

Biases, boycotts and mosques

by Mark Segal

I asked my Facebook friends what I should write about this week. Their top suggestions were Proposition 8, Target's donation to an antigay politician and the situation in Lancaster. (By the way, if you haven't friended me on Facebook, you might want to do so: We often break news there, and you can help me pick topics for this column at times.) So let's go to your suggestions.

Prop. 8. The latest news is that the right wing is saying that the judge was biased because he is gay. Since the subject was marriage, would a married judge be biased since he (or she) already agrees with marriage or is a single judge? Obviously, this argument does not hold water.

But what the Republicans haven't realized is that by spending time on gay marriage — which most of the nation doesn't really care so much about, so it can no longer be used as a fright tactic — they are unable to spend time talking about the economy, which is what they should be doing to win. So let's urge the Republicans to keep talking about gay marriage. (Web extra: Check this story online at www.epgn.com for quotes from local elected officials.)

The suggested boycott of Target and Best Buy because they contributed money to an antigay politician. The latest twist is that Target has apologized. Maybe they have learned their lesson; we might have already made the point. Which brings up another point: boycotts. I'm all for them — but they must be organized to be successful, otherwise it's just a hollow gesture. In the last couple of years, people in our community have suggested so many boycott targets that it would take a column to list them all. A boycott should be restricted to a major homophobic action, and supported by a staff working full time to make it successful. It's a last-resort tactic not to be used lightly.

Lancaster. The issue here is that the LGBT community has advocated for the Human Relations Commission to include "sexual orientation" in the group of protected classes, e.g., race, creed, color, etc. LGBTs have been so successful that the commissioners, in an attempt to circumvent the issue, decided to dismantle the entire commission, cit-



Monday, August 23 was the first day of school in many Texas school districts. How many kids were tormented today? How many came home never wanting to go back to campus for fear of taunts, harassment and intimidation?

In the next few weeks, children from over 1,000 school districts in Texas will go back to school. Did you know less than half of Texas youth feel safe at school? There is simply no excuse for failing to protect school children. The State of Texas is obligated to provide a safe learning environment.

Under current law, students are not specifically protected from bullying and harassment based on actual or perceived sexual orientation or gender identity/expression. Current law does not establish a uniform state school conduct policy and does not provide for monitoring or enforcement of independent school district policies.

~ See **Bullying** on Page 6

ing budget woes. That vote will come later this month. What is so impressive is that the LGBT community and its allies have put up a good fight, packing the hearings and organizing major, well-attended demonstrations. Whatever the outcome, we've already won. We now have a forceful organized community in Lancaster, which can take this issue and become a force to be reckoned with in the future. That is how equality is won, and Lancaster is on the right track.

Here's my favorite: the proposed mosque "on hallowed ground at Ground Zero." First, it's not hallowed ground, unless you consider a Burlington Coat Factory two blocks from Ground Zero hallowed ground. Second, Muslims were also victims of the Sept. 11 terrorist attacks. But most important are two other issues: This is about our Constitution, which guarantees freedom of religion and freedom of speech. It's un-American to not support the mosque.

Fox News, the least trusted name in news, suggested putting a gay bar next to it. Do we even have to dignify that with an answer?

Mark Segal is the publisher of Philadelphia Gay News. He can be reached at mark@epgn.com.

For more on the topic of the Islamic Community Center see Carol Wyatt's Rant at www.socialnoteshouston.com

California Dreaming

Court of Appeals blocks Same-Sex Marriage in California

The 9th Court of Appeals has imposed an emergency stay on same-sex marriages in California. Sponsors of the California ban on same-sex marriage filed an emergency appeal, claiming that same-sex marriage would harm the state's interest in promoting "responsible procreation through heterosexual marriage," according to the Associated Press.

Same-sex marriages were scheduled to resume in California on Thursday of last week as a result of US District Judge Vaughn Walker's ruling to remove a temporary stay on same-sex marriages. Walker had issued the stay earlier this month when he ruled to overturn Proposition 8. The original ballot measure was passed by California voters in November 2008 and altered the California constitution to define marriage as exclusively between a man and a woman, ending same-sex marriages in the state.

Judge Walker's opinion found that Proposition 8's ban on same-sex marriage violated the Due Process and Equal Protection clauses of the 14th Amendment.

~ See **Prop. 8** on Page 8



See Ms. Domino Power and other great pet paintings at John Ross Plamer Gallery. See Page 4



"Sadly, many youth opt to live on the street because they actually think it's safer than living at home."
- D.L. (Deb) Murphy

Montrose Counseling Center Convenes Summit for Homeless GLBTQI Youth Stakeholders ~ See Page 5



Javier Bardem and Julia Roberts star in *Eat, Pray, Love*. See review on Page 10



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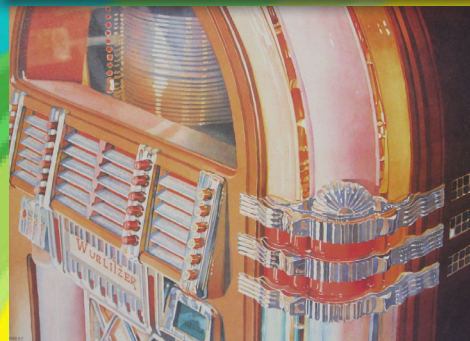
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MONTROSE GEM

WWW.MONTROSEGEM.COM

ISSUE #139
August 27, 2010

Published every
other Friday

c. 2010 Gulf Features
9720 Beechnut St. #380
Houston, TX 77036

713.523.2828

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BEELINES

by Deborah Moncrief Bell



C.Patrick McIlvain is one of my dearest friends. Patrick is a long-time activist in Houston and one of the unsung heroes of our community.

We first met while working on the An-nise Parker for City Council Campaign in what was her first winning race. I don't know how it is we had not met before because we both had been involved in so many things. We became fast friends, like long lost sisters that had finally found one another.

