

IMPACT

WINTER 2018

 **Lambda Legal**
making the case for equality



Cop loses
job offer
over HIV
**WE'RE
SUING**

*Fighting
the most
anti-LGBT
law in
America*

**AGING
WHILE
QUEER
A National
Crisis**

THE FIGHT AGAINST

Trump's Trans Military Ban

PLUS
*Black Lives Matter's
Patsie Khan-Cullors*

*Sass On Ice
Johnny Weir*

MEET OUR LEAD CLIENT, RYAN KARNOSKI

Everyone needs
a good wingman.

American Airlines is proud to support Lambda Legal.



WE ASKED, YOU ANSWERED

We contacted some *Impact* readers and asked: What is your hope for the next generation of LGBT people? What advice would you give them?

Be passionate. Find some aspect of the LGBT movement that excites you and get involved. Keep your goals simple and realistic. Not all of us can build a hospital in Bangladesh. But we can volunteer a few hours at the area food bank or serving a meal at a homeless shelter. Those small acts of compassion are no less valid, no less important, than building the hospital.

Dr. Frederic B. Tate, Williamsburg, VA

As an 84-year-old gay man who lost his husband of more than 33 years in March, I want to embrace all of you as the next generation of the gay community. As the founder of a still existing men's group that meets and discusses various community issues monthly, I hope my key word in nearly every discussion is used often: visibility. As I tell my friends, the more visible we are, the easier we're making it for you, the younger community.

Alan Tarsky, Lake Balboa, California

My advice to the next generation is to learn LGBT history to better arm yourself with great role models to prove that LGBT people can serve useful and even heroic lives, as evidenced from the time of classical Athens in 450 B.C.

Robert Egge, Honolulu, HI

If you're not going forward, you run the risk of slipping back. Therefore, methodical attention to securing additional opportunity is worthwhile. Join political clubs, committees and campaigns that will include you. This is where you learn the ropes.

Barbara Lampert, 71, Spokane, WA
Aware of my lesbian orientation since age 9
Totally in the closet until age 44

Never take your freedom for granted. It took many people working ceaselessly to get to where we are today, and it could all go away unless it is jealously protected with words and deeds.

Alan Stageberg, Billings, MT

For the next issue, we'd like to know what you think: If you've ever attended a Pride event, what's your most cherished memory from participating?

Write us:

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SERVING OUR COUNTRY

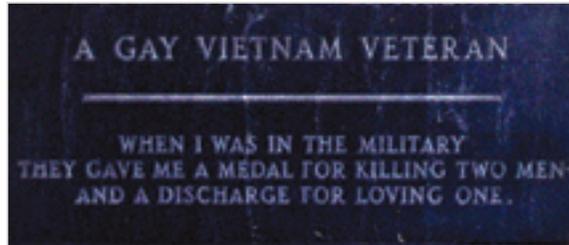
The draft ended in 1973. Since then, every person who has served in the U.S. military has volunteered.

Lambda Legal was founded that same year, and since our earliest days we have fought for the right to serve openly.

We took on our first military expulsion case in 1975, for Ensign Vernon “Copy” Berg III. Berg, a graduate of the U.S. Naval Academy, had been anonymously outed and discharged. Lambda Legal’s first (and for a long time, only!) attorney, E. Carrington “Cary” Boggan, couldn’t get Berg reinstated, but he persuaded a federal appeals court that the Navy’s rules on homosexuality were too vague.

At the same time, Leonard Matlovich was fighting his discharge from the Army, and we took on his case. Lambda Legal took over Matlovich’s case after the ACLU dropped it when they became sure he would lose. Together, the cases helped force the Pentagon to at least issue honorable discharges to those ejected for homosexuality.

In 1987, a midshipman named Joseph Steffan was expelled from the Naval Academy. He contacted Berg, who referred him to Lambda Legal. With the pro bono help of



Leonard Matlovich’s tombstone at the Congressional Cemetery in Washington, DC.

Wachtell, Lipton, we spent years fighting for his reinstatement. In the 1990s we represented Col. Margarethe Cammermeyer, chief nurse of the Washington State National Guard and the highest-ranking officer ever to be expelled for homosexuality.

Today, we are proud to represent Katie Schmid, Ryan Karnoski, Drew Layne and other transgender people in their fight to join and serve openly in the armed forces, the nation’s largest employer (see page 6).

Our fight for equality at work continues. We were disappointed that the U.S. Supreme Court declined to hear our case for Jameka Evans, who graced the cover of our last issue. We’ll keep fighting for Jameka and everyone who is fired or denied a job because they are LGBT or live with HIV. On page 3, read about Liam Pierce, who is suing the sheriff’s department of New Iberia, Louisiana, for withdrawing a job offer after they learned he has HIV. When talented people lose jobs because of prejudice, everyone suffers.

RACHEL B. TIVEN
CEO, LAMBDA LEGAL

IMPACT

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RECKLESS ENDANGERMENT

Trump is stacking courts with judges who could roll back LGBT civil rights by half a century.



Jeff Mateer, who compared marriage equality to bestiality, was nominated to the federal bench. After public outcry and Lambda Legal's work on the Hill and in the media, his nomination was withdrawn.

“What Grassley did is a dangerous precedent,” says Lambda Legal staff attorney Sasha Buchert. “They might do this soon to senators in more liberal states, such as Sen. Feinstein in California and the Ninth Circuit.”

What’s more, says Buchert, “these nomi-

In *Impact*'s last issue, we wrote about how the Trump administration is working quickly to stack federal benches with extremist, ultraconservative judges. Take, for example, newly installed Sixth Circuit judge John Kenneth Bush, a Kentucky lawyer who's compared abortion to slavery, once said that Rep. Nancy Pelosi should be gagged and used the word “faggot” in a speech in Louisville.

Others who have been in the wings include Jeff Mateer (who was nominated to a district court in Texas), who has called transgender children part of “Satan’s plan,” compared marriage for same-sex couples to bestiality and supported “conversion therapy” for gay youth.

There’s Steven Grasz (now confirmed to the Eight Circuit Court of Appeals), who serves as the director of the board of the Nebraska Family Alliance, which has repeatedly targeted the LGBT community.

And then there’s Mark Norris (nominated to a district court in Tennessee), who has supported state legislation to prohibit cities from pass-

ing laws protecting LGBT people from discrimination—and to permit mental health counselors to refuse to treat LGBT clients under the guise of religious liberty.

“These nominees are emerging as the civil rights threat of our time for LGBT people,” says Lambda Legal fellow Yuvraj Joshi. “Trump may be around for just four years, but some of these nominees will last 40.”

Another scary development? In November, Senate Judiciary Committee Chairman Chuck Grassley, Republican of Iowa, announced that he was pushing through with the confirmation hearing for David Stras, a far-right nominee to the Eighth Circuit, despite the objections of a senator from Stras’ home state, Minnesota. Grassley’s decision flew in the face of century-old Senate practice: confirmation hearings don’t proceed without approval from the candidate’s home-state senators.

“THESE NOMINEES ARE EMERGING AS THE CIVIL RIGHTS THREAT OF OUR TIME.”

nees are mostly white men who don’t reflect the diversity of the communities they’re going to serve, which are mainly in the South.”

Lambda Legal, with its LGBT and civil rights partners, is working overtime doing background research on these nominees and alerting senators to how extreme they are. Lambda Legal’s research led to Fifth Circuit nominee Don Willett being called out for mocking a transgender high school softball player with a tweet. Even though Willett was confirmed, three nominations were also withdrawn, including Mateer’s, thanks to public outcry and Lambda Legal’s tireless work on the Hill and in the media.

Buchert urges readers to follow nominees at lambdalegal.org/judicial-nominees and to call their senators, demanding that they block Trump’s extremist picks. Readers can also post that link to social media to urge friends to do the same thing.

“This is a judicial crisis,” says Buchert. “At the rate we’re going, one in eight litigants could be in front of a Trump judge by this time next year.” **TL**

HIV UPDATES: FIGHTING WORKPLACE INJUSTICE IN LOUISIANA, MODERNIZING DRACONIAN LAWS IN CALIFORNIA

Liam Pierce never thought that being HIV-positive would impede him from being a great sheriff's deputy. Pierce, 46, was diagnosed with HIV in 2003, but his treatment has been effective. He has never had HIV-related complications, and he served as an area paramedic, firefighter and police officer for many years.

No wonder he got the job as sheriff's deputy in New Iberia, Louisiana, in 2012. There was just one final part of the application process: a medical exam and an HIV test. But after the test came back positive, as Pierce knew it would, the job offer was rescinded.

"It was a punch in the gut," he says. "It hurt. I'm able to do the job and serve the community without any risk. It's frustrating that people are still not educated properly and don't understand how HIV is and is not transmitted."

He reached out to Lambda Legal, which took his case. "It seems there are employers who think that HIV-positive first responders present a transmission risk," says Scott Schoettes, Lambda Legal's HIV Project director. "This is one of the cutting-edge issues in employment when it comes to HIV," he says, adding that health care workers with HIV are also still often targeted.

Lambda Legal brought the case to Louisiana's Equal Employment Opportunity Commission, which last year declared that evidence supported Pierce's claim against the sheriff's office. But the EEOC has no enforcement power and the sheriff refused to take corrective action, such as instituting HIV education for staffers. So Lambda Legal filed a lawsuit in the U.S. District

Court for the Western District of Louisiana—and is currently awaiting a response from the opposing counsel.

