

## Google To Add Pay To Cover A Tax For Same-Sex Benefits

SAN FRANCISCO (Observer Update) - The New York Times reports that working for a company as rich as Google comes with an incredible number of fringe benefits: the free food, the free laundry, the doctor on duty at company headquarters and the impressive five months of maternity leave with full pay and benefits, to mention a few.

So it is not entirely surprising that the company is about to introduce another set of benefits that pushes the envelope – this time, geared toward its gay and lesbian workers.

Google has begun covering a cost that gay and lesbian employees must pay when their partners receive domestic partner health benefits, largely to compensate them for an extra tax that heterosexual married couples do not pay. The increase will be retroactive to the beginning of the year.

"It's a fairly cutting edge thing to do," said Todd A. Solomon, a partner in the employee benefits department of McDermott Will & Emery, a law firm in Chicago, and author of "Domestic Partner Benefits: An Employer's Guide."

Google is not the first company to make up for the extra tax. At least a few large employers already do. But benefits experts say Google's move could inspire its Silicon Valley competitors to follow suit, because they compete for the same talent.

Under federal law, employer-provided health benefits for domestic partners are counted as taxable income, if the partner is not considered a dependent. The tax owed is based on the value of the partner's coverage paid by the employer.

On average, employees with domestic partners will pay about \$1,069 more a year in taxes than a married employee with the same coverage, according to a 2007 report by M. V. Lee Badgett, director of the Williams Institute, a research group that studies sexual orientation policy issues.

So Google is essentially going to cover those costs, putting same-sex couples on an even footing with heterosexual employees whose spouses and families receive health benefits.

The company began to look at the disparity after a gay employee pointed it out, said Laszlo Bock, Google's vice president for people operations (also known as human resources). Google, by the way, says its benefits team seriously considers any suggestions on how to expand its coverage.

"We said, 'You're right, that doesn't seem fair,' so we looked into it," Mr. Bock said. "From that initial suggestion, we said, let's take a look at all the benefits we offer and see if we are being truly fair across the board." As a result, the company also decided to make a few other changes that would help gay employees, including eliminating a one-year waiting period before qualifying for infertility benefits and including domestic partners in its family leave policy – going beyond the federal Family and Medical Leave Act, which requires employers to provide up to 12 weeks' leave in a one-year period to recover from a medical condition or to care for a relative.

The extra compensation to cover the domestic partner tax will apply only to same-sex domestic partners, Mr. Bock said, because heterosexual couples can avoid the added tax by marrying. (Same-sex couples can make their unions official in several states, but their relationship will not be federally recognized.)

The additional pay will also cover the dependents of the employee's domestic partner. The changes will be retroactive to Jan. 1, and will apply only to workers in the United States.

It is hard to say how many of Google's 20,600 employees will be affected by the changes, but the company's internal gay and lesbian group – they call themselves Gayglers – has about 700 members (though some members may simply support their gay and lesbian co-workers).

So what's the cost of Google's largess? Mr. Bock declined to provide details but said the decision was less about money and more about equalizing benefits. "If you were to add it all up, it's not like we are talking hundreds of thousands per employee," he said. "It will cost some money, but it was more about doing the right thing."

The Kaiser Family Foundation says that 36 percent of large companies that offer health benefits provide coverage for same-sex domestic partners, and more than half of Fortune 500 companies provide domestic partner coverage – but few pay the extra costs of that coverage.

In California, even more companies may provide coverage because the state requires insurance products issued there to be extended to registered domestic partners.

Still, Google isn't the first company to "gross up" their employees'

## Groups Clash On Appropriate Action For Arizona

PHOENIX (Observer Update) - The American Civil Liberties Union (ACLU) issued a travel warning for Arizona, and last month the Human Rights Campaign (HRC) joined other groups in calling a boycott of the state, reports 365Gay.com.

These tactics are in response to Arizona's SB 1070, a law that was passed in April that mandating immigrants to carry their documents with them. If an immigrant could not produce the papers at the demand of a police officer, the officer would have full power to detain the individual. The law has been widely criticized as it extends the power of immigration officials to local police officers and because it makes way for racial profiling.

The Human Rights Campaign wrote in its call to boycott, "The LGBT community knows all too well how easily people who 'look different' or 'act different' can be singled out for harassment and persecution. Indeed, this bill will have negative implications for our community as well as the broader Latino and immigrant community."

The HRC added a caveat: "We encourage Arizona residents and visitors to patronize businesses that have supported the LGBT community and that are engaged in opposing SB 1070."

The ACLU's travel warning

targets individuals who would be affected by the new law while the HRC's boycott is a statement of principle and seeks to affect the whole state and its decision-makers.

The Greater Phoenix Gay and Lesbian Chamber of Commerce sent an email blast this to Arizonans and the HRC urging people to end the boycott. The chamber said that rather than affecting state policy, the boycott is just hurting the local economy.

"We feel the boycott of the entire state of Arizona is counter-productive to the issue at hand. Punishing Arizona businesses will not change the minds of any partisan legislature politician, including Arizona's," said the e-mail. "Our entire state has been miscast as racist, unsophisticated and dangerous in the worst of the 'Wild West' stereotypes."

Joseph Gesullo, chair of the Phoenix gay chamber accused the HRC of giving in to Latino interest groups. He said the actions would discourage the LGBT community from visiting Arizona, which would do more harm than good. Even with the passage of SB 1070, our friends at wearegoodkin.com has named Phoenix one of the top gay-family friendly cities in the U.S.

HRC spokesperson Fred Sainz said, "We're not backing off of this position, because we think it's a principled stand against SB 1070."

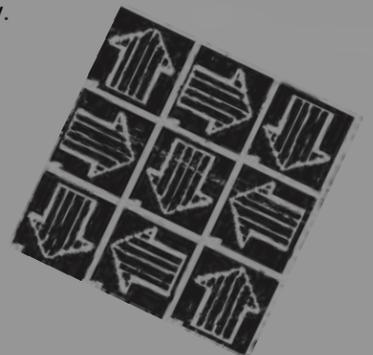
## Vermont Civil Unions 10 Years Later

MONTPELIER (Observer Update) - One decade ago on Thursday (July 1), Vermont became the first U.S. state to legalize civil unions for gay and lesbian couples, opening the door for some of those same couples, and others that followed, to marry starting in 2009, reported advocate.com.