Patrick is amazing. He volunteers and leads in a number of areas, including neighborhood involvement and Democratic Party politics. Formerly living in the Rice Military area he was active in that area and in the efforts to promote Washington Avenue. Now living in the First Ward, he has helped get it designated an arts district, help start a community garden and is the mastermind behind the "007 Dinner Dialog", a monthly gathering featuring a dinner and speakers for folks in the 77007 zip code, although all are welcome.

However, when it comes to helping himself, Patrick has a hard time. That is because he suffers from a mental illness. As typical, Patrick takes this on by doing something.

Because I love Patrick and because I was in a relationship with someone with long-term chronic depression, I know too well how it affects the lives of the people that have it and those that love them.

State-Funded Mental Health Services in Jeopardy of Losing Support

A crisis is looming at the state level that may have a significant impact on mental health treatment throughout Texas. Already financially strapped after cutting its budget by five percent, the Texas Department of State Health Services (DSHS) has been ordered to cut its 2012-2013 budget by \$134 million.

The proposed cuts would significantly impact the Mental Health Mental Retardation Authority of Harris County (MHMRA), subsequently creating higher demand on other mental health organizations like Montrose Counseling Center. MHMRA is Harris County's only public mental health center for the treatment of bipolar disorder, severe depression and schizophrenia. According to a Houston Chronicle Op-Ed piece

written by Lillian Aguirra Ortiz of Mental Health America of Greater Houston, "approximately 400,000 adults in our area with other mental illnesses have to try and find services elsewhere regardless of their ability to pay for treatment."

Montrose Counseling Center Executive Director, Ann J. Robison, PhD, expresses her disappointment that, just when mental health facilities were making strides in reducing the stigma of mental health, thereby increasing access to care, the state puts it near the bottom of its priority list. "The entire system will break down, and many of the people who need to be under psychiatric supervision to receive medication will be out of luck," foresees Robison. She adds that it will mean that more people with mental health problems will be arrested and put in jail instead of getting the treatment they really need.

According to the Op-Ed article, "Untreated mental illnesses lead many individuals to cycle in and out of homelessness as well as our emergency rooms, jails and prisons. Lack of treatment also leads to an increase in the utilization of police... since law enforcement personnel are often called in to deal with individuals experiencing a mental health crisis."

Ortiz says that services already are limited to the mentally ill, and cuts this extreme "will exacerbate what should already be considered a serious public health and public safety issue."

Patrick is currently working on a campaign getting signatures to present to Congress when he makes it to Washington DC as part of the "Walk for Depression."

I asked him about his experience and this is what he shared with me.

When were you diagnosed with depression?

I was diagnosed with depression in 1987 but was in denial for 3 years, not me - I am the Team's Cheer Leader (just love those short skirts) I cannot not be depressed. The same year I was diagnosed HIV+.

How has it affected your life?

How as it NOT AFFECTED my life?. Depression for me is a 360 degree engulfing a circle around me. Here is how I feel it: Depression does not ever take a day or even an hour off from tormenting the people that it affects. Believe me, I know from personal experience, that Depression has a sadistic disregard for the pain or suffering of its victims.

~ See *Beelines* on Page 9

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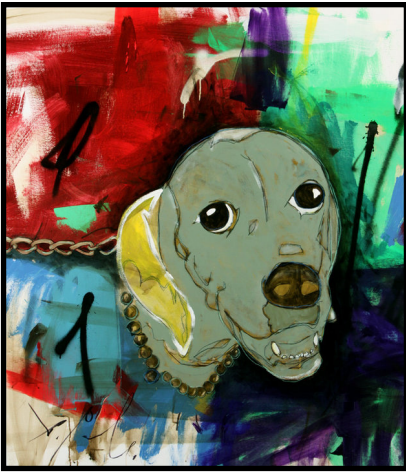
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Coming Soon...

A number of individuals and groups in Houston are seeking to maintain the history of our community and to document current events so that a legacy is left. The nice folks at the Gulf Coast Archive and Museum of GLBT History (GCAM) are going to contribute a regular feature to the Montrose GEM as part of its mission.. See at page 9 in this issue for the first article. Picture at right is one of the famous T-shirts that were issued at the time.

Lesbian Book Club News

Norma Acker will facilitate for September's month's book, *Pharaoh's Friend* by Nancy Yawitz Linkous. The author will be present to lead the discussion of her book on Thursday, September 16, 2010 from 5:30 to 7:00pm in the upstairs meeting room of the Montrose Library located at 4100 Montrose. We will gather at 5:30pm and start our discussion at 5:45pm. Afterwards the discussion we will go to Baba Yega Restaurant which is located at 2607 Grant.

The Thursday Book Group in Houston is open to lesbians and lesbian-friendly women interested in expanding their horizons by reading and discussing books they might not discover on their own. The group selects quality fiction and non-fiction about women or written by women. No mysteries, romances, or self-help books.

Interested? Send your name and email address to readsportsbridge@aol.com if you have any questions. You may join our Yahoo group once you have attended a meeting.

September 4th First Saturday Queer Bingo!

One's A Meal Second Floor
812 Westheimer Road
4-6:30 p.m

This is a regular bingo game and social event held on the first Saturday of each month.

Due to the early time frame players have a chance to get their bingo on and still have time for Saturday night plans. There is a 50/50 raffle partner for each time with a community group getting 50% and the winner receiving their 50% of the total in Lottery Scratch off tickets. First Saturday Queer Bingo is a Houston GLBT Community Center program, and proceeds support Center programming.



AIDS 2010: Right Here, Right Now...Right Track

After a busy week in Vienna of meetings, presentations and discussions, many attendees of the 2010 World AIDS Conference headed home feeling optimistic about the future of the HIV/AIDS pandemic. AIDS 2010 presented data revealing new potential advances in prevention, treatment, and vaccines that could, at some point, significantly contain the pandemic. But there are also economic challenges to overcome.