"If we don't end up resolving the case through negotiation, we'll take it to trial," says Schoettes.

And that's fine with Pierce, who has chosen to go public with the case. "My husband and I were concerned about the response we'd get from future employers and the community," he says. "But we wanted to fight the stigma by being open. It helps when people see someone with HIV who works every day and is active and healthy." He has a new job where his manager knows he has HIV and has no issue with it.

In other HIV news, California governor Jerry Brown in October signed legislation developed and championed by Lambda Legal and several other advocacy groups to reform outdated laws that unfairly criminalized and stigmatized people living with HIV.

The old laws singled out people living with HIV for felony convictions, including a felony penalty enhancement for sex workers (or their clients) regardless of whether they engaged in any activity that could actually transmit HIV. To enforce that law, another provision compelled people convicted of solicitation or prostitution to undergo an HIV test given by the state. The HIV-based criminal laws were most disproportionately used against women of color and often led to prison sentences of three to eight years.

The new law, S.B. 239, updates California criminal law to approach HIV transmission as it does transmis-



After Liam Pierce's HIV test came back positive, his job offer was withdrawn.

sion of other serious communicable diseases, which result in at most a misdemeanor conviction.

"This change can be transformational for the rest of the country, because it's a model for how other states should reform these outdated laws," says Schoettes. According to the Center for HIV Law and Policy, hundreds of people living with HIV in the past decade have been arrested or charged under laws in roughly half the states that single out HIV for criminalization, or that apply general felony laws to people living with the virus.

Lambda Legal is working to reverse such laws in states including Florida, Idaho and Illinois, says Schoettes. California joins Iowa and Colorado among states that have already dialed back such laws, most of which were passed in the 1980s or 1990s.

The updates are good news for Danny Cruz, a former member of the Sex Workers Outreach Project who worked in recent years on getting the laws reversed in California. "I've had sex worker friends tell me they didn't want to get tested for HIV," he said, "because if they knew they had it, they could be up for a felony." **LL**

A PIONEERING LIFE CUT SHORT

“I knew even when he was a child that he was not born in the right body,” says Melissa Feldhaus, the mother of Rowan Feldhaus. Assigned the gender of female at birth, Rowan “never seemed happy in a female setting,” continues Melissa, a team member with a meal-prep company in Augusta, Georgia. “When his brothers started doing Cub Scouts, he didn’t understand why he couldn’t. Girl Scouts just wasn’t his thing.” The summer before senior year in high school, he did basic training in the Army Reserves.

In the fall of 2014, Feldhaus—then 23 and a student at Augusta University—was watching TV with his mother. “It was an Oprah Winfrey show about a little kid that was transgender,” Melissa says. “And Rowan looked at me and said, ‘What would you say if I told you I were trans?’ I told him that I wouldn’t love him any less. That I’d probably love him more because he’d recognized who he was and it was time he finally lived that way.”

Working with health providers at both his college and Fort Gordon, Feldhaus started psychotherapy and, in a year, got the go-ahead to start taking testosterone. He came out as transgender to friends, as well as to his manager and coworkers at a nearby Wyndham hotel. “He didn’t lose friends,” Melissa says. “If anything, he gained them.”

Everything was going OK, until March 2016. Feldhaus filed in county court to change his name legally. The judge, J. David Roper, told him that “Rowan Elijah,” in his own opinion, was not sufficiently “gender-neutral.” Roper went so far as to



Rowan Feldhaus passed away in 2017. Lambda Legal fought for his legal name change and achieved a victory for him and all transgender people in Georgia.

suggest other names.

Roper even said to him, “I don’t know anybody named Elijah who’s female. I’m not going to do that.”

“This was outrageous,” says Dru Levasseur, who directs Lambda Legal’s Transgender Rights Project. “Putting your own opinion on someone’s name change isn’t the legal standard.”

Feldhaus’s name change was denied. Shortly thereafter, Roper refused the name-change request of another man, Andrew Baumert, who is also trans and who had known Feldhaus since high school. Lambda Legal proceeded to fight for Feldhaus and Baumert in court. Following the court’s consolidation of their cases, the Georgia Court of Appeals unanimously reversed Roper’s decisions in January 2017.

Feldhaus and Baumert were elated. But their legal efforts, which played out in the news, weren’t supported by everyone. Feldhaus and his mother once left a Crossfit workout session together to find a death threat on their car.

Still, it was a victory for Feldhaus in his transition journey. The next was to

have a hysterectomy: not just for gender transition purposes, notes Melissa, but for additional medically necessary reasons, as well.

Though this surgery is commonly performed, Feldhaus began experiencing serious bleeding shortly after and tragically died of septic shock days later at the age of 25.

Since then, says

Melissa, “every day is a rollercoaster. His room is still there. His sister is actually living in it.” (Rowan is survived by three other siblings as well, including Ethan, his twin.)

The Georgia Equality Clinic just told Melissa that they are going to name a transgender advocacy award for Feldhaus. Following Lambda Legal’s wins on both cases, the Stonewall Bar Association also honored Baumert and Feldhaus (Melissa accepted on her son’s behalf), for their service to the community. News like this “still doesn’t bring Rowan back,” Melissa says. “I’d much rather see him up there stumbling over a speech than me giving a speech for him.”

As for Baumert, who now lives in Atlanta while he studies for a graduate degree in chemistry at Georgia State and works in an HIV research lab, he says he’ll remember his friend Feldhaus as uniquely ambitious. “He had big goals and he went through with all of them,” Baumert says. “Legally, he will be remembered as Rowan.” **LI**

A HOPEFUL STEP FORWARD AGAINST THE N.C. TRANSGENDER RESTROOM BAN

Joaquín Carcaño could not believe what was happening. He'd been working a few years at the University of North Carolina-Charlotte as an HIV project coordinator, reaching out to the local Latino community. He'd transitioned there with the full support of his boss and his mostly LGBT colleagues. He used the men's room with no comment or complaint from his male colleagues.

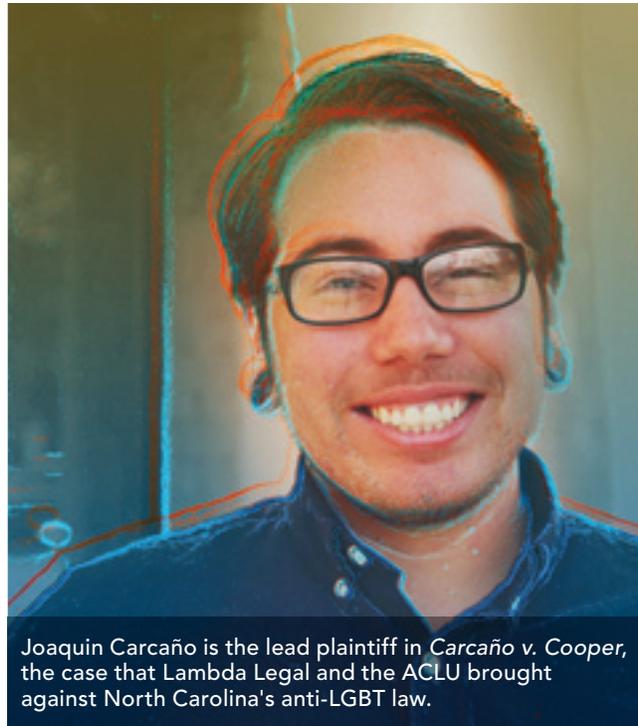
"My transition at work was really well received," says Carcaño, 29, who lives in Durham. "It just wasn't an issue."

But, in March 2016, North Carolina's GOP-led legislature passed H.B. 2, which required that people had to use the restroom or locker room in public buildings that matched the gender on their birth certificate.

The law was a conservative backlash to the city of Charlotte, which had passed an ordinance allowing people to use public restrooms that matched their gender identity.

Carcaño and his colleagues were shocked. To obey the new law without using the women's room, where he didn't feel he belonged, he had to walk ten minutes to another building that had a single-stall, all-gender restroom. Finally, a single-stall restroom in his own building was found for him—accessible only via a service elevator.

A federal court issued a preliminary injunction against the so-called transgender restroom ban—but only for a handful of transgender North Carolinians, including Carcaño, who'd by then become plaintiffs in a case



Joaquín Carcaño is the lead plaintiff in *Carcaño v. Cooper*, the case that Lambda Legal and the ACLU brought against North Carolina's anti-LGBT law.

against the law brought by Lambda Legal and the ACLU.

The case has twisted and turned since then. The newest development? Late last year North Carolina's attorney general negotiated a consent decree with advocacy groups for the state's transgender population, saying that transgender people in North Carolina will no longer be barred from using the public restroom that matches their gender identity. But the judge in the ongoing case surrounding the issue must agree to the terms of the consent decree before it becomes law.

"This case is not done yet by any stretch of the imagination," says Lambda Legal Senior Attorney Peter Renn. "We need the court to sign off on this and there will be more legal battles before that happens."

The consent decree is the latest development in a high-profile battle dating back to the passage of H.B. 2. Widely seen as among the most anti-transgender laws ever passed in the U.S., the bill—which GOP then-governor Pat McCrory signed into law—sparked nationwide protests

and business boycotts that cost the state an estimated \$3.76 billion in revenue.

In March 2017, under new Democratic governor Roy Cooper, the state repealed H.B. 2 and passed in its place H.B. 142, which said that only the state legislature had the power to tell people where they could go to

the restroom.