The political landscape in Vermont has changed vastly since the days of former governor Howard Dean's push to legally recognize same-sex couples, the Associated Press reports. When Lois Farnham and Holly Puterbaugh entered into their civil union on July 1, 2000, the church where they had their ceremony requested the attendance of plainclothes police officers, anticipating altercations. Now the couple say many see their relationship as "hohum."

so radical," Farnham said to the AP. "Now it's the fallback, conservative issue."

On Election Day in 2000, voters were split in their views on civil unions, with 49% on each side. Since then, a 2004 exit poll of Vermont showed that 40% favored marriage, 37% supported civil unions, and 21% opposed both. Then in 2009 the state legislature overrode a veto by Gov. Jim Douglas to enact marriage equality.



## In Memoriam

DENNY FERRELL  
7/11/1944 - 6/15/2010

Denny went to be with his Lord on Tuesday, June 15. He was a fine musician and an activity director for local retirement homes. He will be greatly missed by his partner William Morris of 14 years, his family and friends. Bless you Denny

distributes information about what Wingspan offers youth, whether identified as LGBT or straight ally. Outreach to Gay & Straight Alliances in schools also spreads the word about the help available.

Through partnerships with Open Inn and Our Family Services, youth can be placed in transitional shelter or longer-term housing and can receive a rich array of supportive services, many through Wingspan.

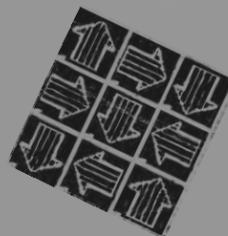
Jackson's small office at Wingspan is crowded with cans of food, personal-hygiene products and clothing that can be given to young people in need. "We need donations - food, clothes, hygiene items and money," Jackson says, adding that more volunteers are also needed.

Jackson can be reached at [kjackson@wingspan.org](mailto:kjackson@wingspan.org) or 620-6245, Ext 115.

Volunteers conduct workshops on health and safety and life skills, such as job searches, tutoring and GED testing. Free and confidential HIV and STI (sexually transmitted infection) testing is offered through on-site staff from the Southern Arizona AIDS Foundation. Counselors can help mediate family conflicts. All volunteers are screened according to state guidelines (including a fingerprint search) and trained. (To volunteer, contact Khara Ellasante, Wingspan's Youth and Family program manager, at [kellasante@wingspan.org](mailto:kellasante@wingspan.org) or 620-6245, Ext 115).

Through a new project, Eon offers special supportive services for homeless LGBT teen substance or alcohol abusers or those with mental health issues. The project, known as "iTEAM," is in its first year and is funded through a five-year federal grant from the Substance Abuse and Mental Health Administration (SAMHSA).

"Wingspan offers wrap-around care for these youth, which include daily support groups and free therapeutic counseling," Jackson says. He estimates that 4,000 teens in schools in Pima County are homeless, based on reports. "That's just the number being engaged by homeless-youth liaisons in the schools and through data captured by youth providers," he adds.



## TGLBTCC Meeting July 15

TUCSON (Observer Update) - A Great Networking Opportunity for All, for "A Taste of Tucson."

Join us on July 15, 5:30 to 8:00 p.m., Hotel Tucson City Center Conference Suite Resort, 475 N. Granada Ave., for our evening mixer, featuring a mini dine-around catered by some of Tucson's best eateries. We've got some serious fun and a serious topic planned. This would be a great meeting to bring a guest - or two - or three.

\$20 members/ \$25 guests. \$5 discount for members and guests who RSVP by Monday, July 12, 615-6436 or [info@TucsonGLBTChamber.org](mailto:info@TucsonGLBTChamber.org).

We'll kick off the meeting with a sampler of some great dishes catered by restaurants including Feast, Pastiche, Cup Cafe, Acacia, and 47 Scott. Enjoy a cocktail or some wine from the cash bar while networking with your business colleagues and friends.

Then, participate in a forum to discuss the pros and cons of the S.B. 1070 boycott against Arizona businesses and learn what other Chambers of Commerce and business organizations are thinking and saying, both here in Arizona and nationally. Your Board of Directors would like to consider our members' input as we craft an "official" statement of position. And finally, the Rogue Theatre will entertain us with a program designed especially for this event.

## Celebrate The Life Of Gary Clark July 11

TUCSON (Observer Update) - On Sunday, July 11, 2 to 6 p.m. at IBT's, 616 North Fourth Avenue, Gary Clark will be celebrated, roasted, revered and remembered.

Gary lost his battle with liver cancer on June 15, but his spirit, humor, laugh, activism and hair colors won't be forgotten.

His friends and the community will be gathering to tell how they saw him, a person sorely missed.

## Wingspan's Safe Harbor For "Throwaway Kids"

TUCSON (Observer Update) - Each week, Kevin Jackson reaches out to homeless teens, dispensing bottles of water, sometimes socks and ball caps, and offering a lifeline. In this difficult economy, there are more of these youth than ever, and many homeless teens are LGBT.

Jackson coordinates the Homeless Youth Project for Eon, the youth program of Wingspan, Southern Arizona's lesbian, gay, bisexual and transgender (LGBT) community center. "There are a myriad of factors that cause homelessness among young people," says Jackson. "Overwhelmingly, they are fleeing violence, drug abuse, hatred or bigotry."

An estimated 20 to 40 percent of all homeless teens are gay, lesbian, bisexual, transgendered or questioning, and their coming out often leads to being ejected from their homes or being physically abused, according to a recent study of Homeless Youth in Arizona by the Children's Action Alliance. A study of homeless gay teens by the National Task Gay & Lesbian Task Force found that 26 percent were kicked out of their homes by their families because of negative attitudes about homosexuality.

"These youth are not run-aways but throwaways," says Jackson. "LGBT youth are often reluctant to seek help because they don't know if they'll experience discrimination, exploitation or abuse in shelters or agencies," Jackson says.

What they find at Wingspan is a safe and secure environment, caring adults who serve as tutors, mentors and counselors, and other teens who have experienced many of the same challenges of understanding sexual orientation and gender identity.

