

From 2000...just 15 years ago.

BEING GAY IN UTAH:

For men and women practicing an “alternative lifestyle,” Utah is a pretty intolerant state.

By Alexandra L. Woodruff

Editor’s Note: Sixteen years after this article was written, life for LGBT Utahns (and elsewhere in the United States) has changed for the better. As Stephen Clark, the ACLU legal director quoted extensively in the article, noted, “Progress goes basically in one direction.” When the article was written, gay Utahns lived in fear of losing their jobs, of social alienation, and even violence. To the Latter Day Saints church, “gay marriage” was a scare issue, used to push support for draconian anti-gay laws. Now it’s the law of the land. In the mid-90’s, only 12% of Utahns supported the idea of gay marriage. By 2014, though, that number had risen to 48%, with 72% supporting civil unions. That is a remarkable percentage for a state that has been historically reluctant to embrace change.

And on March 6, 2015, Utah Senate passed, in a 23-5 vote, statewide legislation to ban discrimination based on sexual orientation and gender identity in employment and housing. The bill was backed by the LDS Church and it passed in the Utah House 65-0. Governor Herbert signed the bill into law on March 12, 2015.

We’re pleased to present this article as a reminder of how much progress has been made.

On the night of February 7, 1999, three men waited outside a well-known gay club in Salt Lake City. When two men walked out of the Sun, the trio—Brian E. Hitt, 25, Scott Presley, 22, and Jason Millard, 25—allegedly started verbally taunting the men and then physically attacked them. Presley hit one of the victims several times in the chest and face; Millard punched the other man in the face.

The same three are also charged with approaching another bar patron on a different day and asking him, “Are you a faggot?” The victim jumped in his car, locked the doors and the gang started pounding on the car. The man jumped out of his car, ran back to the bar, and called the police. According to police reports, one of the attackers later admitted he had no explanation for the beating and they were just out for a good time. The three pleaded not guilty to assault charges.



That is not the first time attackers have chosen their victims because of sexual orientation and it probably won’t be the last. In Utah, reported physical attacks on gays and lesbians are rare; the state of Utah uses less confrontational ways of trying to squelch the quickly emerging culture of people who choose to live an open and honest homosexual lifestyle.

Since the mid-1990s, Utah has tried to ban their free speech, their right to meet and even their right to adopt children.

But ironically, this active anti-gay campaigning has done more to solidify gay rights because a few vocal activists refuse to back down on such blatant violations of civil rights.

“It’s the last gasp of the establishment; we’re facing a very interesting time in Utah and across the country as lesbians and gays become more visible and society faces the decision on how to deal with that reality,” said Stephen Clark, the legal director at the Utah chapter of the ACLU. “Some people want to deny or force the reality out of existence. Progress goes basically in one direction. There can be backlashes and setbacks, but this is the civil rights movement of our time; you have to believe you are on the right side of history and keep plugging away.”

Choose the Right

The dominant religion here, like most organized religions, has been less than accepting of open, gay lifestyles. The LDS church actively campaigns to make sure gay marriage is not legalized. In February 1994, the LDS First Presidency asked its members to “appeal to legislators, judges and other officials to preserve the purposes and sanctity of marriage between a man and a woman.”

When Hawaii and Alaska tried to pass initiatives to legalize marriage between same-sex couples, the church became involved and helped defeat the measures.

Right now, California is trying to pass Proposition 22, titled the “Limit on Marriage.” The initiative would limit legal marriages to heterosexual couples. Last June, the church sent letters to 740,000 members, asking them to support the initiative. The Roman Catholic Church and the California Southern Baptists have also come out in support of Proposition 22.

But, despite these official stances, Utah has a thriving gay culture and community that won’t sit and quietly watch their rights taken away. Last Fall, during LDS conference, 200 protesters gathered outside the Salt Lake Temple for a peaceful gathering to oppose California’s Prop. 22.

Jared Wood and his partner Darrin Hobbs helped organize the protest and are two of the most vocal and active gay rights supporters in the state. They started a group called Utahns for Fairness, which protests the Church’s support of the “Limit on Marriage” initiative.