Yet H.B. 142 remains a problem, says Renn, "because the North Carolina legislature hasn't yet explicitly told transgender people where they can go to the restroom. Transgender people are stuck in this limbo. We want the language in the consent decree that explicitly says that state government cannot prohibit transgender people from using the restroom that matches their gender identity."

Meanwhile, says Renn, "lots of trans people still feel deterred from using the right facility. People are using single-stall, all-gender restrooms when they can. But that can still be stigmatizing to think that's the only place you can go. And if read broadly, the law leaves trans people vulnerable to false accusations of trespass for using multi-user restrooms."

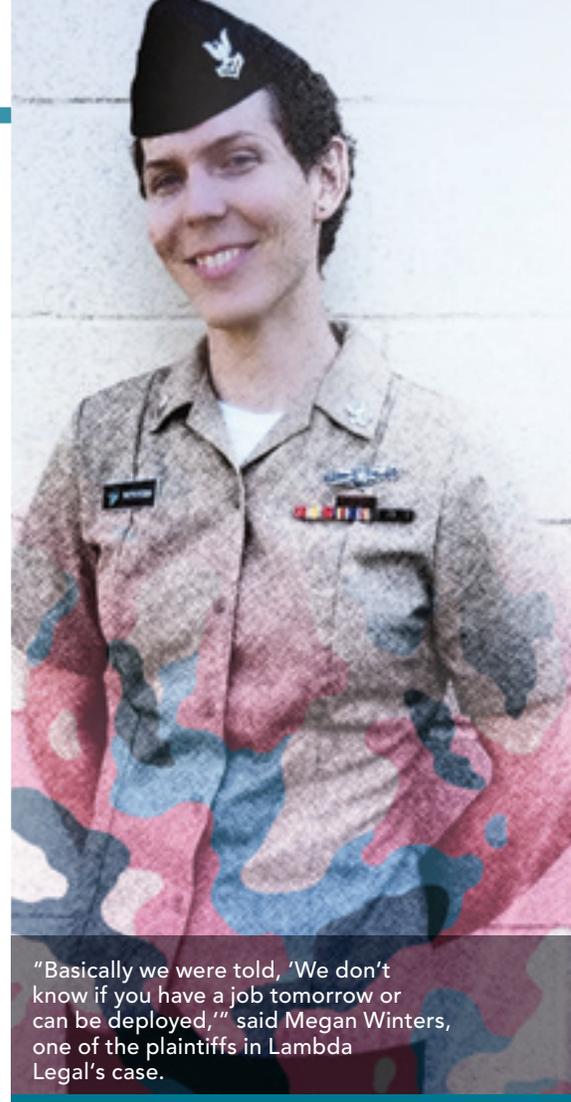
For Carcaño, he just wants to be able to take care of his business and get on with his day, like everyone else. He explains, "I just want to get in and get out."

Follow the case at lambdalegal.org/blog. 

In 2011, Ryan Karnoski was a high school junior in Seattle when president Obama announced that “don’t ask, don’t tell,” the policy requiring gay servicemembers to stay closeted, was finally ending. It got him thinking. His grandfather and step-grandfather had both served in the Korean War and he had several cousins in the Army and Navy, including one, a helicopter pilot, killed in action in Afghanistan in 2009. Enlisting was “definitely something that I

families, and they come back from wars with physical injuries as well as mental ones, like post-traumatic stress disorder. We mental health professionals have a commitment to remember them, so that’s how I would like to serve my country.”

Everything was on track. Then, on the morning of July 26 last year, Karnoski woke up to Trump’s infamous tweets saying that he would ban trans people from the military because their medical costs were a burden. (In reality the military



“Basically we were told, ‘We don’t know if you have a job tomorrow or can be deployed,’” said Megan Winters, one of the plaintiffs in Lambda Legal’s case.

THE RIGHT TO SERVE

BY TIM MURPHY

Despite a Trump tweet, the military is welcoming transgender servicemembers. Meet the plaintiffs working with Lambda Legal to make sure things stay that way.

had always thought about in the context of my family history in the military,” he says.

Fast-forward to 2016. Karnoski had transitioned and was pursuing a degree in social work when Obama announced that, within a year, transgender people would be allowed to enlist and serve openly as well. Karnoski decided that he would complete his masters, then apply to be a military social worker. “It was almost like perfect timing,” he says.

And he was very serious about his desire to enlist. “As social workers, we make a commitment to serve the most vulnerable,” he says. “A really important and overlooked community are the people who make huge sacrifices to serve in the military. They’re separated from their

spends more on Viagra than it does on trans health care.) It was followed by a flood of outreach from friends, both trans and not, asking if he’d seen the tweet.

“At first I was just really confused that such a serious policy decision could be made via a tweet,” says Karnoski. “It felt like the rug was being pulled out from under the world I thought I was living in. But then I felt sick to my stomach when I thought of all the trans people I knew who had made the decision to come out while serving. I didn’t even think about the impact it would have on my own career until a couple days later.”

Meanwhile, as the White House formalized Trump’s tweet by saying that the military would return to its prior policy

of authorizing the discharge of trans service members by March 2018, Lambda Legal tweeted out an open query to trans people, asking how the ban would affect them. “We received a ton of responses, making loud and clear the problems that so many people were facing,” says Lambda Legal Law Fellow Kara Ingelhart.

A HOLIDAY VICTORY

Just before the holidays, Karnoski and Lambda Legal got a huge win: The federal judge in the case, filed in Washington State, issued a preliminary injunction that stops the ban pending a final ruling in the lawsuit and ruled that the ban was likely unconstitutional for violating transgender people’s rights to equal protection and due process—as well as their First Amendment rights. The ruling made for four out of four wins of this kind thus far in cases filed against the ban.

“This is a sweeping victory,” says



"The administration is going to fight this tooth and nail," says Sasha Buchert, a Lambda Legal attorney on the case who is transgender and served as a Marine.

Lambda Legal Acting Legal Director Camilla Taylor. "It's so broadly protective of the liberty, equality and First Amendment rights of transgender people that it's likely to reverberate around the country and have an impact on cases that have nothing to do with the military or even employment. It's saying that trans people have a core right to self-definition."

The battle is far from over. Because of the court rulings, transgender people have been able to join the military as of January 1, 2018, and their discharge is prohibited for now, but the Trump administration is still fighting in the lower courts to overturn those rulings.

"The administration is going to fight this tooth and nail," says Sasha Buchert, a Lambda Legal attorney working on the case who is transgender and a former U.S. Marine.

"We're likely to succeed on the merits of our claims," says Taylor. "Rest assured, we're in this for the long haul."

That's good news to Megan Winters, 29, a Navy information systems technician in Alexandria, Virginia, and one of the transgender plaintiffs. "This has been so difficult to deal with," she says, "because things were finally getting smoothed out around transgender policy and the tweet pretty much destroyed the communication

path up and down the chain of command. Basically we were told, 'We don't know if you have a job tomorrow or can be deployed. We need you to sit quietly in the corner.' So I've continued to do my job but it's been hard."

She says that being part of the lawsuit was not something she relished. "I raised my right hand to defend this country, not to sue it," she says. "I just want us to be accepted like anybody else and not be questioned over this ridiculous idea that we're a financial burden to the military when we know we're not."

Meanwhile, in Asheville, North Carolina, Conner Callahan, 29, another plaintiff, a public safety officer at a local college, has

“ In reality the military spends ten times more money on Viagra than on trans health care.



Callahan, another plaintiff in Lambda Legal's case, has wanted to be part of the Air Force or Army since he was a teen.

begun the process of joining the military, based on the court victory. He says he's desired to serve since he was 12 or 13. "There's the history, the camaraderie, the brotherhood of it all," he says. "You get to do things that no other job can possibly give you." He wants to work in bomb disposal.

He says that the idea of being banned

from serving hurts him deeply. "I'm well educated," he says. "I've never had issues with drugs or crime. I'm an upstanding, healthy, intelligent good citizen saying that I'm willing to possibly give up my own life for my country, and you're telling me I can't serve because of something I can't help? That's tough to deal with."

PREPARED TO SERVE

Karnoski, too, is closely monitoring the legal proceedings. He says he's prepared to start the time-consuming and labor-intensive process of applying for direct commission—in which highly qualified military candidates can bypass some of the basic requirements such as a four-year military academy or a ROTC program—but wants to be sure that the law says that transgender people can enlist and serve.

"I wouldn't want to do this," he says, "until I was sure I would have a fair opportunity to be considered."

Meanwhile, he enjoys life in Seattle with his new wife, Ester, a data analyst, and their two cats, Mister Smith and Cattie. "We watch a fair amount of Netflix," he says. "We love that show *Australia's Cheapest Weddings* and we rewatch a lot of *Friends*." He also loves to bake. "Ester is Israeli," he says, "so we've been making challah bread and also chocolate babka. I messed mine up so I had to turn it into cinnamon rolls. But it still tasted good."

And he's also plenty busy in his job as a child and adolescent clinician at both a community mental health clinic and a rural high school in southeast Washington. Among those he serves are transgender children. "I'm glad what's going on now with the ban against trans people isn't on their radar," he says. "But I do think about how I'm involved with something that hopefully is going to impact their lives in a good way." **LI**

To learn more about the case, visit lambdalegal.org/military

NO QUEERS ALLOWED



“Religious freedom” bills are sweeping through legislatures in dozens of states, giving bigots a license to discriminate. Lambda Legal is leading the fight to topple them, including one in Mississippi.