The most celebrated presentation (which earned a rare medical conference standing ovation) was the CAPRISA study on the tenofovir gel spermicide. Although just 39% effective in preventing vaginal transmission, it could be an important new line of defense as the first spermicide that can significantly prevent HIV transmission. An effective spermicide would also help women who in many parts of the world have had few options they can use to protect themselves against HIV. Should the gel continue to test well in studies, pressure will be needed to assure it becomes affordable and available world-wide and not just in the West.

Another hot conference topic was test-and-treat as a public health method for curtailing the pandemic. A British Columbia study revealed the viability of well organized, wide-scale community HIV testing used in conjunction with antivirals. Based on studies showing that when people know they are HIV positive they are more careful not to infect others and that antivirals can make one less infectious, the Canadians showed that test-and-treat reduced the rate of new infections in half (by establishing "AIDS free" or "undetectable" zones, one activist called them). Using economic modeling covering a period of 30 years, the Canadians also showed that, in British Columbia at least, test-and-treat is also cost-effective

Dr. Julio Montaner, AIDS 2010 President, noted that test-and-treat, along with the other advances presented at the conference, all could usher in a potential new era of innovation in fighting the virus.

Discussions on the worldwide practicality of using treatment as a sort of vaccine to minimize HIV transmission were vocal however. Computer-model laden researchers like Reuben Granich of the World Health Organization and Brian Williams of South Africa, projected rosy scenarios of containing the African epidemic within decades if test-and-treat was implemented there. The "realists", such as Dr. Bernard Hirschel of the Infectious Diseases Service, said that by simply identifying and treating everyone infected, the epidemic would wither and die away, was a "pipe dream" and more research was needed. A yet unpublished Harvard study on doing test-and-treat in Washington, DC backed up the skeptics by showing that some people will always fall through the cracks and not test or treat. The study did project, however, that although no panacea, test-and-treat would save lives and slow down new infections. Test-and-treat community "pocket" studies are ongoing in South African and throughout the world.

Although a truly effective vaccine is still not available, there have been some recent advances in vaccine research, including an arguably successful vaccine trial and the recent discovery of a new human-antibody possibly much more effective in controlling HIV. The Thai RV144 vaccine trial did somewhat protect 3 out of 10 people (30%) which was a modest breakthrough. Another new vaccine must be created to test the new antibody, however, and in theory there are other ways to use it including as a possible therapy. Once an effective vaccine is found other challenges do await. According to a University of Toronto study, only 74% of the population would bother to take a fully protective vaccine and even fewer (40%) would take a partially protective one. That reluctance could also affect vaccines being studied that, although they would not prevent HIV infection, might still provide enough immune protection to keep the virus from making people sick.

Healthy Living continued on Page 6

Community Online

www.houstonglbtcommunitycenter.org

www.montrosecounselingcenter.org

www.legacycommunityhealth.org

Houston GLBT Political Caucus
www.thecaucus.org

Fort Bend LGBT Political Caucus:
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Out In Houston
www.outinhouston.com

www.PFLAGHouston.org
HelpLine
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HelpLine@pflaghouston.org

www.assisthers.org

Houston Political Organizing Network - <http://groups.yahoo.com/group/HoP-ON>

<http://groups.yahoo.com/group/LoneStarActivists/> (LSA)

FEMINIST ONLINE NETWORK
<http://groups.yahoo.com/group/FEMNET>

Northwest Corner
www.nwcorner.org

www.socialnotesHouston.org

www.queermusicheritage.com

www.centerforAIDS.org

AIDS Foundation Houston
www.AFHouston.org

Imperial Court of Houston
www.spacecityempire.org

Empire of the Royal Sovereign
Imperial Court of the Single Star
www.ersicss.org

TG Center
www.tgctr.org

UH LGBT Resource Center
www.uh.edu/lgbtrc

Give a Damn Campaign
www.giveadamn.org

Do you know of a group that should be featured here? Let us know at: montrosegem@yahoo.com

COMMUNITY NEWS & RESOURCES

Montrose Counseling Center Convenes Summit for Homeless GLBTQI Youth Stakeholders

One of the largest gaps in services for Houston's Gay, Lesbian, Bisexual, Transgender, Questioning and Intersex youth is the problem of homelessness. Providing a multitude of services to GLBTQI youth since 1987, Montrose Counseling Center's HATCH program often is the first place youth turn when they have no place to go.

MCC Executive Director Ann J. Robison, PhD, says that the agency has no current plans to provide shelter or transitional housing in its scope of youth services. MCC's youth programs include partnering with a licensed foster care agency, as well as other organizations and Child Protective Services to try to get GLBTQI homeless youth off the streets and into shelter, foster home or back home, so we do see the need on a regular basis and want to help convene other stakeholders. "We have become aware of several groups who are currently serving GLBTQI homeless youth, have expressed an interest in doing so, or are preparing to offer shelter or transitional housing," says Robison.

By convening the summit in August, "our goal is to get all the parties together so that we can share what we do and learn from one another. Our hope is that we can initiate collaborations so that well-meaning groups aren't duplicating services, reinventing services already in place, competing for scarce community resources, and that we maximize all our groups' services to this underserved population," she says.

"Youth who leave home are at a greater risk of becoming homeless, using street drugs, and becoming the victim of violence, not to mention putting themselves at higher risk for HIV should they find their only source of income to be survival sex," says D.L. (Deb) Murphy, Youth Services Specialist at Montrose Counseling Center.

Right now, youth have very limited resources, especially if they are under the age of 18. That's because they legally are not able to sign a contract unless a court has ordered that they are emancipated from their parents. They cannot apply for public assistance for health care, housing, food stamps or transportation. They cannot sign a lease. If they have been kicked out of their home, they can try to seek assistance from Child Protective Services (CPS) claiming abandonment, but that process takes time, and CPS already is overburdened with teen-age homelessness. As the youth approach the age of 18, they are harder and harder to place, which means they have only one other resource, Covenant House, a faith-based organization with a poor record of serving GLBTQI youth. Many youth choose to live on the street instead of conforming to the shelter's strict guidelines.

