



# PFLAG Triangle

Parents, Families, and Friends of Lesbians and Gays promotes the health and well-being of gay, lesbian, bisexual, and transgender persons, their families and friends through:

- SUPPORT—to cope with and adverse society;
- EDUCATION—to enlighten an ill informed public; and
- ADVOCACY—to end discrimination and secure equal rights.

### EVENTS OF INTEREST:

- **11-6-08**  
Support Group
- **11-4-08**  
VOTE!
- **11-15-08**  
Save The Date  
2nd Annual Equality Conference and Gala—  
Duke University

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## Brothers Singing: Declaring Pride, Touching Lives

The Triangle Gay Men's Chorus (TGMC) invites you to celebrate the Holiday Season with them at their 2008 Holiday Concerts entitled "Instrument of Peace." TGMC will present a blend of Holiday favorites, some with new variations, in addition to unique selections sure to help you find the Peace in this special time of year. "Instrument of Peace" promises to be a very special musical event, with a mix of works to add fun to your concert experience, embrace the traditional spirit of the Season, and encourage reflection. "Instrument of Peace" is the first concert in TGMC's 2008-2009 concert series, "A Peaceable Season."

Tickets are \$12.00 in advance and can be purchased online

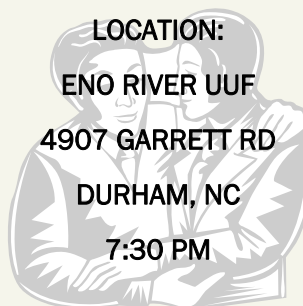
at [www.tgmchorus.org](http://www.tgmchorus.org) or from Chorus members. Tickets are \$ 1 5 . 0 0 at the door. The concert will be presented on Sunday December 7 at 3pm at University United Methodist Church, 150 East Franklin Street in Chapel Hill, and again on Saturday, December 13, 2008 at 8pm in Raleigh, at the Fellowship Hall at 3313 Wade Avenue.

TGMC is a rapidly developing artistic force in the Triangle. Established in 1995, and now under the Artistic Direction of North Carolina-native,

Mr. John-Philip Mullinax, TGMC concluded their 2007-2008 season with the world premiere of the song cycle 'Where is Love' by its resident composer, and then gave an outstanding performance at the July 2008 GALA International Festival of LGBT choruses in Miami. In their 2008-2009 concert series, TGMC is poised to build on their previous artistic successes. The season will be capped in June 2009 by a performance of the major concert-length work,

## SUPPORT GROUP GUIDELINES

PFLAG offers a confidential support group to share pain, joy, and concerns around same-sex orientation of oneself or a loved-one. This is an opportunity to share time with other caring people in an ongoing movement toward justice



of LGBT persons. Please come whether you need help, can give help, or like most of us, fall into both categories.

All PFLAG meetings are confidential and are held



## IT'S ABOUT MARRIAGE, PERIOD!

According to the Florida Supreme Court, Amendment 2 does just one thing. It defines marriage as between only one man and one woman into the Florida Constitution.

When an amendment to the Florida Constitution is submitted, it goes through an approval process that finishes with the court deciding whether the proposed amendment deals with only one sub-

*"That means there is a lot more hope that you can do something about it."*

ject. When Amendment 2 was submitted for review by the court, the American Civil Liberties Union challenged the language. It argued the amendment dealt with more than one subject. When the case was heard, the ACLU attorneys asserted six times that Amendment 2 would not only affect marriage, but that

it would also prohibit the recognition of domestic partnerships.

Amendment 2 was allowed to go on the ballot because the court disagreed with the ACLU's position. In its opinion, the court said, "the voter is merely being asked to vote on the singular subject of whether the concept of marriage and the rights and obligations traditionally embodied therein should be limited to the union of one man and one woman."

The opinion went on to say, "Initially, a comparison of the proposed amendment with current law in section 741.212 of the Florida Statutes (the Defense of Marriage Act or DOMA), demonstrates that the amendment essentially tracks the language of the current statutory provision. ... The proposed amendment is essentially inserting this statutory scheme into the Constitution."

Legal precedent has already been established in Florida regarding DOMA and domestic partnerships. In Broward County, opponents of domestic partnerships used DOMA as the basis for their suit to outlaw them, saying that DOMA prohibited

domestic partnerships. The 4th District Court of Appeal disagreed, ruling that DOMA has no impact on domestic partnerships.

The Supreme Court said Amendment 2 would merely place DOMA in the Constitution. The appeals court said DOMA doesn't affect domestic partnerships. The connection is clear: Amendment 2 won't affect domestic partnerships or any associated benefits.