AT THE AGE OF 81, THE REVEREND RIMS BARBER FEELS LIKE HE’S FIGHTING THE SAME FIGHT ALL OVER AGAIN, nearly 50 years later.

In 1970, as a young minister from Chicago who’d moved to Mississippi to join the civil-rights movement, he married two friends—Roger, a white man, and Berta, a black

woman—in what was the state’s first legal interracial union. Only three years before, in the landmark *Loving v. Virginia*, the Supreme Court had struck down state laws—some of them claiming that racial separation was God’s plan—banning interracial marriages.

But despite that ruling,

the county courthouse refused to issue Roger and Berta a marriage license. Barber’s friends took the case to a U.S. appeals court—and won.

“We’ve gone through a lot of struggles in this state to try to overcome racial bigotry,” says Barber, who lives in Jackson, Mississippi, with Judy, his wife of 40

years. “And a lot of bigotry came from people who thought they were upholding religious beliefs.”

It still does. Rims was the lead plaintiff in *Barber v. Bryant*, the case in which Lambda Legal sought to strike down Mississippi’s HB 1523. This state law, enacted in April 2016, allows individuals and institutions

with religious objections to block LGBT people from a variety of rights and services, including marriage licenses, jobs, housing, and adoption and foster-care services.

Its treatment of married same-sex couples flies in the face of the Supreme Court's 2015 *Obergefell* ruling that made marriage equality the law of the land.

Met with protests in Mississippi and nationwide, HB1523 has been called the most anti-LGBT law in America. In October, an appeals court refused to hear a case challenging it, in which Lambda Legal is co-counsel. Now, Lambda Legal and other LGBT rights groups continue working to see how this unfolds.

"We can't have a state law that says some people or their relationships aren't legit," says Barber, who, in his long pastoral career has performed marriages for interracial couples and for same-sex couples before their marriages were legal. He says individual workers have no right imposing their religious beliefs on settled law. "Why is a person even a marriage clerk," he asks, "if they can't follow their oath to uphold the Constitution?"

Mississippi's law isn't an isolated incident. Increasingly, nationwide, conservatives are using the premise of "religious freedom" to cut into existing LGBT and reproductive rights. And now it

appears that the Trump administration, eager to stoke its far-right base, is helping them.

Late last year, the Supreme Court heard arguments from a Colorado baker who claims he had the right to deny making a wedding cake for a same-sex couple because cake-making is his "art" and he should not be forced by the government—Colorado has an anti-discrimination law—to express ideas that contradict his religious beliefs. Lambda Legal has filed an amicus brief in the case in support of the gay couple.

“It’s like a movie where just when you think the zombie is dead, it rises up again—and you realize the fight’s not over.”

—Lambda Legal Acting Legal Director
Camilla Taylor

Last June, Texas passed a controversial law that allows adoption agencies and other service providers to refuse to place a child with an LGBT family because of "sincerely held religious beliefs." The law could also impact people seeking birth control or abortion services.

In 2017 alone, laws with similar language were passed in five states—Alabama, Kentucky, Tennessee, South Dakota and North Carolina—and introduced as bills in dozens more.

In October, U.S. Attorney General Jeff Sessions issued

legal guidance urging broad protection for "religious freedom" that could result in LGBT people, women and other groups unprotected from bias in federal programs.

It's all backlash to recent gains in LGBT rights, says Camilla Taylor, Lambda Legal acting legal director. "The First Amendment protects everyone's right to worship as they please," she says. "But this is an effort to use the language of religious liberty as a justification for discrimination in the marketplace and by government officials, health care providers, employers

and child-welfare providers.

"Courts long have upheld laws that prohibit such discrimination," she continues. "But now organizations that have fought against equality for LGBT people for many years are attempting to reverse those precedents."

Taylor says that there are obvious parallels between long-ago religious arguments against interracial marriage and current religious arguments against the marriages of same-sex couples. "But courts have always rejected claims

that religious liberty trumps protections from discrimination," she says.

Although the Supreme Court refused to hear *Barber v. Bryant* in early January, "we continue the fight in Mississippi, and are actively searching for additional plaintiffs to challenge the law," Taylor says.

Meanwhile, she urged readers to speak up against proposed "religious freedom" laws in their states—and to urge their representatives to do so as well. (Follow these bills at lambdalegal.org/blog/topic/religious-exemptions.)

Taylor says she's not surprised by the wave of anti-LGBT bills after *Obergefell*. "We won a thrilling victory and we expected this blowback," she says. "It's like a movie where just when you think the zombie is dead, it rises up again—and you realize the fight's not over."

Barber, who's active with the social justice group Mississippi Human Services Agenda, says, "It's frustrating to still be fighting this fight." Along with many, he is waiting to see if the Supreme Court will take up the case. He's hopeful that it will—and that it will rule against the law.

"I really wish I could just sit back and watch," he says. "But I can't. Justice requires that once you make the commitment, you do it until you die." **LL**



As LGBT people age, “their social network starts diminishing. Many of them go back into the closet.”

IN NOVEMBER, RESIDENTS OF THE FOUNTAINGROVE LODGE IN SANTA ROSA, CALIFORNIA, the nation’s first LGBT retirement community, returned to their homes after the devastating October wildfires there. Part of Oakmont Senior Living, a luxury retirement complex, Fountaingrove’s lodge and apartments were spared by the inferno—only the rainbow flags at the entrance were singed—but even before the fires, the 95 residents knew how lucky they were. They had a welcoming place to grow old. For most LGBT seniors, the landscape outside of Fountaingrove is threatening enough.

The massive wave of Baby Boomers who are heading into retirement has been coined the “Silver Tsunami.” Rarely addressed is that this tsunami contains a very lavender wave. According to a 2014 study by SAGE, the advocacy group for LGBT seniors, there are at least 3 million LGBT people over 55 in the United States, a number they say will double in 20 years. “This country isn’t ready for how fast it’s aging,” says Michael Adams, CEO of SAGE. “And the services and programs and housing that exist are not ready for LGBT people.”

SILVER AND LAVENDER

BY MIKE ALBO

As they age by the millions, LGBT seniors face a host of challenges.

HOME ALONE

There is a myth that all LGBT people are comfortably in the upper-middle class, with well-appointed second homes. In fact, older LGBT people are more likely to be poor than their straight, cisgender counterparts. Nearly one-third of LGBT older adults ages 65 and older live at or below the federal poverty level, compared to a quarter of straight seniors. In SAGE's study, 51 percent of older LGBT people reported being "very or extremely concerned about their financial futures." Affording a luxury retirement community isn't always an option. And LGBT older adults face a layered and complex series of obstacles—discrimination, health challenges, isolation.

Traditional caregiving is also less common. While more than 75 percent of caregiving is done by spouses or blood relatives, according to a 2011 study by UnitedHealthCare, older LGBT people are much less likely to have spousal support or adult children. Apart from the psychological impact of that isolation, there are practical issues: often we simply don't have someone who can drive us to medical appointments or help decode complex health insurance documents.

Chicago resident Don Bell moved into that city's LGBT-friendly living center, Town Hall, three years ago. "If I had not been able to live here, I literally would be homeless," he says.

For activists and social workers in the field, the isolation of older LGBT people is obvious. "Particularly as they're aging, their social network starts diminishing," says Jose Collazo, site manager for SAGE's Bronx satellite. "Many of them go *back* into the closet. Their fate is the hands of their doctors, home aids, family and friends."

FINDING A HOUSE THAT'S A HOME

Their relative social isolation means that LGBT people are more likely to rely on professional care like assisted living and nursing homes. But LGBT seniors can face daunting levels of prejudice. In a 2014 study, the Equal Rights Center found that 48 percent of same-sex couples who applied for senior housing experienced "adverse or differential treatment," ranging from being quoted higher rent prices to outright denial of availability.

Even if LGBT elders can access appropriate housing, personnel there are all too often poorly equipped to work with them. "It has never dawned on far too many staff of senior living communities that they have LGBT residents," says Karen Loewy, counsel and strategist on seniors' issues at Lambda Legal.

Marsha Wetzel, a lesbian senior who used to live at the Glen St. Andrew Living Community in Nilus, Illinois, suffered harassment, discrimination and violence caused by other residents, she says. She reported enduring a relentless pattern of homophobic and sexist slurs, being spit on, and getting hit over the head from behind after hearing the word "homo." After complaining to the staff to no avail, she called Lambda Legal's Help Desk. Lambda Legal filed suit against Glen St. Andrew Living Community last year.

"When we take on a case we know full well it represents one case among hundreds of instances," says Loewy. "Between the lack of cultural competency and generational or religious anti-LGBT bias among both staff and residents, there is a lot of work to be done to ensure LGBT seniors can live safely and equally in these settings."

Some exciting new LGBT-friendly senior living facilities have opened in

the last few years, including the John C. Anderson apartments in Philadelphia, The Openhouse's Bob Ross LGBT Senior Center in San Francisco and Town Hall in Chicago. The Anita May Rosenstein Campus, a part of the Los Angeles LGBT center, is set to open in 2019 as an example of building community by bringing generations together. The new campus will include both affordable housing for seniors and beds for homeless youth, with a kitchen to feed both.

"The need is immense," says Karyn Skultety, executive director of San Francisco's Openhouse. "When the Openhouse community facility opened last year, there was just a seven-day window for applications. 1,800 people applied, and 50 were placed in 40 units. Fifty people are thrilled, and we have built a strong LGBT community, but hundreds are heartbroken and fearful of where they will go next."