"Sadly, many youth opt to live on the street because they actually think it's safer than living at home," says Murphy, who has worked with GLBTQI youth for more than ten years. The youth have told her horror stories about how they were treated by their own family members.

Women's Equality Day

Women's Equality Day commemorates the passage of the 19th Amendment, the Woman Suffrage Amendment to the U.S. Constitution, which gave U.S. women full voting rights on August 26, 1920. Earlier that same year, suffragists founded the League of Women Voters to inform and engage new voters. After 90 years of community service, the League remains as active and relevant today as it was in 1920.

The August 25th reception took place at the River Oaks home of Bob and Elyse Lanier and was a celebration that honored "The Women of Houston". Honorees were Mayor Annise Parker and the women on City Council.

PFLAG Monthly Meeting Date Change

The September meeting will not be on the first Sunday of September since that is labor day weekend. The meeting will be held on September 12. Notices will be coming out early in September with details of that meeting.

Open Hearts in Katy

Open Hearts is a support group for parents and friends of the GLBT community. We meet the third Thursday of the month at St. Peters United Methodist Church in Katy, Texas. Our first meeting after summer break will be September 16th at 7:00pm in room E225. For more information about the Open Hearts Support Group please contact Elaine at St. Peter's Church at 281-492-8031 ext 314 <http://stpeterskaty.org/>

Annual Holiday Party Date Set by Carol Wyatt

Caril Wyatt has announced that her annual Christmas Party Fundraiser will be held on December 4th this year. Join 350 of her "close personal friends for this annual holiday tradition, held at her home. Tickets are \$30, and are available on-line and at the door. There will be an open bar, a bounteous array of hot and cold appetizers, a chance to reconnect with old friends and meet some new ones, along with the opportunity to support a great charity. This year's charity beneficiary is Bering Omega Community Services, which provides compassionate health care and social services to people living with HIV/AIDS. Returning sponsors are Red Bull, Silver Eagle/Bud Light, and Skyy Vodka along with new sponsors Heritage Wines, Pioneer Wine Company and Jagermeister! Volunteers are needed for the decorating party and the Slice and Dice food prep event.

See www.socialnotesHouston.com and join the facebook page for Carol's Holiday Party..

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Healthy Living from Page 2

Although this conference's theme was "Right here, Right now," it will still take time to determine the efficacy of much of what was presented. Many researchers seemed optimistic that many of these tools against the virus could be improved over time and even a partially effective vaccine and spermicide, the test and treat approach, combined with old fashioned safe sex and condoms, could combine to produce a powerfully synergistic public health package against HIV significant enough to turn the tide against the pandemic.

Unfortunately, at the AIDS 2010 conference, it became apparent that more than ever the big issue was money. A pre-conference demonstration banner boldly proclaimed "AIDS Is Not In Recession." Yet the current economic climate, along with policy and guideline changes, make it more difficult for the world to fund an all-out offensive against the virus. G8 nations are stepping away from commitments to the Global AIDS Fund while the U.S. is altering its commitments to the Bush era Presidential Emergency Plan for AIDS Relief. Few countries, according to a new report by the Global HIV Prevention Working Group, seemed to have mustered a passing grade in their AIDS prevention efforts (the U.S. the single largest source of funding worldwide got higher grade, while ironically, ungenerous Austria, the wealthy host country of AIDS 2010, got an embarrassing F).

Despite this, the U.S. was on the defensive about the U.S. "Dismantling" of its AIDS funding pipeline to favor funding of new, broader world health goals the Obama administration believes HIV ravaged countries can better build upon on their own. Eric Goosby, U.S. global AIDS coordinator, noted it was important to eliminate funding inconsistencies and better "construct a rational, ground-up delivery system that requires that populations using the services are in a dialogue with those providing the resources."

The bottom line for many in Vienna was the U.S.'s new, holistic approach to world health could mean less direct funding to fight the pandemic. This as the World Health Organi-

zation's new treatment guidelines recommend an additional 5 million people receive antivirals, a potential doubling the world-wide cost of HIV treatment. All as countries throughout the world face new financial constraints and in the U.S., waiting lists grow for the vital Ryan White/HDAP HIV treatment program that the federal government is struggling to fund.

Rolake Odetoyinbo, an activist from Nigeria, best expressed the anger and frustration over the back-pedaling of world donors from more fully funding HIV treatment. Calling the issue of treatment access non-negotiable, she said that "treatment really is prevention and it should be early, accessible, and universal."

South Africa seemed to have gotten the message. Despite its once notorious reputation as the African hub of AIDS denialism, it's now attempting to become a model on how a developing nation can persevere through a downturn and even take ownership of a crisis. South Africa already pays more than for 4/5th of its HIV related costs and Deputy President Motlanthe reiterated his governments' commitment to increase its budgets to make antivirals available to all South Africans needing them.

Some countries were called to account for their continuing inaction, however. One conference presentation opened with slides of limousines and jet planes, the perks and property of out of touch, or just callous and indifferent developing-world leaders and dignitaries. The point being, money could be better spent funding lifesaving prevention and treatment for their people.

Media Watch is Excellent Advocacy

by Deborah Moncrief Bell

Cristan Williams, Executive Director of the Transgender Foundation of America (TFA), has launched a campaign in conjunction with the Nikki Araguz case. Mrs. Araguz was widowed when her firefighter husband, Thomas was killed while on duty fighting a fire. This tragic loss has been amplified by a lawsuit that was brought against Mrs. Araguz by her husband's ex-wife and his mother. The basis of the suit that Nikki Araguz is a transgendered woman and these folks are questioning the validity of her marriage.

The latest development is that the court has ordered Thomas' mother to be the administrator of his estate.

Bullying from Page 1

This coming January, for the third consecutive legislative session, Equality Texas will be working to pass safe schools legislation. It will not pass until lawmakers know it is a top priority for their constituents. During the 81st Legislative Session, Rep. Mark Strama filed a bill relating to safe schools for all youth. While it was voted favorably out of committee, it died on the the floor of the Texas House of Representatives. Will this be the session to finally pass a safe schools bill?

