Observing Tucson And
The Greater Arizona Community

OBSERVER

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Tucson Observer Archives

LGBT Rights Groups View Election As Major Setback

NEW YORK (Observer Update) - Gay-rights activists celebrated a few bright spots on Election Day, but they also suffered some major setbacks - including losses by key supporters in Congress and the ouster of three Iowa Supreme Court judges who had ruled in favor of same-sex marriage, reported advocate.com.

On both sides of the marriage debate, the Iowa vote was seen as a signal that judges in other states could face similar punitive challenges. The congressional results further clouded the prospects for repealing the "don't ask, don't tell" policy so that gays could serve openly in the military. Democratic leaders, including President Barack Obama, hope for a repeal vote in the Senate during the upcoming lame-duck session, but the post-election climate may strengthen the hand of conservatives wary of repeal.

And leading gay activists acknowledged that the Republican takeover in the House of Representatives likely doomed short-term hopes for major gay-rights legislation addressing workplace discrimination and federal recognition of same-sex couples.

"The loss of the House to anti-equality leaders is a serious blow," said Joe Solmonese, president of the Human Rights Campaign. He said the incoming GOP House leadership had a track record of opposing gay-rights initiatives.

Among the Democratic losers were several staunch gay-rights supporters, including Sen. Russ Feingold of Wisconsin and Rep. Patrick Murphy of Pennsylvania, an Iraq war veteran who volunteered to be the House leader of the effort to repeal "don't ask, don't tell."

Perhaps most sobering for gay activists was the removal of the three Iowa judges after a campaign intended to punish them for joining a unanimous ruling last year that the state's ban on same-sex marriage violated Iowa's constitution.

That ruling, making Iowa one of five states to legalize gay marriage, still stands. But gay marriage foes said they plan to press Iowa Republicans who took over the governor's office and the state House to work toward a new ban.

Justices Marsha Ternus, David Baker and Michael Streit will be removed at year's end after about 54 percent of voters backed their ouster - the first time Iowa voters have removed a Supreme Court justice since the current system began in 1962.

The National Organization for Marriage and other foes of gay marriage around the country spent an estimated $1 million on the removal effort, while the three judges chose not to raise money and campaign.

"This spiteful campaign is a wake-up call to future voters who must resist attempts to politicize the courts," said Kevin Cathcart of Lambda Legal, a national gay-rights group. "If an embattled judiciary were to lose its ability to protect our laws and constitution with impartiality, that would be a tragic loss."

Evan Wolfson, a gay-rights lawyer who heads the national group Freedom to Marry, said the judicial recall was intended as "an intimidating, thuggish message" to other courts.

"If I had just mugged a judge, I wouldn't be running around bragging about it," he said.

The results set the stage for several likely state battles over same-sex marriage next year.

Gay-rights groups said the election of governors in Rhode Island and Maryland who support same-sex marriage created a chance for breakthroughs in those states. In New York, where a gay marriage bill was defeated in 2009, the picture was clouded by uncertainty over control of the state Senate, but Democratic Gov.-elect Andrew Cuomo is a firm supporter of gay marriage.

Foes of gay marriage said Republican legislative gains could benefit their cause in Minnesota, where conservatives would like to put a gay-marriage ban on the ballot, and in New Hampshire, where some lawmakers would like to repeal the 2009 law legalizing gay marriage.

"The backers of gay marriage are fond of telling the lie that gay marriage is inevitable in this country," Brown said. "What we have shown in this election is that support for gay marriage is a career-ending position for judges and legislators."

However, Brown's organization failed in its bid to defeat New Hampshire's incumbent Democratic Gov. John Lynch despite running ads critical of his decision to sign the gay-marriage bill.

Some gay activists elsewhere had cause for celebration. David Cicilline, the mayor of Providence, R.I., was elected as the fourth openly gay member of the U.S. House, joining fellow Democrats Tammy Baldwin of Wisconsin, Barney Frank of Massachusetts and Jared Polis of Colorado,

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White House Opposes DADT Deal

WASHINGTON, DC (Observer Update) - A top White House official issued a statement saying the administration does not approve of any attempt to remove "don't ask, don't tell" repeal from the Defense funding bill to which it is currently attached, reported the Advocate.

"The White House opposes any effort to strip 'Don't Ask, Don't Tell' from the National Defense Authorization Act," said Dan Pfeiffer, White House communications director.