Opponents of Amendment 2 know they can't win this debate if they simply try to "validate" a need for same-sex marriage. In the first 27 states where marriage amendments appeared on the ballot they passed by resounding margins. Voters



Page 3—Marriage naturally recognize that for

### PFLAG TRIANGLE MEMBERSHIP

It is that time again to renew your membership to PFLAG Triangle and PFLAG National. Dues are \$35.00 for Household Membership and \$15.00 for Student Membership. \$15.00 of those

dues are allocated to PFLAG National. Your dues and financial donations help continue the work that PFLAG Triangle does each year. Please fill out your application today. You may fill out a paper application or visit our Online Store to sub-

mit your application and dues online. A original application is attached to the last page of this newsletter. See the web update section for additional information about the Online Application

in a supportive comfortable, environment. Members may share as much or as little as they like of just listen. One-on-one time can be provided for new members either during the meeting or at a prearranged time outside of the regular meeting. If you need further assistance, please call the Support Group Number for your area.

### SUPPORT

## PAGE 2 MARRIAGE

the benefit of society, and particularly for the welfare of children, marriage should be between one man and one woman.

This realization led them to another strategy. Now, the spokesmen for the groups opposing Amendment 2 won't even acknowledge that it's about marriage, even though the Supreme Court clearly said that marriage is exactly what it is about.

Instead, they are trying to frighten voters, especially senior citizens, into believing that they'll lose benefits if Amendment 2 passes. This is a total fabrication. There is the ruling from the appeals court.

They also say there's no need for Amendment 2 because there are already laws on the books that define marriage as between one man and one woman.

The response to that: Look what just happened in Connecticut, and a couple months ago in California, and a few years ago in Massachusetts. All of these states had laws protecting marriage. That didn't stop radical activist judges from imposing their will on the people of their states.

Our only option to keep those radical judges from imposing their will on the people of Florida is to pass Amendment 2.

## CONN. HIGH COURT RULES GAY COUPLES CAN MARRY

Connecticut's [Supreme Court](#) ruled Friday that gay couples have the right to marry, making the state the third behind Massachusetts and California to legalize such unions. The ruling comes just weeks before Californians go to the polls on a historic gay-marriage ballot question, the first time the issue will be put before voters in a state where same-sex couples are legally wed. The 4-3 ruling is the first time that a state that had willingly offered an alternative to marriage was told by a court that civil unions aren't enough to protect the rights of gay couples. Connecticut was the first state to voluntarily pass laws to affirm civil unions. "I can't believe it. We're thrilled, we're absolutely overjoyed. We're finally going to be able, after 33 years, to get married," said Janet Peck of Colchester, who was a plaintiff with her partner, Carole Conklin. "I'm just ecstatic. It's such a relief, the joy of it," said another plaintiff, Jody Mock of West Hartford, who sued with partner Elizabeth Kerrigan. In the majority opinion, Justice Richard N. Palmer wrote that denying marriage to same-sex couples would create separate standards. "Interpreting our state constitutional provisions in accordance with firmly established equal protection principles leads inevitably to the conclusion that gay persons are entitled to marry the otherwise qualified same sex partner of their choice," Palmer wrote. The Family Institute of Connecticut, a political action group that opposes gay marriage, called the ruling outrageous. "Even the legislature, as liberal as ours, decided that marriage is between a man and a woman," said executive director Peter Wolfgang. "This is about our right to govern ourselves. It is bigger than gay marriage." Attorney General [Richard Blumenthal](#) said the ruling goes into effect Oct. 28 when it is implemented by action of the of the Superior Court. There will be no appeal, he said.

Gov. [M. Jodi Rell](#) said she disagreed with the ruling. "The Supreme Court has spoken," she said. "I do not believe their voice reflects the majority of the people of Connecticut. However, I am also firmly convinced that attempts to reverse this decision -- either legislatively or by amending the state Constitution -- will not meet with success."

State Sen. Michael Lawlor, chairman of the legislature's Judiciary Committee, said he expects the General Assembly will pass a gay marriage law next year codifying the Supreme Court ruling. "It's important that both the legislature and the court weigh in," he said. "The court is saying that it's a constitutional requirement that marriage should be equally available to gays and straights and the

legislature should weigh in saying whether or not it's constitutionally required, it's the right thing to do." The court was sharply divided in the decision, with three justices issuing separate dissenting opinions.

Senior Associate Justice David M. Borden cited Connecticut's civil union's law passed in 2005 and said there is no conclusive evidence that civil unions are inferior to marriages.

"It is simply too early to know this with any reasonable measure of certitude," Borden wrote.