Ask your representative if she or he will take the issues of bullying and harassment seriously by supporting the passage of safe schools legislation - legislation that would protect all children, including children of lesbian or gay parents and teens who are gay.

www.EqualityTexas.org

However benefits will be on hold while a court case drags on. As has been reported in the Montrose GEM, the media coverage about this case has so many spins, twists and turns that it is difficult to keep track of what is truly going on and what is the truth.

Media is no longer just print, radio and television as we know. The internet, including websites and blogs have entered the picture. Williams is using the internet and You Tube in particular in a media watch that gets the facts out and calls the various media outlets when their spin on the story has gone out of control. She points out the facts, gives accurate information about the issues involved and steadfastly refuses to let them get away with it. Posting the latest on Facebook, making fact sheets available, and using You Tube to speak directly to the issues and the public.

While **20/20** is in town this week to film an episode on the story that will air in the Fall. Ms. Williams has appeared on television herself, most recently in a debate on the local Fox News with a right-winger Dave Welch.

The overwhelming response was that Williams was declared the winner of the debate. Afterwards, the FOX Public Opinion Poll results were nothing short of phenomenal.

* 92.3% favor transgender marriage equality

* 7.4% wish to strip transgender citizens of the right to marry

* 0.3% were not sure

Join Cristan Williams on Facebook, go to the TG Center website or watch her postings on You Tube if you want to know the full and real story of what is going on with the Araguz case.

Through the Looking Glass by Alice Melott

Galveston's No Smoking ordinance is under attack

Some of the best things to come of Hurricane Ike are our lovely restored buildings and the freshness of our newly refreshed restaurants. I love being able to arrive for dinner and smell the luscious aromas of the food I'm about to eat.

But the no-smoking ordinance that Galveston enacted nearly two years ago is now under attack by some die-hard smokers who, under the guise of "business owners' rights," are lobbying to repeal the ordinance so that they can once again smoke wherever and whenever they please. Instead of the luscious aromas of a chef's creation, we could be inhaling, swallowing, and hacking up clouds of stinky tar and nicotine again, just like the bad ol' days.

This really can happen if we don't make a little noise.

Here's what you can do:

1. Email the Galveston City Council – all of them. It's a one-step process:http://www.cityofgalveston.org/contact/contact_form.cfm

2. Join our community page on Facebook to stay informed: <http://www.facebook.com/pages/Keep-Galveston-Restaurants-Smoke-Free/144630642237684>

3. Invite your friends to join by forwarding this email and/or clicking Suggest to Friends on the Facebook page.

If you would like to get more involved, please email me at alice@alicemelott.com and tell me about your interest.

Thank you for going the extra mile. All I want you to do is change the world.

See more on this issue on Alice's blog at: <http://amelott.wordpress.com>

At every crossroads on the path that leads to the future, tradition has placed ten thousand men to guard the past. –Maurice Maeter-



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Legal chaos reigns in same-sex unions

by Maria C. Gonzalez

Many Texans are so afraid of gay, lesbian, bisexual and especially transgender persons that what would be simple probate matters to others turn into media fodder for us.

The Nikki Araguz case going on in Wharton County is another example of how the systematic disenfranchisement of members of my community has turned one woman's private pain into a very public indignity. Firefighter Thomas Araguz died, and his wife and children would normally receive his death benefits. Perhaps like many in-laws who do not approve of their children's choice of spouse, Araguz's parents do not want their daughter-in-law to receive anything. They have hired a lawyer who is using a 1999 San Antonio appeals court case, Littleton v. Prange, to argue that Nikki Araguz was not Thomas Araguz's wife because there was no marriage. Littleton held that even if one's gender has been surgically corrected, one nonetheless remains the gender identified on his/her birth certificate. In other words, Littleton says that gender cannot be legally changed for the purposes of marriage.

Many transwomen and transmen in Texas are married to their partners, many of whose birth certificates reflect the same gender as their spouses. In El Paso, a same-sex couple recently requested a marriage license. These two women have presented appropriate documents with birth certificates showing that one of them was identified as male at birth.

The request has been forwarded to Attorney General Greg Abbott for a ruling. Not surprisingly, Abbott has avoided controversy by delaying his ruling pending an outcome in the Wharton County case. This is a no-win case for Abbott, whose supporters overwhelmingly oppose both same sex and transgender marriage.

If he issues an opinion consistent with Littleton, these two women could marry. However, if he rules they cannot marry because they are of the same sex, he would be acknowledging the rights of transgender persons to be recognized as they view themselves. This brings us to some of the chaos caused because we do not allow same-sex marriage in the state of Texas. If same-sex marriage were allowed, the couple in El Paso would not be left hanging waiting for a court decision in Wharton County.

The Texas Legislature may have already overruled Littleton. As of 2009, the Texas Family Code expressly lists a "court-order relating to the applicant's ... sex change" as an identifying document that may be presented to obtain a marriage license. It is unlikely that our Legislature would recognize the authority of courts to grant sex-changes but want our county clerks to ignore the actual sex change in deciding the gender of an applicant for a marriage license. The only reasonable interpretation of this law is that gender can be legally changed for purposes of marriage.

The press has been filled for weeks with tabloid-style details of Nikki Araguz's past, no doubt in an attempt to discredit her. True or not, none of these issues would be relevant to her right to receive her share of her husband's benefits but for the fact that she was born in the wrong body.

One day, Texas, like five other states, the District of Columbia, and many countries around the world, will grant its gay, lesbian, bisexual and transgender citizens equal protection under the law, including the right to marry. When that happens, the dramas of dysfunctional families, even our families, will unfold around the dinner table, and perhaps in the quotidian business of the probate court, instead of in the media spotlight.