The Advocate reported that Sen. Carl Levin, chairman of the Senate Armed Services Committee, was exploring the possibility of offering a stripped-down version of the defense funding bill that scraps the repeal measure, and a spokesperson for Sen. John McCain, the ranking Republican on the committee, confirmed the discussions to The Wall Street Journal.

A spokeswoman for Levin said Monday afternoon that he has been discussing with McCain the path forward on the National Defense Authorization Act, but she did not confirm whether the two were considering a version of the legislation that dropped the repeal provision.

"Senator Levin has been discussing with the Defense Department when the report relating to the 'don't ask, don't tell' policy – due to the Secretary of Defense on December 1 – will be made available to Congress and the public, and he has also been discussing with Senator McCain how to proceed," said Tara Andringa, spokeswoman for Levin.

While traveling in Australia over the weekend, Defense secretary Robert Gates urged Congress to pass the bill with the repeal measure before the end of the year.

Aubrey Sarvis, executive director of the Servicemembers Legal Defense Network, called the remarks "extraordinary" since Gates has consistently asked lawmakers to wait until the Defense Department's study of repeal is issued.

"This is the first time Secretary Gates has been on the record and calling for passage before the Pentagon working group report comes out," Sarvis said. "I think the secretary is generally aware of the recommendations that are going to be coming from General [Carter] Ham and the working group."

A spokesman for Senate majority leader Harry Reid echoed Gates's comments Monday, saying Reid "strongly supports" repeal but adding that Senate Republicans stood in the way of progress. Democrats failed to garner the 60 votes necessary to advance the defense bill to debate in September after Republicans mounted a successful filibuster.

"The senator needs Republicans to at least agree to have a debate on this issue – a debate he firmly believes the Senate should have," said Jim Manley. "It's unfortunate that Senator McCain – who previously expressed support for the repeal of this law – and other Senate Republicans are ignoring the advice of our military leaders to reverse this discriminatory policy that not only harms our men and women in uniform, but also our national security."

But one repeal advocate challenged the remarks and suggested Reid had provoked the GOP leadership by limiting the number of amendments that could be offered to the NDAA.

"Senate majority leader Reid's office is simply ignoring the well-established fact that we indeed do have the votes to proceed on defense authorization, including Republican votes, if he would just bring the bill up under normal procedural conditions,"

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UPDATE

The Biz Under New Ownership

TUCSON - The "Ain't Nobody's Business" night club or as it is popularly referred to as "The Biz" has a new owner. Celine Castillo bought the club from previous owners Robin Muller and Lisa Oberstar this year on the first of November. Originally from Tucson, Castillo, 29, has worked at the club for over eight years, and she is very energized about the future of the Biz, which is located at 2900 East Broadway.

"I am very excited to put a new look on an old face', "Cel" said. The club is open from 5:00 p.m. until 2:00 a.m. six days a weeks. It is presently closed on Mondays.

"The Biz is ready to give back to the community. Lots of changes are in store from the name to the color, drink specials, music and friendly faces are coming" Cele says. Primarily known as a Lesbian Bar, everyone is welcome.

Check it out! Watch it change!

Suzanne Westenhoefer

TUCSON (Observer Update) - Suzanne Westenhoefer will be "Totally Inappropriate," when she comes to the Old Pueblo, at the Rialto Theatre, November 20.

What words best describe Comedian Suzanne Westenhoefer? How about bold, bawdy, and just plain hilarious? Not afraid to ask tough questions that uncover the laughs underneath, Suzanne's made a career out of telling the truth. And the truth is, life is funny.

While she says she can't promise dancing girls or magic tricks on her new tour, she does guarantee an hour and a half of "the same brilliant stand up comedy that I've been pumping out for 19 years." And, she adds, "Each show on the tour will have its own version of inappropriateness, so you'll need to come to a show and find out for yourself."

For more information, go to rialtotheatre.com.

Wingspan Classic Charity Golf Tournament

TUCSON (Observ er Update) - The Second Annual Wingspan Classic Charity Golf Tournament is set for November 12, 2010 at the Omni Tucson National Golf Resort. This second year promised to be better than the first!

Get involved with this fantastic event by sponsoring, playing, volunteering or dining. See the Wingspan Classic website for Sponsorship opportunities (wingspanclassic.org).

Players get fantastic goody bags and volunteers get special edition shirts plus a discount on the dinner. All proceeds benefit Wingspan. Cost:$150 per person, includes greens fees, cart, driving range, deluxe goody bag and BBQ dinner after tournament. Format: Four Person Scramble, Low Gross Registration: Begins at 10:30 am, Shotgun Start at 12:45 pm.

For more information, contact Linda Thomas, 520-624-1779.