“I would love to see gays and lesbians refuse to pay their taxes until our relationships were recognized in the same manner as heterosexuals; I’d love to see them prosecute us

The dominant religion here, like most organized religions, has been less than accepting of open, gay lifestyles. The LDS church actively campaigns to make sure gay marriage is not legalized.

all; I’d love to see them try to lock us up,” Wood said.

The pair also helped found the Gay and Lesbian Political Action Committee, (GAL-PAC,) to raise money for political campaigns and help promote gay and gay-friendly candidates.

But they didn’t grow up imagining a future of political involvement. Hobbs grew up a Southern Baptist and notes the general similarities between the attitudes of that culture and Utah’s predominant Mormon culture; however, they differ in the way they approach gay issues.

“The difference between the Baptists and the Mormons is the Baptists have no problem looking you in the face and saying you’re a piece of crap; Mormons will hide behind platitudes and words of love while stabbing you in the back,” Hobbs says.

Wood grew up Mormon in a small town in New Mexico. When it was time for college, Wood chose to go to Brigham Young University in Provo, UT. He was still in the closet, but knew he was gay. He says he went there because there were so many jokes about the school’s well-established gay population.

When he arrived, the rumors were confirmed; he got involved in the gay community, which was dealing with the same religious issues.

“Going to BYU was about safety from my parents and a place to come out around a bunch of fags and dykes, who had more issues like me,” remembers Wood. “For a bunch of white, middle-class boys, it was a total thrill to finally be a part of a counter-culture.”

The Mormon Church tells its members to “love the sinner, hate the sin.” The Church believes that homosexuals can and should be changed. Since the 1970s, the Church has tried different therapies to “cure” gayness. It has tried programs that include fasting, praying, hypnosis and even aversion therapy, where those who want to change their sexual orientation are induced to vomit or electrically shocked when an erotic picture of someone of the same sex is viewed. BYU has a support group called Evergreen, which



tries to purge students of sexual feelings toward the same sex. Wood told his bishop of his sexual orientation, but didn't attend the Evergreen meetings.

"The rhetoric wasn't a source of my guilt. I knew they were wrong; I knew that being gay was okay and I knew that what the LDS Church thinks about gay and lesbian people was an absolute lie, but what kept me silent was their rejection," Wood recalls.

Wood finally left BYU, moved to Salt Lake City and started working on women's and gay rights issues. And, despite the opposition, living an open, gay lifestyle isn't that difficult in Utah's capital city.

According to Hobbs, "It's fairly easy to live here, but I think that it also might be part of the problem; the dominant culture is so subversive that it is easy for people to live their lives quietly."

They also point out that more women die of domestic violence annually in Utah than gay men die of HIV.

"We're not trying to paint ourselves as victims. Darren and I are white middle-class men and our risk of being assaulted and the kind of prejudice we deal with on a daily basis, I think, is very small compared to what people of color and women face daily in Utah," Wood says.

Making Waves

There are two cases in Utah that have had a national effect on gay rights. The first is the Salt Lake City School District's ban on non-curricular clubs in its schools and the second is the gag order the Nebo School District placed on lesbian teacher Wendy Weaver.

"We've had more than our share of cases affecting the rights of gays and lesbians that have a national impact," Clark of the ACLU observed.

Weaver had taught at Spanish Fork High School since 1979, but when she divorced her husband and moved in with her partner, Rachel Smith, her job was in jeopardy. The district made her sign a gag order that would not let her discuss her lesbian relationship with anyone, in or out of school. She was also removed as the girls' volleyball coach at the school.

Weaver challenged the District and won her case, and, ironically, the district's efforts to silence Weaver did exactly what the district didn't want. They were forced to offer her the coaching position back and remove the gag order. It solidified her right to live an openly gay life and the court case is now hailed as one of the most important federal decisions protecting teachers.

"Wendy can finally live her life the way she has always wanted to because she is out from under the persecution and the professional and personal attacks she had to suffer for a long time," said Clark, who helped represent the case.

Clark also helped represent the case of East High School students who tried to start a group called the Gay-Straight Alliance (GSA.)

During the 1995-96 school year, a group of students wanted to form a club that would discuss and deal with sexual orientation issues. The district clamped down on the group and tried to stop it from meeting. The students fought back, staged a school walk-out and lobbied for their cause.