Gonzalez is an associate professor of English at the University of Houston and an out Lesbian. She specializes in Mexican-American literature and sexuality. She is one of the founders of the GLBT studies minor and the LGBT Resource Center at the University of Houston.

TWO ON THE AISLE

REVIEW BY BILL O'ROURKE



Classy and Free

Ready, Set, Go: Houston Stage Designers (at The Architecture Center Houston) is a chance to see sets for local productions without the actors on them. Looked at this way, they show off what makes them very interesting works of art in their own right. Classy.

Free? Yes, it is. And, if you park in either the underground or the Hobby Center lot, they validate your parking for you. One free hour to see the show and get back to your car. Unfortunately, you can do it in that time frame. I would have loved to see many more sets. However, the ones on display are great!

As you approach the exhibition space, you will first come to a humongous tree. I have driven by this tree many a time before now. This space is on the Montrose side of downtown, in the same building with the Angelika Theater, only across the street the building straddles. I've seen this tree, but I always assumed that it was a small grove, maybe four trees. No. This is considered the oldest live oak in the county, about 400 years old, and it has grown to match its age, both in size and history. Not for nothing is it called the Hanging Oak. (Not the lynching oak, the hanging oak. Official.)

Nestled behind the oak is the entrance to the museum. It has excellent air conditioning. Cool.

It also has a chic cool, since it is the very large front of the local AIA (American Institute of Architects) office.

If you're having trouble getting your flashy friend to go someplace that sounds too formal, let them know that they have stage dressed the exhibit with four of the costumes from the *Pantos* at Stages. Your favorite camp queen should only hope for such fripperies! LOL!

The painting of stage backdrops was already nearly a dying art back in the 70s when I could watch some masters doing it at the Bonfils (later the

Lowenstein) Theater in Houston. It takes a large theater to get the audience far enough away from it for it to be "realistic" enough for them. Of course, even movie "realism" isn't really real, but ... There is a full size backdrop from the Houston Ballet production of *Cleopatra* (designed by Thomas Boyd) going down one wall. Stand beside it and be amazed, not only at its artistry but also its sheer size. But its only one of the Great Walls of Houston, eh?

So, have sets become more and more realistic? Thankfully, no. One design here, by Jody Bobrovsky for the Stages production of *A Picasso*, is in what I might call "Hyper Realism". I missed that show (Drat!) but I saw a similar set at the Alley for *Intelligence - Slave*. It's a very impressive style, but a little goes a long way. I wouldn't want all the shows I see to be like this.

Seeing through things is big right now. There have been virtually transparent walls on stage at the Ensemble (James Thomas) showing things like billboards behind them. There are sets at the Moores Opera Center at UH (Thom Guthrie) where you are looking at a wall and it flies upwards and lets you see the room that was behind it, while there are still three other rooms onstage which are, perhaps, still covered by their walls.

Yes, some of these designers are inspired by and work in huge spectacle, like ballet and opera, but the ones for smaller spaces are just as inventive. Sometimes they simply have to be.

You don't have to see these things to believe in them, but why not drop by? It's classy and free!

The Architecture Center Houston, 315 Capitol, Suite 120, 713-520-0155, M-Th 9 - 5, F 9 - 3, through August 19.

Openings

A Behanding in Spokane (Alley, August 27 - September 26). Comedy with a twist.

Laura (Theater SouthWest, September 3 - September 25) - Romance and mystery.

Prop. 8 from Page 1

Judge Walker's ruling was immediately appealed and the 9th Circuit Court of Appeals has set the schedule for new hearings in the case. Oral arguments will take place the week of December 6th, with a ruling is to be expected in early 2011. Lawyers for the two same-sex couples that challenged Proposition 8 have said they will not appeal the stay decision to the US Supreme Court, because they are satisfied with the Circuit Court's quick scheduling of the case.

According to CNN, some legal experts say that if the 9th Circuit Court of Appeals sides with Judge Walker's decision to overturn Proposition 8, the United States Supreme Court may not seek to intervene because of legal precedence that suggests private citizen's groups like the backers of Proposition 8 have no legal "standing" to continue appealing the case. In the two-page order issued by the 9th District Court of Appeals that levied the stay, the court also mandated that Proposition 8's sponsors must address whether they have the legal right to attempt to have Judge Walker's ruling overturned in their opening brief, due September 17th, according to the Associated Press. Attorney General Jerry Brown and Governor Arnold Schwarzenegger, the original defendants in the case, have both declared their support of same-sex marriage, refusing to defend Proposition 8 in court, reported CNN.

Here is an excellent analysis by Attorney and blogger Ari Ezra Waldman (www.towleroad.com) on points in the ruling that he thinks will ultimately uphold the right of same-sex couples to marry.

Let me highlight a few striking points here:

1. This case is about civil marriage. Religious belief has no place here.

Right off the bat, Judge Walker found that "[m]arriage in the United States has always been a civil matter" (p. 60, para. 19). The pen is indeed mightier than the sword.

~We watched with dismay, anger and frustration as Prop 8 supporters screamed that marriage equality laws would force churches and

synagogues to consecrate relationships contrary to their liturgy. In one line, Judge Walker does away with this nonsense. What we are dealing with here, he states, is civil marriage. After all, it is the "[c]ivil authorities [who] may permit religious leaders to solemnize marriages but not to determine who may enter or leave a civil marriage." (p. 60, para 19). The supremacy of civil marriage takes this conversation out of the church and onto the town square.

2. Marriage is a state of commitment, not a construct in which to have children.

Just as important is Judge Walker's findings about the nature of marriage. "Marriage is the state recognition and approval of a couple's choice to live with each other, to remain committed to one another and to form a household based on their own feelings about one another and to join in an economic partnership and support one another and any dependents" (p. 67, para. 34). Absent from this definition, based on extensive citations to evidence offered at trial, is marriage based on procreation or gender-specific roles. A marriage is a partnership based on deeply held emotional love and, as an institution, channels benefits to the married couple, their dependents and society at large. What's more, each of those benefits -- facilitating order, creating a realm of intimacy, creating stable households, providing children with support structures, assigning caregivers, facilitating property ownership and incentivizing healthy behaviors -- exists irrespective of the gender and sexual orientation of the married couple (pp 67-71).