Along with a specially trained team of peer outreach workers, Jackson goes to areas of Tucson where homeless people congregate and



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Informing the Community  
**The Observer**

# GOOGLE

Continued from Page One

pay, as raises to cover taxes are known. According to the Human Rights Campaign, a handful of other organizations, including Cisco, Kimpton Hotels and the Gates Foundation, do so as well. Benefits experts said a few other companies provided the extra compensation, though it still amounted to a relatively small number.

But given the competitive nature of the benefits culture in Silicon Valley, where companies often offer extra perks to attract top employees, Google's decision could lead to policy reviews, experts said.

"It could have a ripple effect, prompting other employers, and particularly employers in the same industry, to take a look at their own benefits package and see whether it would be appropriate to extend those benefits," said Kathleen Murray, principal in the health and benefits consulting business in San Francisco for Mercer, the consulting firm. "When you have a high-profile company doing anything, that tends to get into the mind of the culture, and it can have a more diffuse effect."

The company's announcement came on the heels of a decision by the Labor Department to permit employees who are acting as parents to take leave under the Family and Medical Leave Act to care for a child, even if there are no legal or

biological ties. But Google's move would allow employees to care for a partner, too.

Congress has tried to address the fact that same-sex couples pay more for domestic partner health coverage. The health care overhaul legislation passed by the House last November included language that would have eliminated the tax on employer-provided coverage. But the provision did not make it into the final legislation signed by President Obama in March.

Google "has decided it's in their best interest to treat employees with same-sex partners fairly," said Daryl Herrschaft, who oversees the Workplace Project of the Human Rights Campaign Foundation, "and that includes picking up the slack when federal law doesn't recognize the diversity of today's work force."



## Meet The Bears Of The Old Pueblo

TUCSON (Observer Update) - Do you know that the Bears of the Old Pueblo, a social group for big men with big hearts, raises funds for local charitable groups and causes? This year, they are aiding the vital programs for homeless LGBT youth at Wingspan's EON Youth Center and Open Inn.

Every fourth Saturday from 3 to 7 p.m., the Bears gather at the Venture-N, 1239 N. Sixth Ave., for their monthly Beer Bust and Chili Feed. For the price of a \$1 draft or a \$2.50 bowl of chili, you can have a great afternoon on the patio, mix and mingle with the Bears and their buddies and help out a really worthy cause. The Venture-N, the birthplace of the club, offers the proceeds of all beer and soda sales to BOP's charity of choice. Find more information on this event click here.

Over the years, the Bears of the Old Pueblo have contributed more than \$30,000 to local charities and causes. Past beneficiaries have included SAAF, TIHAN, Wingspan, the Tucson LGBT Festival and Habitat for Humanity.

So what's a Bear? The

group's favorite guideline is "a cuddly demeanor often coupled with a cuddly body." While that often means that Bears are bigger, more robust and hairier, their admirers are considered Bears, too. The local membership of about 90 includes a broad range of ages, ethnicities, professions and backgrounds. They strive to create a fun, engaging, member-driven club.

Formed in 1992, the local club is among the oldest Bear organizations in the United States. BOP sponsors the world-famous La Fiesta de los Osos Bear weekend. It has hosted more than 2,800 visitors from all over the globe.

Folks wishing to know more about the organization and its many upcoming social events can surf their website at: [www.botop.com](http://www.botop.com) or drop the club an email at: [bop@botop.com](mailto:bop@botop.com).

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## White House Not Budging On Gay Marriage

WASHINGTON, D.C. (Observer Update) - In a wide-ranging interview with LGBT journalists and bloggers Thursday, White House domestic policy adviser Melody Barnes said President Barack Obama had chosen to take steps at the agency level to eliminate inequities for same-sex couples and gave no indication he would move toward supporting full marriage equality, reports advocate.com.

Asked if the president would go beyond incremental fixes to address a lack of marital rights for same-sex couples before 2012, Barnes noted that the president "has consistently called for the repeal of [the Defense of Marriage Act]" and used his "executive authority" to help provide more benefits to same-sex couples through federal agencies.

"That's the course that he has identified, that's the course that he has supported," Barnes said.

The Advocate followed up with, "Just to reiterate, he still supports civil unions ... that's a separate-but-equal institution – and I'm wondering if he's at any point going to move to embracing full equality rather than these smaller steps."

Barnes responded, "I understand what you're saying, but that's the course he has set forth."

The exchange took place during a briefing in which Barnes fielded questions for a little over an hour from eight pro-LGBT outlets – The Advocate, AmericaBlog.com, Bilerico.com, Gay City News, Keen News Service, Metro Weekly, Pam's House Blend, and Philadelphia Gay News.

In her opening remarks to the group, Barnes said the Obama administration had moved the ball forward on LGBT equality yet acknowledged a level of frustration among LGBT advocates.

"We believe that in the last 18 months ... we have taken more steps and made more progress with regard to the LGBT community than past administrations have," she said. "We would not argue that change has come as fast as we would want it to or as quickly as we would want it to, but

we would certainly argue that in other contexts as well - it took us a year and a half to get the health care bill done and the same with other pieces of legislation that are priorities for us."

During the course of the hour, Barnes was pressed on whether the president would push harder to pass the Employment Non-Discrimination Act (ENDA), why the administration has not been more communicative with the LGBT community, if the president believes the Defense of Marriage Act is constitutional, and whether the White House would fight any sort of poison-pill amendment that seeks to kill DADT repeal on the Senate floor.

What follows are short excerpts from several exchanges:

The Washington Blade asked whether the White House could push to pass both "don't ask, don't tell" repeal and the ENDA as the congressional session winds down.

Barnes: DADT is obviously further down the queue just because the House has acted and the Senate Armed Services Committee has acted as well ...

We believe given the work that we've done with Congress and the DOD as well as the leadership in the relevant committees and the leadership in both houses that that's moving forward.

With regard to ENDA, the president has consistently said that he supports ENDA, he supports an inclusive ENDA. There have been members of the administration who have testified in support of ENDA ... [Tom Perez from Department of Justice's civil rights division and Stuart Ishimaru, who chaired the Equal Opportunity Employment Office]

The leadership [of the House and Senate] will have to decide how they are going to use floor time to move things forward ... and how aggressively they are going to be able to move given the time that's left. But we have certainly indicated our support of those – ENDA, and you know the activity that's taken place around DADT.