Bowling Fundraiser

TUCSON (Observer Update) - A fund raiser for the Tucson LGBT bowling tournament will be held Saturday, November 13, 2 - 5pm at Tucson Bowl, 7020 E. 21st St.

This event helps raise money to host Chuzapalooza, the LGBT bowling tournament being held January 14-16, 2011, at Tucson Bowl. See Chuzaplooza.com for details.

$20 gets you 3 games, rental shoes and 3 Chuza strikes. You may buy Chuza strikes: 1 for $5, 3 for $10 (Limit 3 per game). Regressive No-Tap as follows: Game 1 - 8 or better on first ball only counts as a strike. Game 2 - 9 or better on first ball only counts as a strike. Game 3 - Only a strike on first ball only counts as a strike. Cash prizes for 1st, 2nd and 3rd plus a special prize TBA.

On The Job Series Featuring TC Tolbert

TUCSON (Observer Update) - Out on the Job is a collaborative event between LGBTQ Affairs and Career Services to provide future professionals a glimpse into the work lives of people who are open about their sexuality and/or gender identity at work.

Bring your lunch and learn what it's like to be out and trans-identified in a professional work setting. This will take place at Career Services, 1303 E. University, Wednesday, November 18.

For more information, contact Jai Smith (520) 621-7585.

Queer Film Series: Two Spirits, November 17

TUCSON (Observer Update) - Fred Martinez was a Navajo boy, who was also a girl. In an earlier era, he would have been revered. Instead, he was murdered.

This documentary explores Fred's short and compelling life, his terrible death, and his enduring legacy–one that has led to renewed resolve by many people of the several cultures of the Four Corners region not only to accept diversity, but to honor it, and to help ensure that people are free to express the totality of who they are.

The film will be followed by a discussion with Trudie Jackson. Event Details: Nov 17, 7:00 pm, Gallagher Theatre, University of Arizona, Student Union, 1303 E. University Ave. Event Sponsor - GBTQ Affairs, Native American Student Affairs, For more information, call (520) 621-7585.

White House

CONTINUED FROM PAGE ONE

said Alex Nicholson, executive director of the gay veterans group Servicemembers United. "If he firmly believes the Senate should have this debate this year, then he will bring the bill back up next week and allow us to move forward on NDAA and DADT repeal."

Reid has already left the NDAA out of his lineup of three bills to be considered during the week of November 15, meaning consideration of the legislation wouldn't come up, if at all, until senators return from the Thanksgiving holiday on November 29. Reid has also set a target date of December 10 to adjourn for the year, which would leave just two weeks to complete the defense bill - a near impossibility since debate usually takes two weeks and reconciling the House and Senate versions of the bill often takes another two weeks.

President Barack Obama has said his priorities for the lame-duck session include ratifying the Strategic Arms Reduction Treaty and extending President Bush's tax cuts for middle-class Americans, both of which could require lengthy debate.

P.O. BOX 50733,
TUCSON, AZ 85703
(520) 622-7176 (Voice)

Office Hours: 9a.m.-6p.m.
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Office Closed Thursdays

EDITOR/PUBLISHER:
Bob Ellis
MANAGING EDITOR:
Mark Kerr
Special Events Photos:
Bill Morrow
Amanda Irvin
Contributing Columnists
Mark R. Kerr
Jack Melichar

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No Discharges Yet Under Revamped Policy On Gays

WASHINGTON, D.C. (Observer Update) - So far, no troops have been separated under the "don't ask, don't tell" policy since new rules took effect two weeks ago requiring the services' top officials to personally approve those discharges, Pentagon spokesman Geoff Morrell said, the Air Force Times reported.

The new rules issued Oct. 21 took final decision-making authority for kicking gay enlisted troops out of the military away from one-star generals and placed it solely with the civilian service secretaries. Removal of officers has always required a secretary's approval.

The policy came about after a federal judge in California on Oct. 12 declared the military's ban on gays serving openly in uniform unconstitutional and ordered the military to stop enforcing the policy immediately.

The U.S. 9th Circuit Court of Appeals recently issued a stay of that order, allowing the military to resume enforcing the 17-year-old law until the court can make a final ruling in the case, probably next year.

The ban technically was suspended for eight days in October.