While these spaces are welcome, they only begin to address the problem. "We're happy to see the momentum, but we'd never be able to build enough units," says Kelly Kent, SAGE's National Housing Initiative Director. "We need to focus on mainstream providers that already exist, so their staff can provide culturally competent care in traditional settings."

THE OLDER BODY

For LGBT people, access to health care is crucial. LGBT people are more likely than others to have health problems like HIV, depression, substance abuse, and struggles with obesity. "Minorities manifest stress," says Jeff Huyett, who has worked as a nurse, nurse practitioner and activist since 1983. "Statistically we are at higher risk, dealing with consequences of living with stigma, the violence of being LGBT in this culture. It impacts your eating,

your drinking habits, your blood pressure, to name a few.”

Many long-term survivors of HIV are dealing with new health challenges they did not anticipate living long enough to face. Trans seniors can also face obstacles with coverage. Lambda Legal recently filed a complaint with the Equal Employment Opportunity Commission on behalf of Marc Lawrence, a transgender retiree of the Federal Bureau of Prisons. In addition, Lambda Legal has sued on behalf of Sean Simonson, a retired transgender employee of Oswego County, New York. Both were denied coverage because their policies contained a blanket exclusion of all transition-related care.

If you have HIV or are transgender, Lambda Legal’s online resource Know Your Rights (lambdalegal.org/kyr) offers information about your rights in health care settings. If you are mistreated in a health care setting, contact Lambda Legal’s Help Desk at lambdalegal.org/help.

DISCRIMINATION AFTER DEATH

The mistreatment of LGBT people does not necessarily stop when they die. Marriage equality should protect surviving spouses of LGBT people when it comes to inheritance and property, but those with chosen families still face challenges. In the absence of a will, for example, the law looks to the next of kin first for inheritance rights. So there are instances where an unmarried same-sex partner or a queer chosen family member is disinherited. “We do lots of intakes about greedy, distant nieces and nephews,” says Loewy at Lambda Legal. (For more steps you can take to protect yourself and loved ones after life, see “Life and Financial Planning” at lambdalegal.org/kyr.)

There is also plain, old-fashioned discrimination. Lambda Legal recently filed a lawsuit against a funeral home

in Picayune, Mississippi that refused to take the deceased body of Robert Huskey despite a contract. Just hours after his death, his husband Jack Zawadski had to scramble to find another funeral home with an on-site crematorium 90 miles away.

THE EMOTIONAL TOLL

Aging alone, whatever your sexuality or gender identity is tough. Older people need companionship, support and community.

Theo Hutchinson, 63, a professor in Southern Ohio, came out as trans and began transitioning four years ago. Although he does connect with other older trans men through Facebook groups, living in rural Ohio can be

“In many ways we are defining what it is like to grow old [as LGBT],” says Don Bell, who moved into an LGBT-friendly living center in Chicago three years ago.

isolating. “For most cis people you have 20 years to develop your gender,” he says. “I am trying to squish that into two years. I am going through puberty alone, without a peer group.”

The isolation of aging LGBT people is baked into our society. In a recent paper titled “Queering Aging Futures,” scholars Linn J. Sandberg and Barbara L. Marshall question the very notion of “successful aging” for LGBT people, because it’s so often seen through a heteronormative lens, with grandkids to dote on and beloved family home to welcome them. The stereotype of the lonely, sad, old “bitter queen,” makes that heteronormative future look even more desirable.

“Aging has really bad branding,” says World Famous *BOB*. As an activist, volunteer and employee at SAGE, she created several performance events, connecting SAGE clients and New York’s downtown performance scene. *BOB* volunteered and then

worked for SAGE as their “Creator of Fun”, producing shows that mixed older and younger people. “We got the theater donated,” she says. “We sold out. Everyone in the burlesque world told me how much it changed their lives. There’s just not a real structure that bridges the young and old. The puzzle is: How do the planners make it happen?”

Part of accomplishing that is for younger people to be able to learn their history, and celebrate the path our seniors laid, and the price they paid, for our community’s progress and growth. “One of my missions is to represent the first ‘out’ generation,” says Bell, who lives in Chicago’s Town Hall. “In many ways we are defining what it is like to

grow old [as LGBT].”

Last June, Hutchinson, the Ohio professor, won an essay contest organized by SAGE and Airbnb. The prize was a free trip to New York City Pride. “The SAGE bus pulled onto Fifth Avenue,” Hutchison says. “The younger people were marching with us and surrounding the bus. To have that honor and love exchange with the crowd was the best feeling.”

Being seen, being there for each other, appreciating each other for who we are—it strengthens what we already know. The LGBT community works best when it’s just that: a community.

Go to the National Resource Center on LGBT Aging to find local resources for caregiving and information on a variety of LGBT aging topics: lgbtagingcenter.org/resources.

If you or someone you care for is discriminated against at a senior living facility, contact Lambda Legal’s Help Desk at lambdalegal.org/help. 

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WHAT ABOUT

ME?



In a relationship, asking for what you need can be a challenge—and an opportunity.

BY DEB SCHWARTZ

IN THE 1986 SMITHS SONG “ASK,” MORRISSEY SEDUCTIVELY SINGS “If there’s something you’d like to try/Ask me, I won’t say no, how could I?” It’s a tantalizing invitation but in non-musical, real-life romantic relationships many of us struggle to ask for what we most need. No matter how confident or competent we are at work or in our daily lives, voicing what we’d truly rather can be challenging. Mostly because relationships involve humans, and humans are complicated.

“In any relationship there are actually two parents raising two inner children,” says Benjamin Seaman, a couples therapist in New York. “Everyone has internal longings, fears, needs, and concerns. So if your inner child really desperately wants to move to another city, you’re going to have to find out what your partner’s inner child needs to survive that or to be able to say yes to it.”

Such discussions can reveal a great deal, including the secret tallies many of us keep regarding who’s “getting more” in the relationship (as if it were a pie). Seaman himself recently had just such a moment with his husband, Tom Varney, when they were making a decision about a home renovation. “I want you to have it go your way,”

way to explaining how a request that seems so reasonable to one party can be received as something else entirely by another. “The ask can land like ‘oh my God, here’s an amazing opportunity for me to do something for you’ to ‘this is a completely outrageous display of entitlement,’” says Seaman.

Asking for something from one’s

“In any relationship there are actually two parents raising two inner children. Everyone has internal longings, fears, needs, and concerns.”

Seaman said to Varney, who replied “it’s about time it went my way for once in 15 years!” Seaman was stunned. “I couldn’t believe he thought that all the design choices have been mine this whole time. Because I feel like I’ve lost every battle. So obviously it’s like we’re in two different movies.” That you and your partner are digesting your experiences very differently goes a long

partner can make you feel really vulnerable—you are, after all, testing whether this person loves you enough to do something differently. There’s always the fear the answer will be no. Complicating matters is the fact that the thorniest requests in relationships often involve two subjects most people find difficult to discuss in general: sex and money.

One response to this unsettling feeling is to take a firm stance. “A lot of times when we’re scared to ask for something we couch it as a demand or need,” says Seaman. “And I tell couples there are no needs in a relationship; there are just deep wants and longings. Mostly when I say ‘I need this to happen what I’m really saying is ‘I want this to happen and I’m scared you won’t agree to it.’”

Seaman suggests setting up the conversation in an intentional and mindful way. “Make sure your partner is available for a conversation,” says Seaman. “You could say ‘do you think tonight at dinner we could talk about X?’ It has to be OK to introduce a topic, but it also has to be OK to say ‘I can’t talk about that topic’ or ‘I can talk about it tomorrow and not today. There’s an art to bringing up a topic so you don’t sound like the boss ominously saying ‘see me in my office.’”

For the actual ask, Deborah Berman, LCSW, a relationship and family therapist in New York, suggests approaching it in a way that includes rather than excludes your partner. “Start by saying there is something that I feel that I really, really want and I really want to talk with you about this because it’s that important to me. How would you feel if we turned our relationship in this direction? I need your help to do this and I need your love and support.”

It’s helpful to remember that it’s normal to ask your partner for things. “Asks are inevitable,” says Berman. “They have to happen or relationships die. And that doesn’t mean destruction. It’s actually a wonderful way for couples to grow together,” she says, then adds with a laugh, “I didn’t say it was an easy way for couples to grow together.”

If you find yourself on the receiving end of the ask, remember that asking for something is an act of trust: they

Smart Money Tip:

For committed couples, Seaman suggests shared finances. Couples can pool their funds and work out a budget whereby each person enjoys the same monthly allowance for personal spending and the rest—rent or mortgage payments, car and student loan payments, payments to relatives in need, rainy day and vacation spending, etc.—goes into a shared joint account. “This takes away the constant sense that one person is doing more or less than their share and puts both people on equal footing.” This real-world solution cuts through the tangle of emotions that surrounds disparate earners. “You can’t have the disparity be this overhanging resentment that’s triggered every time your partner frustrates you.” For more steps you and your family can take, visit “Life & Financial Planning” at lambdalegal.org/know-your-rights.

are announcing that they are vulnerable, that they have needs, and are relying on you to respond with care. “To make an ask is not easy and it may be years in the making before somebody feels safe enough within themselves, within their relationship, and within their identity to make an ask,” says Berman. When an ask happens it’s usually at the end of a very long period of self-doubt and longing.