Finally, when the district realized it would be impossible to single out this one group, they decided to ban all non-curricular school clubs. Along with the GSA, they Young Republicans and Democrats, Students Against Drunk Driving, the Polynesian Club and countless other clubs were prohibited from meeting. According to the ACLU, this is the only district in the nation that has gone to such extreme measures.

But, even with the ban, the GSA figured out a way to continue meeting. Under the state's Civic Center Act, any group can rent space from a public school after hours. So, the group found a sponsor, paid the rent, and continued to meet. They are not one of the few non-curricular groups that still gather in the district and similar groups are popping up at other schools in the Salt Lake valley.

"There are other GSAs in other districts that do meet and the sky hasn't fallen and civilization as we know it hasn't ended and students just kind of do their thing," Clark said.

These small victories give Clark reason to hopefully look ahead:

"In 20 or 30 years, we'll look back on the prohibition on same-sex marriage with the same kind of regret and shame, that we ever maintained the kinds of attitudes that would deprive people of the ability to form loving committed attachments. What these movements do is cause people to confront their prejudices and when people are forced to deal with each other in terms of inner common humanity instead of stereotypes, then you start to overcome historic prejudices."

Uphill Battle

There are still many battles to be fought. Last year, the Division of Child and Family Services created a rule that said unmarried people can't adopt or serve as foster parents. The ACLU, again, has taken up the cause.

"One of the claims made in the lawsuit is that those kinds of blanket exclusions violate the constitutional rights of both children in need of adoption and adults who are willing and able to adopt them," said Clark.

"There's not a lot of law in this area because most states do the sensible thing and, rather than enacting these kinds of arbitrary blanket exclusions, they make these very difficult placement decisions on a place-by-place basis. They basically say, we're not going to exclude anybody who is willing to open their homes to a child in need of adoption," Clark said.

By the time this paper goes to press, the Utah State Legislature will probably have passed a law that would ban same-sex couples from adopting children. Florida is the only other state to legislate a ban on gay adoptions.

"The Utah Legislature historically has shown very little regard for the constitution

when it comes to certain things. You've got, for some reason, this idea that Utah can disregard people's rights and the constitution and do whatever it pleases, and we have to keep going back to court to challenge these things," said Clark.

Historically, the state has not placed children in same-sex couple's homes and Clark questions the motivations for the bill. Supporters of the bill defend their vote by claiming to protect the best interests of children. They say they opposition is an adult-driven campaign that ignores children's needs. Clark agrees the controversy is adult-driven, but not on the part of the gay activists.

"It's an adult campaign driven by far-right ideologues who unfortunately are willing to sacrifice the well-being of children to make a political and ideological point that doesn't really need to be made."

But all the lobbying and logic in the world couldn't change the mind of the lawmakers. When the first openly gay Utah state lawmaker, Jackie Biskupski, made an impassioned plea to her fellow legislators to vote against the bill, her colleagues ignored her pleas.

"The stereotypes that people use to justify their hatred for me, is not me. I am not all those negative things you have been taught to believe. I am not less than human and therefore do not deserve to have my liberties taken away from me. Putting [people] in categories in order to deem them to be unfit parents without personally knowing who you are impacting, reminds me of past discriminations. This is truly reminiscent of the Jews, the African Americans and even the Mormons. [They] were persecuted unjustly. Every time we have justified singling out a particular group and have chosen to take away their rights for reason that seem okay at the time, later generations have had to look back in horror and undo the wrong that has been done."

Right after Biskupski's speech, the Utah House of Representatives voted to pass the ban. The bill now goes to the state Senate, where it is expected to pass, then to Governor Mike Leavitt, who is expected to sign.

How long will it take for us to "look back in horror?"



ALEXANDRA WOODRUFF,
also known as
The Sashanator,
now lives in Los Angeles.

AL CORNETT
Artist - Craftsman - Author:
Seven Mountains and the Red Star

13378 Campton Rd.
Slade, Ky. 40376
606-663-4276
606-569-5016 cell

alancornette@gmail.com
www.asteroidscometts.com

The Watchers

Thanks to our
webmaster:

**RICK
RICHARDSON**

who, each issue,
manages to move
The Zephyr into
cyber-space, without
causing the editor
to have a
nervous breakdown.