## No Murder Charge For Man Arrested In SF Shooting'

SAN FRANCISCO (Observer Update) - The AP on 365Gay.com reports that a San Francisco man arrested in connection with a fatal shooting at a weekend gay pride event is no longer considered a suspect in the death.

Authorities say the .357 revolver found on 20-year-old Ed Perkins was not the weapon used to kill 19-year-old Stephen Powell in San Francisco's Castro district.

Witnesses did not place Perkins at the scene of the shooting. Perkins initially was arrested on suspicion of murder, but is now only facing charges of possessing a concealed weapon and possessing a loaded weapon. He's scheduled for arraignment Wednesday morning.

Police have said they believe Powell knew his shooter. They say two innocent bystanders suffered gunshot wounds to the leg in the attack.

## Vietnamese "Virginity Test" Not Valid On Gay Men



HO CHI MINH CITY (Observer Update) - Vietnamese acupuncturist Pham Thi Hong has made headlines in her native country for developing a male virginity test that has freed three convicted rapists, reports 365Gay.com.

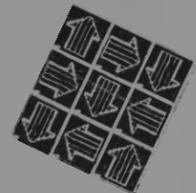
Hong's method consists of examining a red spot on the back of a man's ear. If the man has engaged in heterosexual intercourse the spot disappears. The Associated Press reports that, "She says she was first taught how to determine if a man has ever had sex by feeling their pulse. She later developed the ear-spot method on her own."

The men, who were convicted of gang rape, were released after Hong examined one of them, discovered the spot, and insisted upon their

innocence. Hong demanded the case be reopened, threatening to light herself on fire. Investigators took a second look at the files, finding flaws in the original case. The men were released after serving just 10 years of their 16 year sentence.

Hong says the spot will only disappear after heterosexual intercourse and is not affected by gay sex or masturbation.

Traditional medicine is widely accepted in Vietnam; however, other established traditional practitioners are skeptical of Hong's method.



## Ellen DeGeneres Ranks 23rd In Forbes' Celebrity 100 List



LOS ANGELES (Observer Update) - 365Gay.com reports that talk show host, American Idol judge and all-around celebrity personality, Ellen DeGeneres lands between Steven Spielberg and David Letterman at number 23 on Forbes' Celebrity 100 list.

"The Celebrity 100 is a measure of power based on money and fame," Forbes explains on its website.

Forbes uses entertainment-related earnings and media visibility as measures of fame for its Celebrity 100 list. Media visibility includes exposure in print, television, radio, the Internet, specifically Facebook and Twitter.

DeGeneres, who is the third most followed user on Twitter with a total of 4,794,873 followers (behind Britney Spears and Ashton Kutcher), just launched her own record label eleveneleven, became a judge on American Idol and continues to host the Ellen Degeneres Show.

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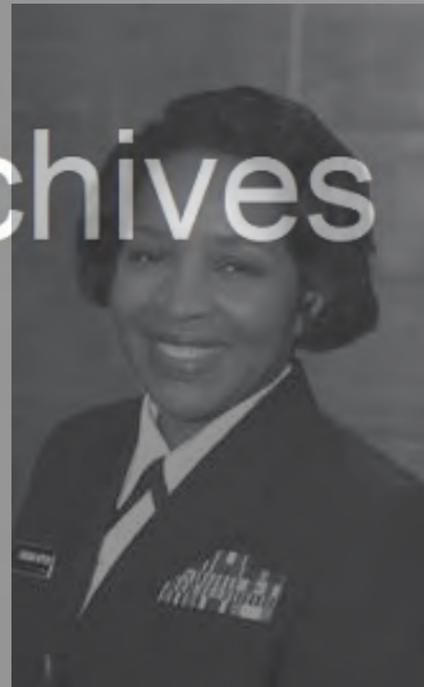
## New ADAP Crisis As White House AIDS Conference Call Ends In Chaos, Acrimony

WASHINGTON, D.C. (Observer Update) - POVblog reported that BJ Cavnor was so angry at the abrupt end to the Presidential Advisory Council on HIV/AIDS (PACHA) tele-conference call about AIDS Drug Assistance Programs, he posted on Prevention Justice's live-blogging that it "reminds me of the Regan (sic) years."

The call actually started off with an alarm sounded by Dr. Deborah Parham Hopson, associate administrator for HIV/AIDS at HHS's Health Resources and Services Administration (HRSA) who said that she had never seen such a rapid increase in the numbers of people with HIV/AIDS needing access to healthcare and medications. She said that 1924 people are now on waiting lists in 11 states.

That's an increase of 184 people in just one week from the 1,840 people the National Alliance of State and Territorial AIDS Directors (NASTAD) reported on June 25. Just over one month before that, on May 6, there were 1056 individuals on waiting lists in 10 states.

Hopson cited more HIV testing, getting people into care and retaining them, as well as the budget crisis in many states, the "economic downturn" and increases in unemployment as reasons for the increase. She said HRSA is "working closely" with states to help people get access to pharmaceutical patient assistance programs and she discussed funding appropriations such as the \$1.14 billion allocated on April 5.



Dr. Deborah Parham Hopson

The apparent purpose of the call was for PACHA members to vote on a "Resolution Regarding the Timely Access to Life-Saving Care and Treatment." The Resolution notes that while the Patient Protection and Affordable Care Act of 2010 "will greatly improve access to affordable, high quality health care for many people living with HIV and AIDS," most of the useful provisions won't take effect for years to come.

For instance, The Act provides for counting ADAP contributions toward Medicare Part D's true out of pocket spending limit - but that starts next year and eliminating the Medicare Part D "donut hole" won't happen until 2020.

## BUZZ - BUZZ - BUZZ - BUZZ -

At 53-years old, Martina Navratilova is the most decorated tennis player. On Sunday (July 4), she added another trophy to her collection, winning the Wimbledon ladies' invitation doubles. Navratilova and Jana Novotna beat Tracy Austin and Kathy Rinaldi-Stunkel 7-5, 6-0 in the final. Going into the competition, Navratilova told The Observer says she still has shoulder tightness stemming from her radiation therapy for cancer, which ended just two weeks ago. Navratilova, who has won nine Wimbledon singles trophies, was present for Serena Williams' fourth win last week. She talked to The Observer about her gay rights activism, her love of Lady Gaga, and Rafael Nadal's butt (among other things) in a new profile.