So listen to your partner, try to feel out what’s beneath their request and when you do the asking, do it with the same attention. Gentleness is called for on both sides. And each time you access that gentleness, that awareness that each of you is filled to bursting with all sorts of ancient wants and alleged needs, the deeper your relationship becomes.

Agatha, 49, was working at a job she

hated and taking classes at night toward the undergraduate degree she’d never completed. She learned she qualified for a financial package that would allow her to go to school full-time—if her partner, Emily, 51, was willing to support her. Agatha was also worried about the sacrifices Emily would have to make after working so hard to become a lawyer: there wouldn’t be vacations; spending would be curtailed. Agatha still had painful memories of her father offering to help her with her education, but then bailing when the time came. But Emily felt they could live on her income alone, and expressed confidence in Agatha, who decided to take the plunge. “We had some rough times while I was in school,” Agatha says. “Emily’s mom got very very ill and passed away.” Still, she got her undergraduate degree and then did two two-year graduate programs in the space of three years, graduating summa cum laude and winning a major prize. “Things ended up working out more than we might have imagined,” Emily says. “It was a turning point, both as a transition for her and for us: That she trusted me not to hold it over her head.”

Agatha says now her accomplishments are not hers alone. “If your partner says yes it becomes about the two of you and what you’re working on together.

“One of the most important pieces in the Jewish wedding contract is a line that says, ‘we allow ourselves to become who each of us is going to become,’” says Seaman. “When we get into relationships, we can expect that both people are going to change and their needs are going to change. And I think that where the divine lies in the relationship and where love really is, is in allowing for that to happen for each other.” **LI**

**Names of subjects have been changed.*

WINTER/SPRING PREVIEW

The TV, films, books, music and more you can't miss this season.

VISUAL ART

01/ DAVID HOCKNEY

New York's Metropolitan Museum of Art takes an exuberant look back at 30 years of work by the great, gay British artist and famous L.A. transplant, now 80 and still painting. The exhibit spans everything from early abstract works to the shimmering, sun-drenched (and sweetly homoerotic) swimming pool paintings that made him famous to his later forays into Cubism right up to his recent color-soaked landscapes. It also includes his famous "double portraits," including 1971's "Mr and Mrs Clark and Percy." "He, at a very young age, was expressing themes of queerness and difference and displaying them very proudly in his work," says curator Ian Alteveer. It's all here to be savored. **Through Feb. 25; metmuseum.org**



Hockney's
"Man in Shower
in Beverly Hills,"
1964.

TELEVISION

02/ THE CHI

Lena Waithe, the first black woman to win a TV-writing Emmy (for Aziz Ansari's *Master of None*), is also queer. Now Showtime is debuting her drama about the intertwined lives of a group of working-class black folk on Chicago's volatile South Side, where Waithe grew up. It's not clear yet if the show will feature LGBT characters but it seems like a possibility. After all, on *Master of None*, Waithe played Ansari's sidekick Denise, who came out to her mom, played by the legendary Angela Bassett. With a cast that includes Alex Hibbert, who played the boyhood



The cast of *The Chi*.

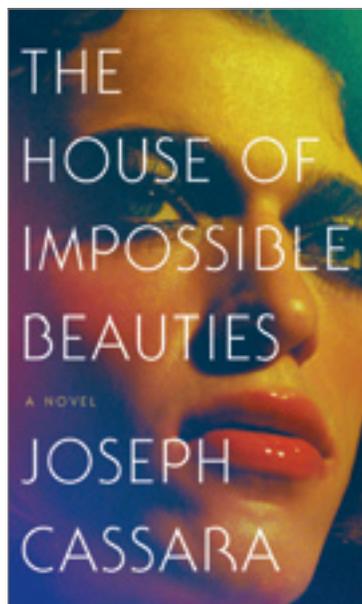
version of Chiron in the Oscar-winning *Moonlight*, plus Jason Mitchell (*Straight Outta Compton*) and Yolonda Ross (*The Get Down*, *Treme*), *The Chi* promises to be one of 2018's most exciting new TV dramas. **Premiered Jan. 7; show.com/the-chi**

THEATER

03/ *THE BOYS IN THE BAND*

Mart Crowley's polarizing yet seminal 1968 stage drama about one fateful night among a group of gay male friends is about to get a 50th anniversary Broadway revival. Produced by TV wiz Ryan Murphy and directed by theater vet Joe Mantello, it'll star a cast of openly gay A-listers including Jim Parsons (*Big Bang Theory*), Andrew Rannells (*Girls*), Zachary Quinto (*Star Trek, American Horror Story*) and Matt Bomer (*Chuck, The Normal Heart*). Perhaps no gay play divides audiences like Crowley's zinger-packed fest of bitchiness and melodrama amid life in the pre-Stonewall closet. Some call it a relic of gay self-loathing; others call it a hilarious and moving testimony to gay friendship back in darker days. How will this much-anticipated revival spin it? **Previews start April 30 at the Booth Theater; telecharge.com; broadway.com**

FICTION



04/ *THE HOUSE OF IMPOSSIBLE BEAUTIES*

If any LGBTQ documentary were ripe for a novelization or fan fiction, it would be *Paris Is Burning*, the 1990 cult masterpiece that unveiled the world of Harlem's gay drag vogueing competitions—and introduced viewers to a real-life cast of characters (most now deceased, sadly) living out their sequined, strutting dreams against a backdrop of racism, poverty and societal rejection. This debut novel by Iowa Writers Workshop grad Joseph Cassara focuses in on the Latin characters of the film's House of Xtravaganza, imagining their inner lives with heaps of comedy, fierceness and heartbreak. As the 1980s wear on, even AIDS is unable to break the bonds of family that help keep Cassara's heroines, in the film's immortal terms, "legendary." **Feb. 6; harpercollins.com**

TELEVISION

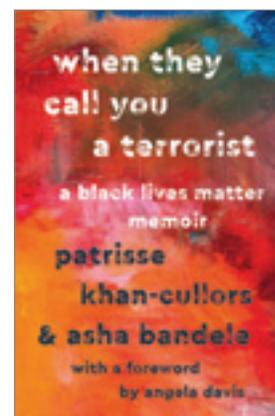
05/ *THE ASSASSINATION OF GIANNI VERSACE: AMERICAN CRIME STORY*

In 2016, Ryan Murphy riveted us to FX with his *American Crime Story* TV series, based on the trial of O.J. Simpson. This year, the series returns, based on Maureen Orth's book *Vulgar Favors*, on the 1997 Miami Beach murder of openly gay superdesigner Gianni Versace at the hands of gay grifter and serial killer Andrew Cunanan. Edgar Ramírez (*Zero Dark Thirty*) plays Versace, while Darren Criss plays Cunanan, Penélope Cruz plays the designer's eminently mimicable sister Donatella and Ricky Martin plays his longtime boyfriend. The trailer, in which the sound of gunshots from the Versace mansion unleashes a torrent of doves into the air, suggests that Murphy won't hold back. He's been doling out smart, sexy dramas (like last year's *Feud*) for several seasons. **Jan. 17 premiere; fxnetworks.com**

NON-FICTION

06/ *WHEN THEY CALL YOU A TERRORIST: A BLACK LIVES MATTER MEMOIR*

In recent years, the Movement for Black Lives (also known as Black Lives Matter, or BLM) has become synonymous with the fight against police brutality and criminal injustice toward African Americans. Many don't know, however, that two of the movement's three female thirtysomething founders identify as queer. One of them is Patrisse Khan-Cullors (see interview on page 19), who, in this book (cowritten with longtime author and activist asha bandele), tells her own story of being forced out of her L.A. home at 16 for being queer. She also tells of the events—including the 2012 murder of Trayvon Martin—that led to the start of BLM, and the incredible backlash and misrepresentation the movement has faced since its inception. "I have lived my life between the twin terrors of poverty and the police," Khan-Cullors writes in the book's opening pages. And that's just the beginning of a journey that readers will find transformative. **Jan. 16; read. macmillan.com**



TELEVISION

07/ *RU PAUL'S DRAG RACE, SEASON X*

Yes, queens, that's right! The Logo-turned-VH1 competition series that put towering drag legend RuPaul back on the map and has turned a new generation of queer (and even non-queer) teens and millennials onto the venerable gay traditions of drag and camp—and onto LGBTQ rights and understanding in general—is a decade old. Grab hold of your wig. This 10th anniversary season promises plenty of candy-colored surprises, like (perhaps) a circus theme and (another show favorite) the return of a queen from a prior season for another chance at the crown. "Now more than ever," Ru said of the upcoming season, "we rely on the power of love, laughter and creativity to combat fear and darkness." Can we get an *amen*? **March; logotv.com**

MUSIC

08/ *FISCHERSPOONER*

Casey Spooner and Warren Fischer, the gay duo that defined the "electroclash" dance sound of the late 1990s and early 2000s, are back with *Sir*, their first album in nearly a decade. Produced partly by R.E.M.'s Michael Stipe (who was briefly lovers with Spooner in the 1980s and himself came out as queer back in 1994), the album promises to be, in Spooner's words, an "aggressive homosexual" electronic soundscape. Seems so, based on its first two releases, "Have Fun Tonight" in which a gay man urges his lover, secure in their polyamory, to go out and seek thrills without him and "Togetherness," an ambient groove aided by haunting vocals from Caroline Polachek of the Brooklyn-based indie outfit Chairlift. **Feb. 16; fischerspooner.com**