Justice Peter T. Zarella wrote that he believes there is no fundamental right to [same-sex marriage](#), and the court's majority failed to discuss the purpose of marriage laws, which he said is to "privilege and regulate procreative conduct." Zarella added, "The ancient definition of marriage as the union of one man and one woman has its basis in biology, not bigotry. If the state no longer has an interest in the regulation of procreation, then that is a decision for the legislature or the people of the state and not this court."

The lawsuit was brought in 2004 after eight same-sex couples were denied marriage licenses and sued, saying their constitutional rights to equal protection and due process were violated. They said the state's marriage law, if applied only to heterosexual couples, denied them of the financial, social and emotional benefits of marriage.

Supreme courts in Massachusetts and California also have ruled in favor of gay and lesbian couples, concluding the domestic partnerships were unequal to the rights given in heterosexual marriage. Civil unions and a similar arrangement, known as domestic partnerships, are offered to same-sex couples in Vermont, New Jersey, New Hampshire, Oregon, Hawaii, Maine, Washington and the District of Columbia.

Peck said that as soon as the decision was announced, the couple started crying and hugging while juggling excited phone calls from her brother and other friends and family.

"We've always dreamed of being married," she said. "Even though we were lesbians and didn't know if that would ever come true, we always dreamed of it."

## CALIFORNIA LEADS THE NATION IN GAY RIGHTS

No matter what voters decide this November on same-sex marriage, the election will not change one fact: Over the last decade, California has become the nation's leader in providing legal protections to gays and lesbians.

This has happened not just because of high-profile gestures like San Francisco Mayor Gavin Newsom's decision to issue the nation's first same-sex marriage licenses in 2004 but also because of a carefully crafted campaign to enact laws in the state Legislature and push for court decisions to support and enhance the new rights. The changes have delighted some Californians and alarmed others. Gay rights have been expanded in "little bites that people found hard to argue with at the time," said Matt McReynolds, staff attorney of the conservative Pacific Justice Institute. "And all of a sudden, we are at a point where gay rights trump religious rights." Among the protections guaranteed in the state:

\* Schools must protect gay teenagers from being taunted about their sexual orientation.

\* Churches that receive state funds for nonreligious services such as day care can't refuse to provide those services to gays and lesbians -- even if the church's doctrine opposes homosexuality.

\* And doctors must extend the same kind of fertility treatments to lesbians hoping to conceive that they do to heterosexual women.

Geoff Kors, executive director

of Equality California, a pro-gay rights group, disputes the allegation that gay rights threaten religious liberties. But he doesn't disagree with McReynolds when it comes to what his group and others have accomplished. "In work, at home, and in all aspects . . . we've had such great advancement," he said.

### 'Evolving policy'

The earliest protections gays and lesbians enjoyed in California stemmed from court decisions. In 1914, when Long Beach police arrested 31 men accused of being part of a gay sex ring, most went free thanks to a California Supreme Court ruling that oral sex was not "a crime against nature," Yale law professor William N. Eskridge Jr. wrote in a legal brief. In 1951, California's high court became the first in the country to rule that police could not shut down bars simply because gays frequented them. In 1961, it invalidated police spying in men's bathroom stalls and held in 1969 that public schools could not fire teachers for being gay.

The ruling that would figure most prominently in the same-sex marriage decision did not involve gays. In 1948, the court became the first in the country to strike down a law that barred interracial marriage, ruling that people have a fundamental right to marry the person of their choice. Legislative action on gay rights lagged far behind court decisions until the mid-1990s, when openly gay and lesbian officials began to win election to public office.

State Sen. Sheila Kuehl (D-Santa Monica), a Harvard Law School graduate who was the first openly gay lawmaker in the Capitol, recalled what it was like when she got to Sacramento in 1995 and introduced an unsuccessful bill to extend protections to gay students. "It was a nightmare," she said. "The speeches that people would make. . . . No one held back at all, talking about the most outrageous things about gay people."

The second openly gay member of the Legislature, Sen. Carole Migden (D-San Francisco), who arrived two years after Kuehl, recalled an incident in which Sen. Peter Frusetta (R.-Tres Pinos) stood up in a hearing on Kuehl's student bill and talked about homosexuality in livestock. "I've seen thousands and thousands of cattle," he said, "I've probably seen three . . . maybe four that had the hormone imbalance of being odd, unnatural. . . . [They would] shy away from bulls and take up with other heifers."

But the Legislature was changing, in part because it was becoming generally more liberal and in part because of the presence of more gays and lesbians.

Early on, the legislators made a decision to push for incre-

mental changes rather than plunge straight into polarizing issues like same-sex marriage.