3. Same-sex couples are just like opposite-sex couples.

The entree to these appetizers came later. Judge Walker found that "[s]ame-sex couples are identical to opposite-sex couples in the characteristics relevant to the ability to form successful marital unions. Like opposite-sex couples, same-sex couples have happy, satisfying relationships and form deep emotional bonds and strong commitments to their partners.

~ Continued on Page 10

Cooking Capers with Dr. Dave



The other day I was glancing through my recipe box and ran across two older, but still popular recipes, Vichyssoise and Rosemary Crown Roast of Lamb. I haven't had these in a while, but I remember them being so rich and appreciated by my guests. Lamb is one of those meats you either savor, or don't care for, but for those of you in the former category, please try these two complimentary dishes at your next dinner party. Enjoy!

Vichyssoise

4 leeks, white part, sliced
1 medium onion, sliced
1/4 cup sweet butter
5 medium white potatoes, thinly sliced
1 quart chicken broth
1 tablespoon Kosher salt
3 cups milk
2 cups heavy cream
chopped chives for garnish

In a deep kettle, brown the leeks and onions very lightly in butter. Add the potatoes, broth and salt and boil for about thirty-five minutes, or until tender. Crush and rub them through a fine sieve or puree in an electric blender. Return the mixture to the kettle, add the milk and one cup of the cream and bring to a boil. Cool and blend again and serve garnished with chopped chives.

Rosemary Crown Roast of Lamb

1 crown roast of lamb at room temperature.
1/2 cup extra virgin olive oil
4 cloves of garlic, peeled and smashed
1/4 cup minced, fresh rosemary taken off the stem
1/2 bag frozen pearl onions
1/2 bag frozen peas,
1/2 carton sliced button mushrooms
1/2 stick melted butter
1/4 cup merlot wine

Have the butcher prepare a crown roast with rib sections of two loins of lamb by tying the sections together in a crown shape. Preheat the oven to a moderate 325 degrees. Cover the tips of the roast's bone with aluminum foil to prevent them from charring as the roast cooks. Slather the roast with good olive oil to which has been added the garlic and rosemary. Salt and pepper the roast to taste and cook it about one hour to one hour and fifteen minutes. It should be rare to no more than medium rare. Remove the aluminum foil and replace with paper frills which you can get at your local butcher or upscale supermarket. Saute the mushrooms and add the onions and peas in butter. Add the merlot and reduce for a filling consistent with your taste. Pour it in the center of the tied crown roast and serve immediately.

HISTORY AT A GLANCE

You Missed Louie!

The Gulf Coast Archive and Museum of GLBT History, known as GCAM takes us back to November 5, 1985. Mayor Louis Welch was running for re-election. He made gays an issue that year as he sought to defeat Kathryn Whitmire. Among his thoughtful proposals was his solution to HIV/AIDS. "Shoot the Queers!"

During the campaign, Welch who often referred to the career of politics as a "shooting gallery," made the notorious remark about homosexuals that was accidentally broadcast during a TV newscast and contributed to his loss to Whitmire. The newscast included a report about Welch's four-point program to prevent the spread of AIDS. He offered the "Shoot the Queers" remark without realizing his microphone was still on.

The gaffe triggered numerous newspaper articles and denunciation from various political figures and organizations. The gay community struck back with humor, donning T-shirts that sported the slogan: "Don't shoot Louie!" and "You missed Louie!" Welch apologized for the remark, but the damage was done. He lost to Whitmire.

See picture on Page 4

Beelines from Page 3

What is the hardest thing for you dealing with your illness?

That it is a life time partner - though VERY unwanted, unasked for. I have always felt as I am the Outsider looking in and wanting to be a part of the "in". Because of my Mental Illness it has taken me almost 61 years to realize that I just may already be in the "inside, accepted, respected, loved, a born winner, a born leader."

What has helped you?

What has helped? It is a multi pronged "regime" if you will, this is a continuous progressive war for me and my survival. It was moving from denial to "a hard to believe/understand" acceptance. Knowing and understanding that I am not the ONLY ONE, that I am not ALONE. Also a lot of therapy, taking my medicines, including being in compliance all of the time,

Being active in support groups is very important ...talking about this illness, getting the negative thoughts/views out of my mind so that the truth can come be seen and felt by me. He also says taking deep breaths, and eating as balanced meals as possible - low sodium, fresh vegetables-steamed or raw and fruits, at least twice a day,

I am fortunate in having a strong circle of friends. For me it is my Band of Sisters (this writer is proud to be one of them) - they offer nothing but total support and love for me.

Exercise helps I have found, what ever that means to the person doing it. I started competing in the Senior Olympics when I was old enough. That was 11 years ago and I am still competing. I race in the 5K and 10K and will go as far as half marathons.

What would you advise someone who is dealing with a mental health matter?

I cannot say it LOUD ENOUGH, YOU ARE NOT ALONE. Take part in at least a support group. Share your thoughts and feelings, take your meds, and exercise.

Dealing with Mental Illness *is not easy*, one does have to "put out personal energy" to be able to receive positive energy to feed our truth, born WINNER self of being.

What would you ask of others?

Please sign the **Walk to Washington for Depression Awareness** petition at

www.walktowashington.org

or

http://healthcare.change.org/petitions/view/walk_to_washington_for_depression_awareness

The one on Charge.org will put signatures towards my commitment to collect 100,000 of the National's goal of 1 million.

Patrick will be in DC to present petitions to Senators Cornyn and Hutchinson Oct. 7, 2010 following a presentation on the National Mall. The Petition seeks to:

1. Ensure equitable and adequate Depression treatment coverage in all public and private health care plans.
2. Support policies that promote individual and family recovery from the disease of Depression as integral to overall health.
3. Commit to investing in America's prevention, early intervention, treatment, and research related to Depression.