FICTION

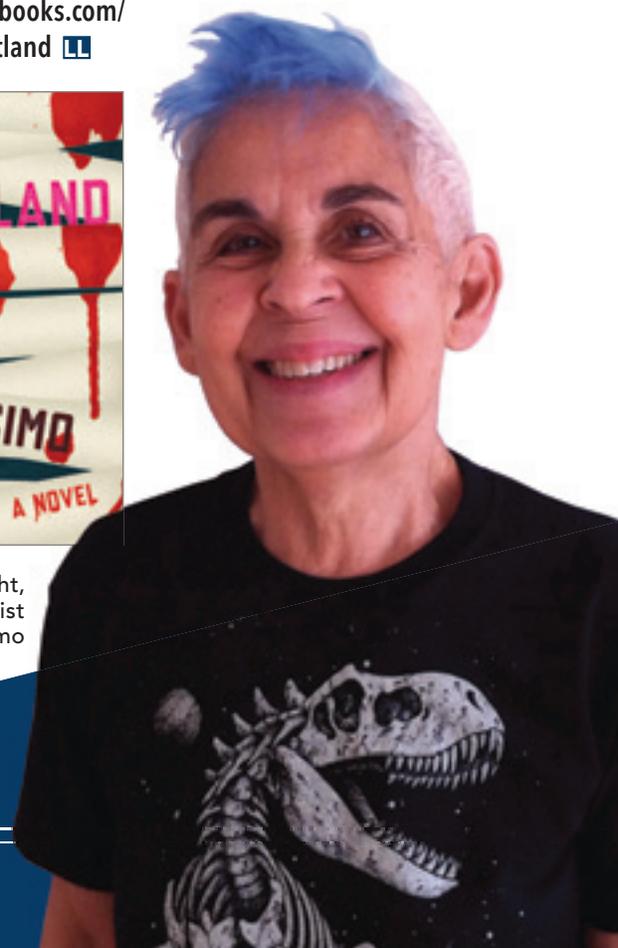
09/ *HEARTLAND*

You likely won't read another novel this year quite like this debut from Cuban-American lesbian playwright, author and activist Ana Simo. In a scary yet oddly funny post-apocalyptic America that evokes Margaret Atwood's *The Handmaid's Tale*, there's mass starvation in *The Heartland* and an ISIS-like group on the brink of taking over. Against this backdrop, Simo's Latina writer heroine decides that she must murder Mercy McCabe, the cunning art dealer who did her wrong in love. Meanwhile, her childhood friend Rafael Cohen has become a government eugenicist and inventor of New Racialism—a mixed-race breeding program designed to eliminate racial divisions. Already earning comparisons to the work of Eileen Myles and Junot Díaz, *Heartland* is a genre-busting breakout book that mixes elements of telenovela, pulp noir and dystopia.

Jan. 16; restlessbooks.com/bookstore/heartland 



Playwright,
author and activist
Ana Simo





PATRISSE KHAN-CULLORS STILL FINDS TIME TO WATCH TV

The queer cofounder of the Black Lives Matter movement has a new book out, *When They Call You a Terrorist: A Black Lives Matter Memoir*. We talked to her about her work, her family and fighting for justice in the Trump era.

You write so powerfully in the book about your father, Gabriel, who spent years in and out of prison related to addiction, and your brother, Monte, who has mental illness, and how they were both mistreated at the hands of the criminal justice and healthcare systems. When did you connect your family struggles to the broader struggle of black Americans?

I think as a teenager, when I trained as a union leader, it became really clear to me that the system we lived under purposefully harmed my family. But that's also when I learned that I can fight this and change the course of history. That's where the power of organizing and activism come in. Black Lives Matter now has 40 chapters in the U.S., Canada and the UK. A lot of the chapters are working on electoral politics and holding elected officials accountable for the killings of black people. We're also challenging the FBI report that leaked last fall about so-called "Black Identity Extremists." We're working to document different situations in which Black Lives Matter has been targeted by either the FBI or local law enforcement agencies.

In the book, you critique Obama for, as you put it, preaching a commitment to personal responsibility over collective responsibility. How do you feel about the intense nostalgia for Obama that many Americans feel right now?

I get it. This is a bleak moment. I was trying to remind people that this is a long-haul fight. It would be easier if Hillary Clinton were president, but we'd still be facing challenges. Realignments of power take decades—sometimes centuries. And representation doesn't always mean that power is shifting. The NFL has a significant amount of black leadership, but that didn't manage to get Colin Kaepernick onto a new team.

You talk a lot in the book about the need for joy and self-care in this bleak era. How do you achieve that with your own transgender husband, Future, and your child, Shine, whom you talk about a lot in the book?

I take myself off the Internet and do simple things with them like going out to eat, going into nature, making a routine for self-care. I go to therapy regularly and spend a lot of time laughing with friends. We like to go to Blue Ribbon Sushi at the

Grove, the open-air mall in Los Angeles where we live.

And you're a performance artist, in the process of getting your MFA at the University of Southern California. What art or entertainment do you love?

I love the TV show *Queen Sugar*. I love the depth of the characters and that it's set in Louisiana, where my family is from. I love their conversations about gender, colorism, infidelity, blackness, and how they have an organizer activist character. Also I love everything that [*Scandal* creator] Shonda Rhimes does. They had a whole episode of *Scandal* about Black Lives Matter.

You finished your book at the top of 2017, just as we entered the Trump era. What has this period been like for you?

Challenging—as it's been for many of us. But this is an important moment because we know exactly all of America's ugliness—it's on full blast. That gives us an opportunity as a community across gender, race and class to join together. Every time I look on my social media feed, some group of people is fighting this administration on something. I'm proud of this moment. **LL**

7 MINUTES WITH

CARLA MCKINZIE

Administrative and Development Assistant, Lambda Legal, Dallas; joined 2006



What's on your bucket list?

Cuba and South Africa.

What do you do at Lambda Legal?

The Dallas office covers seven states. If you live in Texas, New Mexico, New Orleans or Denver and get invited to a LL event, I am the person that you RSVP to. If you have ever called the Dallas office, I'm the voice behind the "Good afternoon, Lambda Legal." But

the most important part of my job is to make sure our donors know that we appreciate their support.

What's challenging about your job?

Name badges! Honestly that's it.

What's rewarding about it? Can you give us one example?

I was raised in a conservative, Southern Baptist household. Within the first year of my hire date, we had a Development retreat. Prior to the retreat, we were asked to answer a couple of questions and one of the questions was, why are you at Lambda Legal? I didn't have an answer. The day before I was to leave for the retreat I was at home looking at TV with Draeke, my eight-year-old daughter. All of a sudden it was PG-13, so I immediately turned the channel. And the conversation goes like this:

Draeke: Mom, why did you turn the channel?

Me: Because it's not appropriate.

Draeke: What's not appropriate? They're just kissing.

Me: (Thinking to myself, is it time for that talk?) Draeke, do you know what sex is?

Draeke: Yes, ma'am.

Me: Oh, okay, is it holding hands?

Draeke: No ma'am, it's more than just holding hands.

Me: Is it kissing?

Draeke: No, ma'am, it's more than just kissing.

Me: Can a man and woman have sex?

Draeke: Yes, ma'am.

Me: Can two men have sex?

Draeke: It depends on what state they live in.

It was at that time, I knew I was in the right place. **LL**

What's always in your bag?

It's probably easier to ask "what's not in my bag?" Of course the usual stuff: cell phone, wallet, makeup, perfume, etc. At the time of this writing I have: old mail, old receipts, a set of eyelashes, a Ziploc bag of water crackers, lotion, a MAC compact (empty), dental floss, two earrings and a small bottle of Smooth Shine Hair Polisher.

What was the last show you streamed?

Streamed? I'm happy that I know how to TiVo my favorite reality shows and *Judge Judy*. Does that count as streaming?

Do you have a guilty pleasure?

Yes, reality TV!

What has been the most surprising aspect of working at LL?

I was too young to be a part of the civil rights movement in the '60s. But I can look back and say with pride that I was and am a part of the civil rights movement for the LGBT community. Growing up I use to listen to my parents' stories about when they were young they remember signs that said "colored" water fountains and "colored" bathrooms. And how they were not allowed to eat inside of restaurants because of their skin color. My dad had to order and pay for their food at the back door and they would eat in the car.

What are you most proud of?

I survived living in the same house with a teenage daughter.

Who inspires you?

Everyone inspires me.

“Keep fighting everything that is wrong”

BEVERLY DASH AND DEBRA LOBEL HAVE KNOWN EACH OTHER AND BEEN TOGETHER FOR ALMOST SIX DECADES. Although they were born and raised in Philadelphia in Jewish neighborhoods on opposite sides of the city, their paths did not cross until college. Growing up, they were unaware of any LGBT communities in Philadelphia. After leaving Philadelphia they became comfortable with their identities and realized how much collective power such a community could have. “We think it is wonderful that today’s youngsters have the internet to be able to find others and know that they are not alone,” says Debra.

Both were apprehensive about the nature of their relationship during the late 1950s, so their romantic dynamic was slow to develop. “It had gone from being a significant friendship to so much more but we still had to pretend we were straight,” Beverly says. During a time when homosexuality was still in the Diagnostic and Statistical Manual of Mental Disorders, and men could get arrested simply for dancing with someone of the same sex, they had to navigate through cultural expectations and multiple hurdles especially in their teaching careers.

Their move to Westchester, New York in 1964 came with new teaching jobs. “I have taught transgender and gay kids, and I have had some of them contact me through Facebook as adults,” says Debra. Both women stress how important it was to both of them to allow their students to be themselves and to support their students’ individual identities.