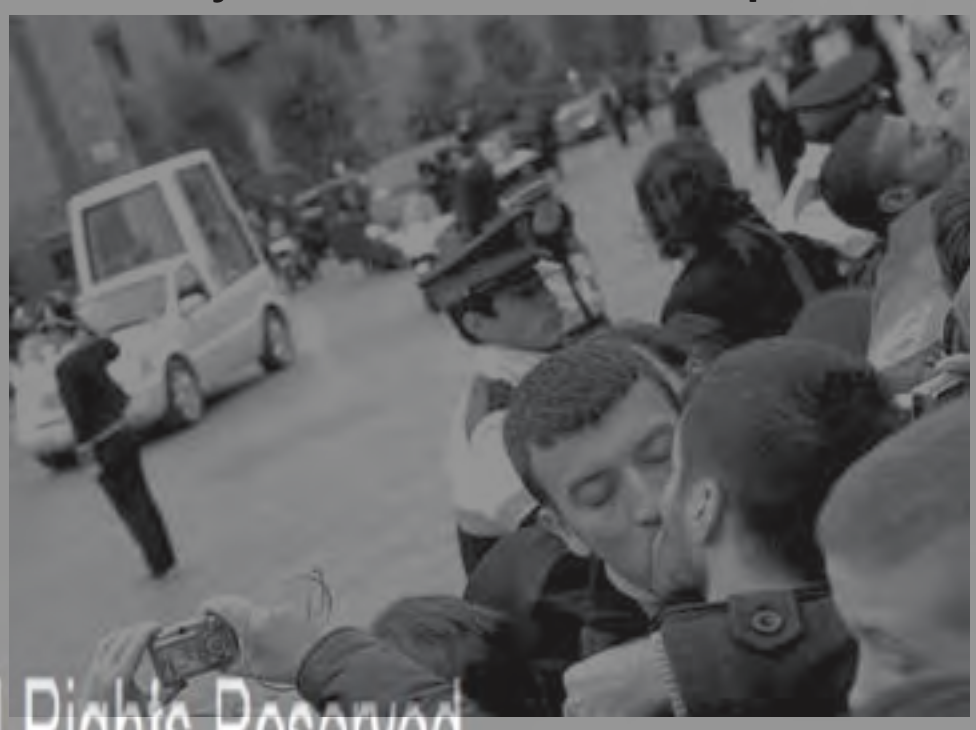
Defense Secretary Robert Gates gave the three service secretaries authority over enlisted removals to ensure careful and equal treatment under the current period of legal uncertainty.

Congress could vote to repeal "don't ask, don't tell" during its post-election, lame-duck session, which begins Nov. 15, but that appears increasingly unlikely after the election in which Republicans won control of the House of Representatives.

Among the defeated was one of the current law's most vocal opponents, Rep. Patrick Murphy, D-Pa., an Iraq war veteran who added an amendment to the defense appropriations bill that would have repealed "don't ask, don't tell."

A Pentagon study on the impact of the repeal will be delivered to Gates on Dec. 1, Pentagon officials say.

Gay Kiss-In Welcomes Pope



BARCELONA (Observer Update) - An estimated 200 gays and lesbians staged a protest with a five-minute-long "kiss-in" in Barcelona as Pope Benedict XVI visited the city to defend the Catholic Church's family values, reports Sky News.

The kiss-in took place as the popemobile droves past a crowd estimated at tens of thousands who had gathered in front of Barcelona's Sagrada Familia church. The pontiff attacked Spanish laws that allow same-sex marriage, quick divorces, and legal abortions as he dedicated the iconic basilica.

"We are here to demonstrate against the pope's visit and call for a change in the mentality of the Catholic institution, which still opposes our right to different ways of loving," said protester Sergi Diaz.

Pope Benedict called for Europe as a whole to rediscover Christian teachings and apply them to everyday life, and continued to criticize the policies of Spain's socialist government.

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TGLBTCC Update

TUCSON (Observer Update) - The November breakfast meeting of the Tucson Gay Lesbian Bisexual Transgender Chamber of Commerce will take place Wednesday, November 18, 7:30 am, at the Hotel Tucson City Center Conference Suite Resort, 475 N. Granada Ave.

You keep hearing about social media; Facebook, Twitter, FourSquare. Are you using it? More importantly, are you using it to grow your business? Have you been waiting for somebody to explain how you can use it to reach new clients or to keep your current clients informed on what your business can offer?

Please join us for a presentation by Tucson GLBT Chamber member The Caliber Group on how to use Social Media to reach current and new clients No longer can small businesses use just one communications vehicle to educate and influence their target audiences. Your customers are obtaining information about products and services through both traditional and new (social and digital) media sources. An integrated, strategic approach using new media is needed to reach your customers and outpace your competition.

