



**Star Trek actor George Takei's decision to come out in 2005 helped spark more coverage for Asian and Pacific Islander sexual minorities.**

The Adoption Invalidation Law, hastily passed at the end of the 2004 legislative session, said Oklahoma "shall not recognize an adoption by more than one individual of the same sex from any other state or foreign jurisdiction." Lambda Legal argued that the law is invalid based on the U.S. Constitution's guarantees of equal protection, due process and right to travel, as well as the mandates of the Full Faith and Credit Clause.

The lower court found that the statute indeed violated the Constitution by singling out a specific group. The court dismissed the claims of Lambda Legal clients Ed Swaya and Greg Hampel, ruling that the statute did not harm them because the state of Oklahoma granted the couple a birth certificate for their adopted daughter listing the two men as her parents prior to the passage of the law and they did not face immediate harm.

Oral arguments in the case will be heard Nov. 13 in the U.S. Court of Appeals for the 10th Circuit in Denver.

#### TENNESSEE

### Marriage Amendments Arise in the South

Conservatives in Tennessee are concerned that a proposed constitutional marriage equality amend-

ment will get the necessary majority of votes to pass. Tennessee law requires that constitutional amendments win a majority of votes and a "majority of all the citizens of the state voting for governor." Those who vote for governor in the state but do not vote for the amendment, known as Amendment 1, are in turn helping defeat the proposed law.

South Carolina and Virginia are also voting on marriage amendments in November. A Mason-Dixon poll conducted Oct. 17 to 19 showed 52 percent of likely voters in Virginia supporting the amendment and 42 percent opposing it.

The anti-gay Family Foundation of Virginia executive director Victoria Cobb predicted that amendment opponents would have to outspend supporters in Virginia by a margin of five to one.

At issue is a sentence in the amendment that says Virginia cannot "create or recognize another union, partnership or other legal status to which is assigned the rights, benefits, obligations, qualities or effects of marriage." Amendment supporters say the sentence would prohibit same-sex civil unions, which is on the table in New Jersey (see story on Page 13), following a ruling by that state's high court.

South Carolina's amendment would prohibit both same-sex marriage and civil unions, preventing its state court from following New Jersey's lead.

#### WASHINGTON

### Gay Marriage Ban Persists

The Washington Supreme Court announced Oct. 25 that the state's same-sex marriage ban will stand.

The final word on the case upheld the 1998 Defense of Marriage Act. Further appeal is not possible because no federal legal issues were raised.

The decision came on the same day as New Jersey's Supreme Court ruling that same-sex couples are entitled to the same rights as married couples.

"Just as the New Jersey court recognized the discrimination that gays and lesbians face and said they're entitled to be treated the same, our court essentially declined to do that," Lisa Stone, director of the Northwest Women's Law Center, told The Associated Press. The court issued a 5-4 decision in July, upholding the 1998 law. **10**

Compiled by JAYMEE R. CUTI



**Lisa Stone, director of the Northwest Women's Law Center, expressed disappointment about the Washington Supreme Court's decision to uphold the same-sex marriage ban.**

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