Melissa Etheridge filed paperwork Friday to officially dissolve her domestic partnership with Tammy Lynn Michaels. Now, court documents reveal Etheridge is seeking joint custody and asked the courts not to award financial support to Michaels. "i gave up my managers, agents, contacts, all that good stuff, because i stepped directly into potty training a small boy, and carrying around a small girl on my hip," Michaels wrote on her blog Saturday after posting a poem in which she says she was blindsided by finding the paperwork had been filed.

"i was always the house wife after that," she continues. "the only thing i hated about it was not bringing in money- i have made my own money since i started babysitting at 10, and having a newspaper route at 11. having no steady paycheck killed me for those years with her. and now it's really killing me. the other week i had to borrow money from a friend. two weeks ago i had to scrape together \$1.25 to pay for gas. i know she doesn't want to give me money. trust. i'm borrowing cash left and right from people to get through this summer, and feed my kids, with a stomach full of ulcers, thank you."

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# Clinton Says State Should Support Gay Rights In Africa, At Home Ban To Keep Lesbian Partner Away In Custody Case Struck Down

WASHINGTON, D.C. (Observer Update) - 365Gay.com reported that Secretary of State Hillary Clinton told an audience of LGBT State Department workers that she is working to end discrimination against gays and lesbians at home and abroad.



Clinton said, "We reaffirm our commitment to protect and advance the rights of all human beings, of members of the LGBT community around the world."

"Men and women are harassed, beaten, subjected to sexual violence, even killed, because of who they are and whom they love," she added. "Some are driven from their homes or countries, and many who become refugees confront new threats in their countries of asylum. In some places, violence against the LGBT community is permitted by law and inflamed by public calls to violence; in others, it persists insidiously behind closed doors.

"These dangers are not 'gay' issues. This is a human rights issue."

Of particular note, Clinton said that she has asked every embassy in Africa to report on rights of the local lesbian, gay, bisexual and transgender communities. The State Department is also providing emergency aid to human rights activists who are persecuted because they work on LGBT or AIDS issues or are LGBT themselves; working to provide protection for refugees; and ensure that gays have access to HIV/AIDS treatment and prevention programs.

She said that foreign service employees also make it a practice to visibly support gay rights in countries such as Albania and Slovakia.

Clinton also called for extra vigilance and care at home.

"I think that each and every one of you not only professionally, from every bureau and every embassy and every part of our government, have to do what you can to create a safe space, but also personally really look for those who might need a helping hand - particularly young people, who still, today, have such a difficult time and who still, in numbers far beyond what should ever happen, take their own lives rather than live that life.

"So I would ask you to please think of ways you can be there for everyone who is making this journey to defend not only human rights globally, but to truly defend themselves and their rights."

NASHVILLE (Observer Update) The Tennessean reports that Tennessee's court of appeals has struck down for the second time a ruling that prohibited Angel Chandler's longtime same-sex partner from spending the night at her home when Chandler's two children came to visit.

During their divorce, Chandler and her husband, Joseph Baker, agreed that Chandler would be their 15-year-old daughter's primary parent, and that their son, 17, would live with Baker.

But in 2008, a judge in Gibson County rejected the plan. Instead, Chancellor George Ellis ordered a "paramour provision" that barred Chandler's partner from coming to her home when Chandler's daughter was there. According to court documents, he said state law prohibits parents from sleeping with boyfriends or girlfriends when their children are there.

An appeals court ruled that the judge didn't have any proof that living with Chandler and her partner of more than 10 years was damaging the daughter. The court ordered him to issue a new ruling and in March, Ellis again imposed the provision.

In its ruling, the court of appeals said there was no evidence the provision was necessary. The court again reversed Ellis' decision.

"For the second time now this court has made it clear that custody and visitation decisions should be based on what's best for the children, and that can mean having the love and support of a lesbian or gay step-parent," Brian S. Faughnan, cooperating attorney for the ACLU of Tennessee, said in a statement Tuesday. The organization represented Chandler in the case.



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# COMMENTARY....

by Lisa Neff

## Public Petitions, Private Signatures

The petition is circulated in public among the public. The petition signers – presumably – are registered with a public entity, the secretary of state's office, to vote. The goal is a very public outcome – to ask voters to overturn a law. And the petitioners think they can operate anonymously?

As Justice Antonin Scalia put it last week during oral arguments in *Doe v. Reed*, "You can't run a democracy this way."

*Doe v. Reed* stems from a fight over Washington state's "everything but marriage" law, which extended government partnership benefits to same-sex couples, as well as other partnerships involving people over 65 years old.

Opponents of gay marriage launched a campaign to overturn the law using the referendum process. They circulated petitions to place a question on the November 2009 ballot asking voters to repeal the marriage measure.

The referendum failed or gay rights advocates succeeded, depending on your outlook.

But the fight over disclosing the names on the referendum petitions continues, having reached the U.S. Supreme Court, where Justices heard arguments last week.

The case has ramifications for Washington state, but also for the 23 other states with referendum and initiative processes. In all but one of the states, the petitions – and their signatures – are public records.

The essence of Washington state's argument for disclosing the signatures is that the

best government is an open government – transparent, accountable, government in the sunshine. Said Washington Attorney General Rob McKenna: "Access to government information, including referendum petitions, allows Washingtonians to trust – but verify – their government's work. The public's right to government records is an overriding state interest and shouldn't be pushed aside because of one controversial ballot campaign."

A number of media organizations, including The Associated Press, have filed friend-of-the-court briefs supporting the attorney general's open government argument. Locking up petitions, the AG said, invites fraud that can't be uncovered through a simple public records request. And fraud has occurred in petition cases in Arkansas, Montana, Oklahoma and Nevada. We know about the fraud because the petition documents were open for public view and review.

The essence of the argument against disclosure, which was presented to the Court by James Bopp Jr., is that disclosure might subject petitioners to harassment. "When public disclosure laws like those in Washington force people to reveal themselves, individuals cannot speak without worrying about threats to themselves, their families or their jobs," Bopp said.

Disclosure, he maintains, threatens the First Amendment guarantee of free political speech.