The first step came in 1999, when Kuehl finally got her education bill passed and signed by Gov. Gray Davis. During the same session, Migden won passage of the state's first domestic partner protection bill, which allowed gay partners to register but afforded them few additional rights. The backlash began almost immediately. The next year, state Sen. Pete Knight championed Proposition 22, a state ballot initiative that defined marriage as only between a man and woman. (That law, which was approved by more than 60% of the voters, was invalidated this year by the California Supreme Court.)

But despite the passage of Proposition 22, proponents of gay rights were beginning to build momentum, both sides say. Lawmakers had become comfortable voting for gay rights bills. And they saw that many of their constituents supported those bills, said Kors, of Equality California. Also, Kors' group and others were quick to give campaign contributions as rewards to legislators who voted for gay rights bills. In 2003, then-Assemblywoman Jackie Goldberg won passage of a domestic partner law that gave same-sex couples many of the rights married couples have in such areas as custody and community property. During its most recent session, the Legislature - which now includes five openly gay members -- approved five more gay civil rights bills, bringing the total

## GAY RIGHTS PAGE 4

in the last 10 years to 50. The progress has been so substantial, Kors said, that "the vast bulk of achieving equality for LGBT people legislatively has been accomplished in California." Some legislators were uncomfortable with the rapid changes and the pressure to vote with the majority. Assemblyman Anthony Adams (R-Hesperia) said that although he supported some of the bills, including provision for domestic partnerships, he does not support gay marriage. He said he voted for domestic partnerships out of "respect and understanding" but that now people who support partnerships but not marriage are being "abused and maligned." This, he said, "can only lead to a greater degree of mistrust in any future debate."

### 'Independent history'

As the Legislature passed more gay rights laws, the California Supreme Court found itself handling more cases involving gay issues. Six of the seven sitting justices, including Chief Justice Ronald M. George, were appointed by Republican governors. But the justices considered themselves bound to uphold the Legislature's intent.

"The court has shown an independent history of holding that lesbian and gay people are entitled to equal protection," said Shannon Price Minter, legal director for the National Center for Lesbian Rights. "But the court also relied heavily on the enormous body of legislation passed by the California Legislature." As the Legislature was passing domestic partnership bills, the court grappled with cases involving child support and custody in lesbian parent disputes. Between 2002 and 2005, the court decided four parental rights cases involving lesbians; the rulings reflected a growing consensus by the court that more gays were having families and that discriminatory laws were affecting children. The cases "educated the court significantly, and they got the court thinking about the families that gay people form," said Jon W. Davidson, legal director of Lambda Legal. Gay rights advocates had long believed that putting the question of gay marriage to the courts prematurely could set their movement back. Newsom's 2004 decision to marry same-sex couples guaranteed that the marriage debate would end up in the courts. The activists were careful in choosing which cases to press. Two prominent plaintiffs in the legal battle for marriage rights, for example, were Del Martin and Phyllis Lyon. The two had been together more than half a century; Martin died this year.

In the time it took for the cases to climb from the trial court to an appeals court and finally the high court, the Legislature twice approved same-sex marriage bills, only to have the bills vetoed by Gov. Arnold Schwarzenegger, who said

## BROTHERS SINGING PAGE 1

"BraveSouls and Dreamers."

"Brothers Singing: Declaring Pride, Touching Lives" defines TGMC. TGMC's goals are to strengthen the spirit and open presence of the gay community and to provide to the public a positive image of this community. Through a commitment to musical excellence, the Triangle Gay Men's Chorus provides a collaborative artistic home for men to nurture their musical abilities through performance.

TGMC welcomes both male and female non-singers to be part of our Support Section, our corps that provides important behind-the-scenes assistance for the Chorus. Adults can join our Support Section at any time during the concert season.

For more information please visit [www.tgmchorus.org](http://www.tgmchorus.org), or email [info@tgmchours.org](mailto:info@tgmchours.org).



courts should decide the issue.

The high court's decision came on May 15, in a 4-3 ruling written by George. The majority gave same-sex couples the right to marry, and California became the first state high court in the country to give sexual orientation the same legal protections as race and gender.

Even if Proposition 8, the state constitutional amendment that would ban gay marriage, passes in November, most of the other rights and protections will remain.

But the loss of marriage rights, which carries a powerful symbolic weight, would be a painful setback to the gay rights movement.

"This is a watershed because it gives a chance to give an up or down approval of the direction taken," said McReynolds of the conservative Pacific Justice Institute. He hopes that things have "finally reached a point where millions of people in this state have had enough."

Advocates for gay rights say the momentum is on their side. They are hoping the courts, like the Legislature, will continue to be sensitive to the concerns of gays and lesbians.