There is a great need for education, treatment and public awareness, and not least, parity with other healthcare issues. Mental Health is stigmatized and treated as if it is not the same as other physical illnesses. We all must understand that any illness, including those that affect our minds are valid..

We can see that on the state level, with a Governor who is refusing to take federal funds at a time when people are hurting, that mental health has been negated to a lower level of concern. It is imperative that we work to influence our elected officials to take note and address the issues of mental health and the aftermath that can happen when it is not treated. People with mental health issues face homelessness, lack of insurance coverage leads many of them to self-medicate with illicit drugs (often leading to addiction). This puts them at greater risk for HIV infection as well as possible entry to the so-called criminal justice system. We can't afford to throw away these individuals nor can we afford the domino effect the lack of services and treatment will result in.

These stressful times we live in can add to the problems of those with mental health problems. Gays, Lesbians, Bisexual and Transgendered people are included in the numbers of people who have mental illness so it is our issue too. The folks at the Montrose Counseling Center know this all too well.

That's the buzz from me for now!

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Movie Night

Eat, Pray, Love

Sometimes it is hard for a best selling book to become a best selling movie. What I mean is the translation from print to film just doesn't work or, as I suspect in the case, too much hype can make an otherwise decent movie into something less than what is intended.

Julia Roberts, ever charming and lovely, brings to life Elizabeth (Liz) Gilbert whose book "Eat, Pray, Love" told her story of how she found love unexpectedly while on a quest to find herself. Roberts is the A-list star who was meant to make this movie a hit. She does a good job in playing her part. The failure of this film is not due to any failing on her part.

The film has many beautiful scenes having been filmed on location in Italy, India and Indonesia (Bali). I, I, I or me, me, me.

The author's travels to these countries are documented in the same order as the title. Italy is definitely Eat with lots of pasta and other gourmand delights as well as some lovely friends and a time that was very enjoyable.

India is the Pray while Elizabeth goes to an ashram to meditate in an effort to become more enlightened. Her meditation and the conditions are less than desirable. She definitely gains insight on some levels but I can't say it is from prayer as much as from people.

Bali, so beautiful and a chance to just be and heal. Life being what it is, Liz is suddenly faced with a romantic liaison when she was least expecting it. After all, it was a post-divorce, post love affair Liz that came on her journey to find herself, not a man. Lucky her she meets a lovely man and falls for him. She feels herself losing herself in the relationship or fears that and tries to put on the brakes, but love wins out. This is her real life story so the fact that the movie represents a cliché is unfortunate. Because the idea does come across that being with her man is the happy ending and I hope that it is for the real life person. But many of the people I viewed the film with would have preferred a message of someone who is fine with herself and a relationship is not what makes one complete. Liz did grow and learn during her time abroad and probably was better capable of being in a healthy relationship.

Part of the message of the film reminded me of the message from *The Wizard of Oz*. If that which you go looking for

you can't find in your own backyard, you will never find it without. What Liz did not know was within her the whole time. A trip to other countries was not the key. But by golly, how nice to be able to travel like that and maybe that is what she needed.

The supporting cast is credible with a wonderful bit by the fine actor, Richard Jenkins as her ashram buddy. He shares his story of hitting bottom in a moving way. There is a beautiful moment with Liz meeting an elephant (who we are led to believe is a rogue that is on the loose from a circus). She has a communion with the great beast but the significance of this event is not clear.

Javier Bardem as Felipe, the true love, is one of the sexiest men on screen. He is the sort of man who could sweep someone off their feet. The rest of the cast in their minor roles are very good, particularly Hadi Subiyanto as the Ketut the shaman whose prophecy Liz seems determined to fulfill and what returned her to Bali in the first place.

This year has been viewed by some critics as one of the worst for movies as there just don't seem to be any great ones out there. This film is not great but it is good. An enjoyable story that will contain messages for some but lacks anything that makes it stand out. Other than Julia Roberts (because how can you not like her?). There just isn't anything remarkable here. It is a quiet tale and if one sees with the idea that it is just what it is they probably will like it. Anyone buying into the marketing hype will be disappointed.

See this movie because it is worth seeing for the scenery, the story, and the beautiful people and probably just for the very cute butt of David Lyons shown all too briefly in one scene

My rating: B-



Julia Roberts finds out that "God is in me and God is me", in *Eat, Pray, Love*

Prop 8 continued from Page 8

Standardized measures of relationship satisfaction, relationship adjustment and love to do not differ depending on whether a couple is same-sex or opposite-sex" (p. 77, para. 48).

And on the seventh day, he rested.

Seriously, though, this profound description of equality is at the heart of the marriage equality movement. Judge Walker cites Prop 8 supporters' admissions at trial that gay partnerships are loving and commitment and that the capacity to commit and love "does not depend on the individual's sexual orientation" (p. 77, para. 48(d)). We are all the same and we all deserve to be treated as such.

4. Domestic partnerships insufficiently recognize those relationships.

Since marriage is not merely an economic union, or a procreative one, for that matter, domestic partnerships that assign certain economic

benefits of marriage to non-married cohabitants is a separate, unequal and insufficient substitute. "Domestic partnerships lack the social meaning associated with marriage, and marriage is widely regarded as the definitive expression of love and commitment in the United States" (p. 80, para. 52).

Judge Walker recognizes that we do not want to marry the loves of our lives for the joint tax return or the prospect of doubling our wardrobes. That might be part of it, but it's not the whole story. Citing expert testimony about the cultural importance tied to marriage, Judge Walker finds that marriage is greater than the sum of the economic rights associated with it. And, since same-sex couples are no different in their love and commitment than opposite-sex couples, there seems to be no reason to exclude them from this institution.

In the end, it is hard to accept these facts and not conclude as Judge Walker did. Nothing here is clearly erroneous and any appellate court will be hard-pressed to upset any of these factual findings.

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Bandida

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