say they are suing because "we have a 29-year loving, caring and responsible relationship, and we are entitled to marriage and receiving all of the benefits, protections and responsibilities afforded every heterosexual married couple."

The Miami Beach City Commission voted July 7 to expand its nondiscrimination law to cover trans people.

"Today, Miami Beach joins Key West and Monroe County in clearly stating that transgender people may not be discriminated against in employment, housing, public accommodations and lending," said Stratton Pollitzer of Equality Florida. "We believe today's vote represents a grow-



Former flight attendant David A. Lee (left) says Continental Airlines refuses to recognize his marriage to Daniel Vaillancourt

ing trend in Florida toward the realization that transgender people are part of our communities and must be included in basic human rights laws."

Miami Beach joins a growing number of municipalities across the country to ban anti-trans bias, becoming the 71st jurisdiction to expand its law. In 2003 Key West and Monroe County added similar protections by unanimous votes, and in 2000 Wilton Manors passed a law requiring all businesses that contract with the city to include sexual orientation and gender identity in their nondiscrimination policies.

"We fought hard to keep Miami-Dade's human rights ordinance as inclusive as possible, and today Miami Beach has taken that inclusiveness to a new level," said Hedy Pena, Save Dade executive director. "This ordinance protects not only transgender people but anyone who suffers discrimination because they do not fit traditional gender stereotypes."

Rajee Narinesingh, a trans educator and activist, added: "Today is a very big day not only for transgender people but for anyone who suffers discrimination because of their differences. I endure discrimination every day, but today I can walk around Miami Beach knowing I am part of a community that will not tolerate any form of prejudice."

VIRGINIA

Lambda Legal filed papers July 12 in the Virginia Court of Appeals to overturn the conviction of a man who was charged with solicitation of sodomy despite the U.S. Supreme Court's landmark ruling last summer that clearly struck down all remaining sodomy laws in the nation.

"This sodomy law is dead, and that means you can't convict someone for attempting to violate it or talking about violating it; there's no law left to violate," attorney Greg Nevins said. "This was a rogue prosecution under a law that no longer exists."

Earlier this year, Joel Singson was convicted of solicitation to commit sodomy. The incident began after a discussion with an undercover police officer in the men's room at a Virginia Beach mall, which the cop said led him to believe Singson requested an act of sodomy.

Singson was taken by two officers to the back of the store, questioned and released. He was charged several months later and spent eight days in jail. If Singson loses at the end of the appeal process, he faces a three-year jail sentence with 2 1/2 years suspended.

Nevins argues that the lower court should have dismissed the case in light of the Lawrence vs. Texas case striking down all remaining sodomy laws across the country. He pointed to a similar case in New York more than two decades ago, where the state's sodomy law had been struck down

and the state's highest court later said that, as a result, it was unconstitutional to prosecute people for loitering for the purpose of soliciting sodomy.

TEXAS

The Houston-based Continental Airlines has denied a request by former flight attendant David A. Lee to have Daniel Vaillancourt listed as his spouse for purposes of free flight privileges routinely granted to the husbands and wives of heterosexual past employees.

Lee and former journalist Vaillancourt, who now work as a Los Angeles-based team of television writers, were wed April 1 in Vancouver, British Columbia. Same-sex marriage has been fully legal in the Canadian province since July 8, 2003.

"My exit contract clearly states that travel benefits are available for me and my spouse," said Lee, who worked for Continental from 1981 to 1989, when he accepted an offer of a premature-retirement benefits package. "Daniel is my spouse. We are legally married. But because we're two men, Continental's decided it won't live up to its part of the bargain. It's blatant discrimination."

Vaillancourt added: "Continental does allow straight and gay current employees to designate one permanent free-travel companion, be it a spouse, a domestic partner or even just a friend. For this company to not recognize a former employee's legal marriage is unacceptable."

The wronged newbies want the company's past and current employees—as well as its frequent flyers—to know about this injustice. They are investigating the filing of a formal lawsuit against Continental but hope they will be successful in persuading the airline to change its policies without having to incur the time and expense of litigation.

CALIFORNIA

Superior Court Commissioner Thomas Surh issued an order June 23 posthumously changing the name of Eddie Araujo Jr. to Gwen Amber Rose Araujo. The 17-year-old was viciously murdered in an anti-trans hate crime Oct. 3, 2002, in Newark.

"This is something that all of us have been waiting too long for," said Araujo's mother, Sylvia Guerrero, who requested the order in a May 25 hearing. "It is one of my regrets that I didn't call my daughter Gwen more while she was alive. Having this order granted helps me to put that regret to rest."

A jury declared a mistrial June 22 in the trial of three men accused of killing Araujo. Prosecutors have vowed to retry the defendants. **J**

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