

NATIONAL news

CALIFORNIA

Gov. Arnold Schwarzenegger signed several bills into law in late September that will have a significant impact on the state's queer residents.

The Omnibus Hate Crimes Act of 2004 defines a hate crime as one that includes crimes against individuals based on their sexual orientation or gender identity. It also broadens the definition to include crimes against individuals based on their association with people who are gay or trans, and provides tools designed to reduce these crimes.

The legislation was sponsored by lesbian state Sen. Sheila Kuehl, a Democrat.

"While every hate crime represents a personal tragedy for the victim, hate crimes also are an attempt to intimidate a larger group or community of people," she noted.

Several queer organizations, including Equality California and Log Cabin Republicans of California, supported the bill.

Schwarzenegger also signed a "clean needle" bill that authorizes cities and counties to permit pharmacies to sell up to 10 clean syringes without a prescription. The Human Rights Campaign credited Schwarzenegger with "putting science first," saying the legislation will help curb the number of new HIV and hepatitis infections.

The governor also signed a bill that requires insurance companies to provide coverage for registered domestic partners in the state.

OKLAHOMA

Lambda Legal has filed a federal lawsuit seeking to strike down a law it says could leave children of same-sex couples orphans.

Passed at the end of the state's legislative session earlier this year, the law says Oklahoma "shall not recognize an adoption by more than one individual of the same sex from any other state or foreign jurisdiction." Lambda says the law could be interpreted to nullify adoption of children by same-sex couples from other states when they are in Oklahoma.

"What we are talking about here are Oklahoma legislators who disapprove of gay people and lashed out by passing a law that punishes children for having gay or lesbian parent," attorney Brian Chase said.

Lambda is representing same-sex couples who adopted children while living in other states and later moved to Oklahoma with their children or who want to visit the state with their family. The group is arguing that the law is unconstitutional based on the 14th Amendment guaranteeing equal protection and the Full Faith and Credit clause in the U.S. Constitution.

GEORGIA

A lawsuit filed Sept. 16 in Fulton County's Superior Court is asking that a proposed constitutional amendment to ban same-sex marriage be removed from the ballot.

Lambda Legal, the American Civil Liberties Union of Georgia and the law firm of

Alston & Bird say the ballot language is deceptive and unconstitutional. Two Democratic state legislators, Sen. David Adelman and Rep. Tyrone Brooks, are plaintiffs in the lawsuit.

Earlier this year, the Legislature approved an amendment to the state's constitution that would prohibit same-sex couples from marrying, may prohibit civil unions and seeks to limit the court's jurisdiction on matters involving same-sex couples. The Legislature's approval put the measure on the November ballot.

Lawyers for the plaintiffs argue that the required process for amending the state's constitution was not followed.

"This amendment is constitutionally flawed, period," attorney Jack Senterfitt said. "Not only does it combine four different subjects, in violation of the Georgia Constitution, the clearly deceptive language voters will see on the ballot creates the misperception that its only purpose is to define marriage. Furthermore separate and apart from the lawsuit, Lambda Legal believes that a group's civil rights shouldn't be put to a popular vote."

VIRGINIA

Author and activist Wayne Besen accused

The *Virginian-Pilot* of suppressing allegations that an HIV-positive, ex-gay leader allegedly had unsafe sex with several men in the Virginia Beach area.

Besen said editors at the newspaper, which recently ran a story about the local ex-gay ministry, told him in August 2003 they weren't interested in "covering the topic" of the allegations against nationally known ex-gay Michael Johnston. He said the paper also did not respond to calls from an attorney representing a man who feared he might have been exposed to HIV because he had sex with Johnston.

"The 'Virginian-Puppet' needs to decide if they are a legitimate newspaper or a discredited church bulletin," said Besen, author of *Anything But Straight: Unmasking the Scandals and Lies Behind the Ex-Gay Myth*. "This tabloid systematically suppressed and censored hard news while promoting a soft story that was tantamount to free advertising for the ex-gay ministries." □

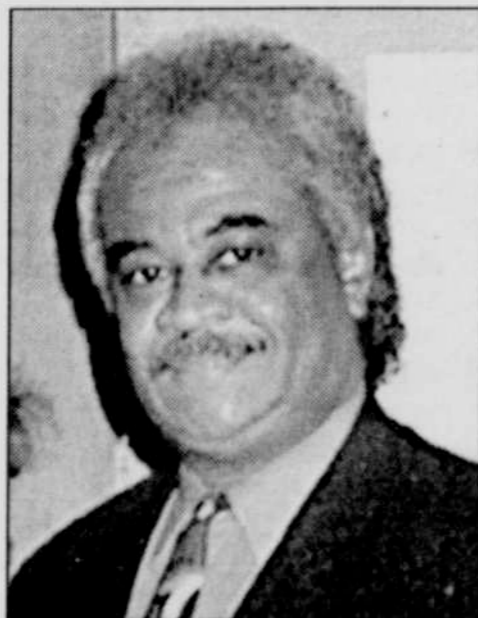
Compiled by News Editor M.L. MADISON, who can be reached at michelle@justout.com.



California state Sen. Sheila Kuehl sponsored a hate crimes bill that was recently signed into law



Author Wayne Besen says *The Virginian-Pilot* suppressed allegations about ex-gay leader Michael Johnston



Georgia state Rep. Tyrone Brooks is one of the plaintiffs challenging a ballot measure that would ban same-sex marriage

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