Gay rights activist Kors knows one way to help ensure this: Press for more gay men and lesbians on the bench.

## CURRENT EVENTS

- 1) - An Israeli lesbian couple has sued for the right of both to be named biological parents of their baby boy.
- 2) - The 2008 edition of the North Carolina State Personnel Manual included a prohibition against discrimination based on sexual orientation.
- 3) - In Singapore, a cable operator was fined for showing an ad featuring two women kissing.
- 4) - Salt Lake City has begun registering domestic partners, including same-sex couples.
- 5) - The former assistant Defense secretary under President Reagan has called for repeal of "don't ask, don't tell".
- 6) - In Italy, a mob attacked Rome's Gay and Lesbian Center.
- 7) - Uruguay became the first Latin American country to allow gay marriage.
- 8) - Under a new North Carolina provision, hospital patients may designate people other than immediate relatives as allowed visitors, which permits visits from gay partners.
- 9) - A public high school principal in Tennessee was accused of outing two male students as gays.
- 10) - Residents of the Greek island of Lesbos are trying to bar a Lesbian group from using the word Lesbian in their name.
- 11) - Florida will soon pass legislation requiring school districts to prohibit bullying.
- 12) - Nepal elected its first openly gay member to parliament.
- 13) - In Israel, the Tel Aviv city council has agreed to build a monument honoring gays persecuted during the Holocaust.
- 14) - Officials in Moscow, Russia have once again refused permission for gay pride parades.
- 15) - In Berlin, Germany, two tributes were unveiled for gay victims of the Holocaust.
- 16) - Richard Lalle will become Yale's first gay master. Yale once expelled gay students.
- 17) - A proposal to amend Pennsylvania's constitution to ban same-sex marriage has been tabled.
- 18) - Michigan's Supreme Court ruled that local governments and state universities cannot offer health insurance to same-sex partners.
- 19) - In a monumental victory, the California Supreme Court overturned a voter ban on same-sex marriage. Gay marriage in the state can start June 17.
- 20) - Maryland has passed an anti-bullying law including harassment based on sexual orientation.
- 21) - The University of Toledo has fired an administrator who wrote an article attacking gay civil rights.

## WEBSITE UPDATE

### Good NEWS!

PFLAG Triangle has implemented a new web based membership and contribution management system.

You can now renew your membership and contribute to PFLAG Triangle via this new system. This is an upgraded system to what we had before. The Web Development Office is committed to helping out users accomplish their task the most efficient and easily way

possible. To use this system please our online store page at our website, you will need your email address that we currently have on file. Let us know if you experience any problems.



PFLAG Triangle  
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 Durham, NC 27717

info@pflagtriangle.org  
<http://www.pflagtriangle.org>

#### Support Phone #'s

Durham	(919) 929-0192
Raleigh	(919) 434-3080
Rocky Mount	(252) 442-7423
Transgender	(919) 781-3316

#### Support Group Meeting Location

Eno River UUF  
 4907 Garrett Road, Durham, NC  
 7:30pm—Rooms 1 & 2

## CONTACT INFORMATION

### 2008—2009 Board of Directors

<a href="#">Eric Hendricks</a>	President <i>Event &amp; Marketing Planning, Communications, Web Development</i>
<a href="#">Ted Mayer</a>	Co-President <i>Safe Schools, Membership, Volunteer Recruitment</i>
<a href="#">Burt Rauch</a>	Treasurer
<a href="#">Renee Rauch</a>	Secretary
<a href="#">Lisa Mayer</a>	At-Large
Martha Beach	At Large
Ana McKee	At Large <i>Human Resources, Volunteer Recruitment</i>
Vacant	Event Planning Director
Margaret Antle	Membership Coordinator
Vacant	Safe Schools Coordinator
Georgia Springer	Transgender Coordinator



# PFLAG MEMBERSHIP APPLICATION

PO Box 51776  
Durham, NC 27717  
<http://www.pflagtriangle.org>  
[info@pflagtriangle.org](mailto:info@pflagtriangle.org)

Sign up for:

- |   | Price   |
|---|---------|
| <input type="checkbox"/> Household Membership | \$35.00 |
| <input type="checkbox"/> Student Membership   | \$15.00 |

Subtotal: \_\_\_\_\_

Total: \_\_\_\_\_

Method of Payment

- |                                     |                                     |
|-------------------------------------|-------------------------------------|
| <input type="checkbox"/> Check      | <input type="checkbox"/> MasterCard |
| <input type="checkbox"/> Bill Me    | <input type="checkbox"/> American   |
| <input type="checkbox"/> Online Pay | <input type="checkbox"/> Visa       |

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