But a referendum petition is so much more than political expression. Lawmakers do not anonymously sponsor bills. Why should petitioners anonymously sponsor a campaign to overturn or enact a measure?

It surprises me that anyone who signed the Washington state referendum petition would have

expected to remain anonymous. Signing a petition, I thought, was akin to making a statement. You put your John Hancock to a public "Be it resolved," "We the people" declaration of some sort.

Arguing before the Court, Bopp said, "No person should suffer harassment for participating in our political system" and the petitioners in Washington faced a real threat.

To prove his point, he told the Court "the campaign manager of this initiative had his family sleep in his living room because of the threats."

If his statement is true, he ignores the fact that the threat was there without disclosure of the petitioners.

But he also seems to be implying a parallel between an anti-gay petitioner and a civil rights activist of the 1960s, when the two could not be more different – one signs on to support institutionalized discrimination, one fought to eradicate institutionalized discrimination.

And how cowardly of those fighting for discrimination to want to do so anonymously.

(Lisa Neff is a columnist for 365Gay.com, from which this is reprinted.)



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is ever really lost.  
Those we cherish will always  
live on in memory..."*

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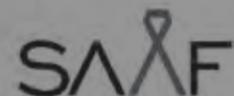
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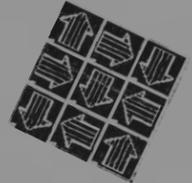
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## Mass. Governor Signs Anti-Bullying Bill

**BOSTON (Observer Update) -**  
Massachusetts governor Deval  
Patrick signed legislation to imple-  
ment new rules for reporting incidents  
of bullying in schools and to provide  
training for all adults who work at  
schools on how to identify, prevent,  
and manage such incidents, reported  
advocate.com. According to School  
Library Journal, the law also en-  
hances collaboration among state  
and local education, health and law  
enforcement agencies to ensure  
effectiveness.

"As governor and as a  
parent, I feel very strongly that no  
child should feel threatened or unsafe  
in our schools," Patrick said. "With this  
new law, we are giving our teachers,  
parents, and kids the tools and  
protections they need so that every  
student has a chance to reach their  
full potential." The law includes new  
reporting requirements for school staff  
to fully detail instances of bullying or  
retaliation to the appropriate school  
official.

Incidents of cyber-bullying  
are included in the law, as the law is  
focusing on extending penalties for  
electronic communications. Under  
the law, the fourth Wednesday in



Governor Deval Patrick

January is known as No Name  
Calling Day to help increase public  
awareness of the effects of verbal  
bullying. No Name Calling Day is  
also designed to encourage students  
to use positive language and to  
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## Manslaughter: No Hate Crime

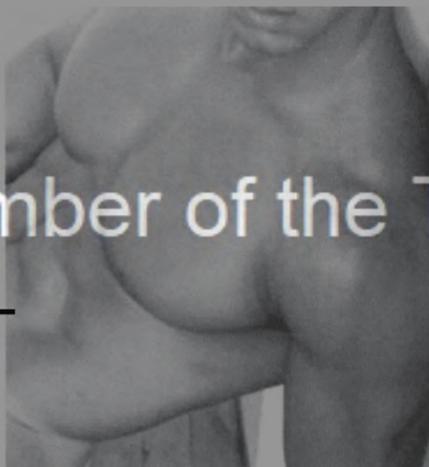
**BROOKLYN (Observer Update) -**  
One of two men charged in the 2008  
beating of an Ecuadorean immigrant in  
which they yelled antigay and anti  
Latino slurs was convicted of man-  
slaughter in Brooklyn, N.Y. The jury did  
not find Hakim Scott guilty of a hate  
crime or murder in the death of Jose  
Sucuzhañay, reported advocate.com.

According to the Associated  
Press, "Hakim Scott faces 25 years in  
prison on the manslaughter charge  
when he is sentenced. The state  
Supreme Court jury in Brooklyn acquit-  
ted him of murder and hate crime  
counts. A second jury was deliberating  
charges for his co-defendant, Keith  
Phoenix." Scott would have faced a  
longer sentence had the jury convicted  
him of a hate crime.

Prosecutors charged that Scott,  
26, and Phoenix, 30, perceived  
Sucuzhañay and his brother Romel to  
be gay men as they walked home from  
a bar arm-in-arm one cold one night in  
December 2008 in the Bushwick sec-  
tion of Brooklyn. Scott broke a bottle  
over Jose's head and chased Romel  
with the broken bottle, while Phoenix  
beat Jose so severely with an alumi-  
num baseball bat that his skull cracked.  
Jose died a few days later in the  
hospital.

He is charged with second-  
degree murder, manslaughter, and  
attempted assault as hate crimes, to  
which he has pleaded not guilty.

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# DAILY BAR CALENDAR

## SUNDAY

**THE BIZ** - Open 5pm - 2am It's Latin Sunday like the good ol' days. Catch DJ Dmenace spinning the best Cumbias. Get your Bucket of Beer ... 5 Bud Bottles for \$5!

**COYOTE MOON PUB** - Open 11am. Beer Bust Sunday - \$1 draft beers (12 oz), domestic only; \$2.25 domestic long necks. Hair of dog special \$1.50 well bloody mary, screwdriver, Cape Cod, salty dog or margarita.

**IBT's** - Open Noon. Happy Hour Noon-8pm \$2 Well or Domestic Beer. Karaoke on the Patio 4-8:30pm. Burger BBQ 5-8pm + \$1 pint draft. 9pm-close Karaoke inside with Troy & \$1.50 Well or Domestic Beer, \$2.50 Call or Premium Beer. DJ Hurricane on the Patio.

**WOODY'S** - Open 11am-2am. Peter's Build Your Own Bloody Mary Bar 11am-2pm. Happy Hour 11am-8pm (excluding special events). Full Menu Kitchen open 11am-8pm. Back Pocket Patio Bar 2pm-2am. Beer Bust 2pm-7pm. Karaoke with Michael D 9pm-close. Drag Bingo every other Sunday 8-9pm. Check our Ad for Special Events or Parties

## MONDAY

**THE BIZ** - Closed for employee training.

**COYOTE MOON PUB** - Open 3pm. Happy Hour 3 - 8 p.m. \$2.50 well, domestic longnecks & pints, \$3.50 sm. Pitcher/\$5.50 lg. Bucket o' Beer - \$10 Domestic, \$12 Imports and microbrews (4 beers to a bucket, for 2 or more people, Some brands excluded).