Beverly and Debra were introduced to Lambda Legal by a lawyer friend in the mid-1970s. About the same time, Debra began to attend law school at night while teaching full time. As the gay community became aware of the AIDS epidemic, there was an urgency to mobilize. One of the first cases that Debra handled as an attorney was the estate of someone who had died of AIDS in the early 1980s. It was a devastating time for Debra and Beverly as their community was ravaged.

“Starting in the mid 1970s, the attorneys at Lambda Legal



“While playing bridge with two friends, our artist friend Albert Sharp said he would love to do a portrait of the two of us,” says Beverly, at right in both the portrait and the photo, with Deb.

have been breaking ground because they have been fighting in state and federal courts to protect the rights of the LGBT community,” Debra says. “I thought that it was wonderful and the only place it was going to happen because we knew it was not going to happen in any legislature.”

“Even today we have to be involved to protect young gay kids and keep fighting everything that is wrong,” Debra adds. “We were raised to give back and try to leave the world a better place than we found it.”

Beverly and Debra having been together through sickness and health. They married on September 3, 2010, on what they consider their 52nd anniversary. They have been committed to Lambda Legal since the mid-1970s. The fund they started decades ago instructs their successor trustees to follow their lead and continue to support Lambda Legal and other LGBT causes.

Stand strong next to Beverly and Debra and make a planned gift to Lambda Legal. Leaving a legacy gift to Lambda Legal could be one of the most important decisions you make toward protecting yourself, your family and our community. An investment in equality ensures that Lambda Legal will always be there to safeguard the rights of lesbians, gay men, bisexuals and transgender people and everyone living with HIV, while solidifying our future together. **LL**

Join Lambda Legal's Justice Fund with a monthly gift starting at \$10. lambdalegal.org/donate

LAMBDA LEGAL & FRIENDS

CONNECTICUT CARES Mitchells, Westport, CT, November 5, 2017



Senator **Richard Blumenthal** welcomes the crowd at Connecticut Cares, the oldest and largest LGBT fundraiser in Connecticut.



The afternoon at Mitchells featured a fabulous brunch and runway fashion show. Guests, including **Otto Dutra, Maria Ines Moraes, Erick Vittorino** and **Claudinho Weber**, cheered on the community members-turned-models who walked the runway to benefit Lambda Legal.

IMPACT Hudson Terrace, New York, NY, October 3, 2017



Lambda Legal Major Gifts Officer **Brian Derrick**, event co-chair **Jordan Manekin**, special guest **Marti Gould Cummings**, event co-chair **Sam Light** and Major Gifts Officer **Matthew Zaccagni** celebrate at the New York Young Leadership Council fall event, IMPACT.

NEW YORK LIBERTY CIRCLE RECEPTION Gramercy Park Hotel, New York, NY, November 29, 2017



Lambda Legal Board member **Todd Sears**, **Bill Kapfer**, **Crystal Hudson**, **Wes Werbeck** and **Chastity Hicks** at Lambda Legal's annual reception for Liberty Circle members in New York City.

LAMBDA LEGAL IN LONG BEACH Long Beach Yacht Club, Long Beach, CA, November 19, 2017



Liberty Circle members **Denis Cagna**, **Carlos Medina** and **Woody Sides** spent a sunny afternoon with our local supporters.



Diane Henry, **Kathleen Hooper**, **JoAnne Graham** and Liberty Circle members **Peggy Eaton** and **Sindee Smolowitz** enjoyed cocktails and brunch.

SUMMER SEND OFF West Hollywood, CA, October 21, 2017



Event host **Dorian Berger** (far left) with (left to right) **Lucan Bailey, Ben Ellis, Alex Bajcar, Jeff Berman, Vance Garrett, Nick Dierman** and (front row) **Kevin Lovelace** and **Ryan Guiboa** send off the season in style.

INDIANA BENEFIT Indianapolis Public Library, September 22, 2017



In a live interview onstage, Lambda Legal Midwest Regional Director **Christopher Clark** discussed the personal passion that drives the activism of our honoree **Krizstina Inskeep**.



Event co-chair **Nabeela Virjee** (center) with **Brian Willsey** and **Jenai Brackett**.

JOIN US AT THESE UPCOMING EVENTS

FEBRUARY 19
Love Lounge
 Palihouse
 West Hollywood

MARCH 18
Lambda Legal in the Desert
 Palm Springs

MARCH 25
Lambda Legal in Fort Lauderdale
 Bonnet House Museum & Gardens
 Fort Lauderdale

APRIL 12
Lambda Legal in Arizona
 Phoenix

APRIL 19
Bon Foster Civil Rights Celebration
 Morgan MFG
 Chicago

APRIL 20
San Francisco Soireé
 Fairmont
 San Francisco

APRIL 30
Liberty Awards National Dinner
 Pier Sixty, Chelsea Piers
 New York

JUNE 7
West Coast Liberty Awards
 SLS Hotel
 Beverly Hills

JUNE 15
Lambda Legal in DC
 Newseum
 Washington, DC

For more information, visit lambdalegal.org/events

SASS ON ICE

About a decade ago, Johnny Weir was the talk of competitive figure skating, not only for prize-winning turns in national and world competitions but for his glitzy, fur-trimmed costumes and outspoken sass. He didn't flat-out say he was gay until 2011. But the disclosure proved provocative when, in 2014, NBC paired him with fellow skater Tara Lipinski to announce figure skating for that year's Winter Olympics in Russia—just a year after the country had passed a globally controversially law banning "gay propaganda." (Weir got flack for not boycotting the games but insisted that his very presence there was a strong pro-LGBT statement.) At this winter's games (Feb 9-25) in PyeongChang, South Korea, Weir will once again team with his "bestie" Lipinski to call the primetime figure skating competition. He talked with Impact about his fashion, his attempts to remain apolitical in tense times and his feelings about openly gay Olympic heartthrob Gus Kenworthy.



PHOTO: GETTY/DEBORAH FEINGOLD

You're always traveling for appearances and skating shows. Where are you today?

I'm home in the greater Philadelphia area where I grew up, doing all of my real-life stuff. I start every day with Pilates. In my sport, your body has to be small up top and larger on the bottom, to maintain your center of gravity when you're jumping or rotating. Pilates helps me do that. Plus, it doesn't bore me. Then I have a dermatology appointment and a hair appointment.

All your outfits on Instagram are so incredible. What are you wearing today?

Leggings, a cashmere sweater, a big fur and an Hermès Kelly bag.

So you're sticking to the fur despite flack you've gotten from animal-rights activists?

They would've had a better chance of getting me to go fur-free had they not threatened my life. And I buy a lot of vintage fur and try to avoid the Asian fur farms, where most of those horrible videos are shot. So we can end this conversation.

Fair enough! So are you and Tara really besties?

She lives in California, so we're separated a lot, but when we're working together, we have adjoining hotel rooms. I was a bridesman in her wedding. We talk every day and we have a podcast together. She's the only other person who understands my life because she has a similar one.

You're a longtime Russophile. How do you feel about Russia being officially excluded from this year's Winter Olympics because of their doping scandal?

Russian athletes who've been cleared of doping charges will still be able to compete under the neutral OAR (Olympic Athlete from Russia) flag. It's a huge success for the Olympics that such drastic measures were taken against state-sponsored doping. But it's sad that Russian athletes can't compete under their own flag.

Five years ago, Russia was passing laws against LGBT people, and now here in the U.S. we have an administration that's targeting them, trying to ban transgender people from the military, taking the side of the baker who refused

“We have to find a way to fight through this,” he says of the political climate. **“The best thing I can do as a public figure is just to be myself—to be gay.”**

to make a wedding cake for a gay couple and aiming to stack the courts with anti-LGBT judges.

I'm no fan of this administration. Did I think about other countries where I could get passports after Trump was elected? Certainly. But I'm proud to be an American and I'm here for the long run.

Have you become more outspoken about LGBT rights?

I choose not to be a political person. My goal is to work hard and live my happiest life. But I'll admit that when you're living in a country that is discriminating against not just LGBT people but women and African Americans, it's hard to keep your nose down. We have to find a way to fight

through this. The best thing I can do as a public figure is just to be myself—to be gay.

Have you seen *I, Tonya*, the new movie about former Olympic skater Tonya Harding, who was involved in the attack on fellow skater Nancy Kerrigan?

No. I'm good friends with Nancy, so I don't think I want to support Tonya Harding. She hurt my friend.

Recently, you tweeted a rebuke to an ESPN writer who said that figure skaters should wear uniforms, not costumes, to be taken more seriously.

Figure skating is part theatrics, part sport. I challenge any athlete from any sport to do what I do and not cry. It is so demanding on your body. So what bothered me about that article is that he said that figure skating wasn't a sport. It's been in the Olympics since 1908 and it's earned its due. And we shouldn't wear uniforms. Part of the sport is about choosing the music, the costume, developing a character.

So now we have free-skier Gus Kenworthy poised to become the first openly gay person to compete in the Winter Olympics. Do you wish that that had been you back in 2010?

I understand that being gay is an identity for a lot of people. As for me, I was born white, gay and male, but my whole life has been centered around trying to succeed apart from those things. I want to be a great skater, an entertainer and a good person. So I don't care who was the first or who will be the last, but I care that the Olympics give an equal chance to everyone who wants an opportunity to compete. **LI**



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