**IBT's** - Open Noon. Happy Hour Noon-8pm \$2 Well or Domestic Beer. 8pm-close \$5 Scratch Long Island Varieties. 9pm-close DJ Hurricane with "All Request Music".

**WOODY'S** - Open 11am-2am. Happy Hour 11am-8pm (excl spec events) Full Menu Kitchen open 11am-10pm Back Pocket Patio Bar 8pm-close. Karaoke with Michael D. 9pm-close.

## TUESDAY

**THE BIZ** - Open 5pm-2am. Happy Hour 5-8 and Game Night all night long. Play Wii, beer pong and pool with the staff.

**COYOTE MOON PUB** - Open 3pm. Happy Hour 3-8. \$2.50 well, domestic longnecks & pints. Girlz Nite .75 for your favorite well drink or domestic drafts 6-8pm. Ladies only Texas Hold 'Em Poker 6 p.m. Y-Not Karaoke with Anna at 8pm. - Drink specials during karaoke \$1 Michelob Ultra or Bud Light.

**IBT's** - Open Noon. Happy Hour Noon-8pm, \$2 Well or Domestic Beer. 8pm-close "2'sDay" - \$2 Well or Domestic Beer. DJ Q 9pm-close.

**WOODY'S** - Open 11am- 2am. Happy Hour 11am-8pm (excl spec events). Full Menu Kitchen open 11am-10pm. Back Pocket Patio Bar open 8pm-close, Caribbean Party Night with Woody's own Specialty Mojitos, Caprioskas and Martinis with Tucson's Hottest Bartenders.

## WEDNESDAY

**THE BIZ** - Open 5pm-2am. Happy Hour 5-8pm. Wild Wednesday 18+ Party with DJ White Shadow spinning the hottest Hip Hop, R&B and top 40 remix dance of today. 21+ NO COVER. 18+ \$8 Cover.

**COLORS** - Open 4-10pm. Happy Hour 4-7pm, \$3.75 Skyy cocktails, \$3.00 Domestic and Well. 1/2 price appetizers 4-6. Full menu served until 10pm. Nightly dinner specials.

**COYOTE MOON PUB** - Open 3pm. Happy Hour All Day \$2.50 well, domestic longnecks & pints, \$3.50 sm. Pitcher/\$5.50 lg. Pitchers. Boyz Night - .75 for your favorite well drink or domestic draft beer for men 6-8pm. Karaoke with Anna at 8pm drink specials during karaoke \$1 Michelob Ultra or Bud Light..

**IBT's** - Open Noon. Happy Hour Noon-8pm, \$2 Well or Domestic. "Diva-Licious" show w/Bunny FuFu. 11pm - -close "Reverse Happy Hour". DJ Q Inside & DJ Mike Lopez playing 80s music on the Patio.

**WOODY'S** - Open 11am-2am;. Happy Hour 11am-8pm excl. special events). Ful Kitchen open 11am-10pm. Back Pocket Bar open 8pm-close. Service Industry Employee Special All Day Long - \$1 off all drinks except schnapps and draft. Different Themed Underwear Party 9pm-close with \$1.00 off for those who participate (excl. Schnapps and Draft). Retro 80s & 90s Dance with DJ Clint 9 til close..

## THURSDAY

**THE BIZ** - Open 5pm-2am. Happy Hour 5-8pm. Y-NOT Karaoke 9pm-2am with Mecu pouring the best drinks in town. Come out and play.

**COYOTE MOON PUB** - Open 3pm. Happy Hour 3 - 8 pm, \$2.50 well, domestic longnecks & pints, \$3.50 sm. Pitcher/\$5.50 lg. Pitcher. Latin Thursday: Latin music 8pm to close. \$2,50 well margaritas. \$3 Mexican beers, \$3.50 Jose Cuervo.

**IBT's** -Open Noon. Happy Hour Noon-8pm, \$2 Well or Domestic. 10pm-close "Boyz Nite Out" w/ Bartenders in their underwear. DJ Hurricane spinning Top 40 & DJ Mike Lopez on the patio. \$1.75 Long Island, \$1.50 Tequila Shots, \$3 Skyy Cape Cods and \$4 Skyy Cosmos.

**WOODY'S** - Open 11am-2am; Happy Hour 11am-8pm (excl Spec Events); Full Menu Kitchen open 11am-10pm. Back Pocket Patio Bar open 8pm-close. Cheap Party Day \*\*FREE POOL\*\*, \$1.00 PBR Longnecks, \$2.00 Tecate Longnecks. Techno and Top 40 Dance with DJ Jeff 9pm - close..

## FRIDAY

**THE BIZ** - Open 5pm-2am. Happy Hour 5-8 pm. GoGo Fridays with 2-4-1 drinks for the ladies til midnight. Catch Shorty spinning the hottest Hip Hop, R&B and Top 40 remix dance of today.

**COYOTE MOON PUB** - Open 3pm. Happy Hour 3 - 8 pm, \$2.50 well, domestic longnecks & pints. \$3.50 Sm. Pitcher/\$5.50 lg. Pitcher. Shots shot specials 8-close.. Dance lessons with Lawrence at 7pm \$5 per person, Country Dancing 8:30 p.m. to close with DJ Pat.

**IBT's** - Open Noon. Happy Hour Noon-8pm, \$2 Well or Domestic. 9pm -close DJ Hurricane inside. 10pm-close DJ Mike Lopez with "I'm a Sexy Bitch Night" on the patio.

**WOODY'S** - Open 11am-2am; Happy Hour 11am-8pm (excl spec events). Full Menu Kitchen open 11am-11pm Back Pocket Patio Bar open 5pm-close. Enjoy the Live Blues/Motown/Soul sounds of Simon Crown 6-9 p.m.; Request your favorite Music Dance Night with DJ Clint 9pm-close. Monthly Birthday Party every 2<sup>nd</sup> Friday Night of the month.

## SATURDAY

**THE BIZ** - Open 5pm - 2am. Latin night with Latin Drag Show the 1<sup>st</sup>, 3<sup>rd</sup> and 4<sup>th</sup> Saturdays of the month. DJ Dmenace spinnin' the best Cumbias, Salsa & Merengue. \$3 pitchers and \$2 Tequila shotz all night long!

**COYOTE MOON PUB** - Open at 2pm. Happy Hour 2-8pm, \$2.50 well, domestic longnecks & pints. \$3.50 sm. Pitcher/\$5.50 lg. Plus check out the bartenders choice of shot specials. \$5.00 cheeseburger & fries. \$3.00 Cuervo and \$4.75 Jager Bombs. Check our calendar for the Saturday Night Special Entertainment.

**IBT's** - Open Noon. Happy Hour Noon-8pm, \$2 Well or Domestic. 5-8pm Karaoke on the patio \$1Draft Pints. 9pm "Saturday Starrlett's" w/Bunny FuFu & Jane Starr. After the show, DJ Q spinning inside & 10pm-close, DJ Mike Lopez with the "Party on the Patio".

**WOODY'S** - Open 11am-2am; Happy Hour 10am-8pm (excl spec events); Full Menu Kitchen open 11am-11pm. Back Pocket Patio Bar open 5pm-close. Techno and Top 40 Dance with DJ Jeff 9pm til close. Check our ad for Twice-A-Month Special Events or Themed Parties.

## Bar Specials

SATURDAY, JULY 24

**COYOTE MOON PUB** - Tea Dance from 4:00 to 8:00 p.m. with DJ Sparky

**COYOTE MOON PUB** - Veroninca's Closet show begins at 10:00 p.m. with Veroniica Chase and Friends.

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# UK Considers Religious Gay Union Ceremonies

LONDON (Observer Update) - Britain's government is considering letting same-sex couples include religious elements in civil partnership ceremonies.

Equalities Minister Lynne Featherstone says the government's review of gay equality rights will consider allowing homosexual couples to include hymn singing and religious readings in their union ceremonies. Parliament recently removed the ban

on same-sex unions in churches and other places of worship.

The move has already run into opposition from some in the Church of England. The Daily Telegraph newspaper quoting Michael Langrish, the Bishop of Exeter, as saying in a statement that the church will not allow any civil partnership registrations in its buildings.

# Fire Destroys Gay Pride Float In Anchorage

ANCHORAGE (Observer Update) - Anchorage authorities say they're investigating the cause of a fire that destroyed a gay pride float intended for a 4th of July parade, reports the AP.

KTUU-TV reports that witnesses told investigators that moments before the fire began Friday morning (July 2) they saw someone running from the driveway where the float was being

constructed.

Neighbors and the float's builders say they fear a hate crime. Investigators say they're still working. A report that concludes the fire was set would lead to a criminal investigation. The builders say they'll still improvise a float using the ashes and charred pieces of the original.

# Tobacco Use High In LGBT Community

WASHINGTON, D.C. (Observer Update) - Members of the lesbian, gay, bisexual and transgender community are among the biggest users of tobacco, according to a recently released report.

The American Lung Association's latest health disparity report, Smoking Out a Deadly Threat: Tobacco Use in the LGBT Community, examined the trend of higher tobacco use among the LGBT community and

the need for additional research specific to that demographic.

The study indicates the LGBT population smokes at a higher rate than the general public. Data show that gay, bisexual and transgender men are up to 2.5 times more likely to smoke than heterosexual men. Lesbian, bisexual and transgender women are up to twice as likely to smoke as straight women.

# SF Police Respond To Video-Taped Beating At Gay Pride

SAN FRANCISCO (Observer Update) - Towleroad.com reports that as if there wasn't enough violence during San Francisco's Gay Pride celebrations last weekend.

The city's police have responded to video footage that has recently popped up online that shows officers beating and then arresting several people during Gay Pride. Police were initially called to the area where the incident occurred to deal with a scuffle between two women. It appears as if several people clearly attacked the cops. SF Appeals has published a response from SF Police spokeswoman Lt. Lyn Tomioka:

internal affairs division is investigating the use of force by the officers. 'It's an ongoing investigation, but use of force...it's why we try to talk to people, but when we have no other option, use of force is required, unfortunately,' Tomioka said. 'But to the public, it never looks pretty. 'The officers gave commands, which were ignored,' Tomioka said. 'When an officer gives an order to move or to stop, those are orders, and they need to be complied with.'"

The department is currently investigating the use of force.

"Tomioka said the department's

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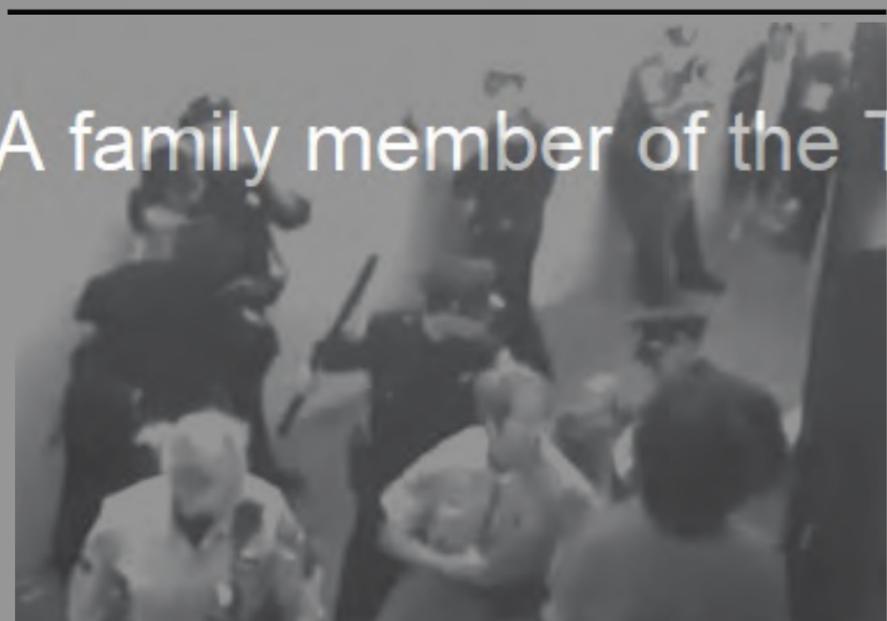
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