At this presentation, attendees will learn:

- What is social media and who is using it
- Case studies featuring how businesses have effectively used social media
- What resources and time commitment is necessary to effectively use social media

$20 members/ $25 guests, $5 discount for members and guests who RSVP by Monday, November 15, 615-6436 or info@TucsonGLBTChamber.org.

Lesbian Who Sued Over Prom Talks About Gay Bullies

JACKSON (Observer Update) - The lesbian who successfully challenged a rural Mississippi school district's ban on same-sex prom dates says she wept when she read about the recent spate of gay teen suicides linked to harassment, the AP reported on 365Gay.com.

Constance McMillen, who was recently named one of Glamour magazine's "Women of the Year 2010," told The Associated Press that she became a bullying victim after she challenged the Itawamba School District over a policy that prohibited her from bringing her girlfriend to the prom and wearing a tuxedo.

McMillen, 18, said she became emotional after reading about the suicides of 13-year-old Seth Walsh, of California, who hanged himself outside his home after enduring taunts from classmates, and of Tyler Clementi, an 18-year-old Rutgers University freshman who killed himself after his sexual encounter was secretly streamed online.

"I read it on Facebook. I was so upset about this that I could not sleep," McMillen said. "I knew it had to be terrible for them to choose death as a way to escape what they were living in."

McMillen said she has had her own suicidal thoughts.

"But I never really considered it to the point where I almost did it," she said. "Everybody thinks about it when times get hard."

Growing up in the small town of Fulton, Miss., McMillen said she wasn't bullied until school officials canceled the prom rather than allow McMillen and her girlfriend to attend as a couple.

"I went through a lot of harassment and bullying after the lawsuit, and I realized how bad it felt being in that position," she said.

The American Civil Liberties Union sued the district, which paid $35,000 to settle the lawsuit and also agreed to follow a non-discrimination policy, though it argued such a policy was already in place.

Glamour magazine recently honored McMillen for her fight against intolerance, and she's now in the company of entertainer Fergie, actress Julia Roberts, designer Donatella and Queen Rania of Jordan.

Cindi Leive, Glamour editor-in-chief, said McMillen was selected by an advisory panel of past honorees, including Jennifer Lopez and Katie Couric. The main measure for honorees is that they help make the world a better place for others, Leive said. "We've seen such devastating proof this year of how tough it is for gay teens out there. To have someone like Constance stand up for who she is with dignity and pride, is a really meaningful thing for other young people to see. We respect her bravery and her example," Leive said in an e-mail.

In a photo on the magazine's website, McMillen is dressed in a tuxedo and a tiara and standing in her messy bedroom. A television movie about her case is also in the works.

McMillen said her family's support helped her confront injustice.

"It seems like gay students catch a lot. It's already a rough time in high school. Everybody wants to be accepted," McMillen said. "The family's acceptance is 100 times more important than people they go to school with. Whenever their family doesn't accept them, they feel like nobody's going to."

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LGBT Rights

CONTINUED FROM PAGE ONE

who each won re-election.

Other openly gay winners included Jim Gray as mayor of Lexington, Ky.; Nickie Antonio to the Ohio House, who became the state's first openly gay legislator; and Marcus Brandon, an African-American, to the North Carolina House. Jack Jackson, Kristen Sinema and Paula Aboud were elected to serve in the Arizona State Senate.

In California's Alameda County, Victoria Kolakowski was elected a Superior Court judge; the Gay and Lesbian Victory Fund said she is the first openly transgender trial court judge in America.

"There is no sugar-coating the loss of so many of our straight allies in Congress," said Victory Fund president Chuck Wolfe. "But we can be proud that our community continues to expand its voice at all levels of government in

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AROUND THE GAY GLOBE. . .

Argentine Gays Proud Of 500 Same-Sex Marriages

BUENOS AIRES (Observer Update) - Thousands marched in Argentina's Gay Pride parade, celebrating the country's status as the first in Latin America to legalize same-sex marriage and vowing to campaign for new rights for transgender people, reported 365Gay.com.

More than 500 same-sex couples have been married since President Cristina Fernandez signed the law on July 21, said Esteban Paulo, President of the Argentine Lesbians, Gay, Bi, and Transgender Federation. The gay marriage law has been a boon for tourism, said Pablo De Luca, founder of the Gay and Lesbian Chamber of Commerce in Buenos Aires. He estimates that 100,000 more gays and lesbians have visited Argentina as a result of the law.

"It's the same kind of increase that happened in South Africa, Canada, and Madrid after they legalized gay marriage," De Luca said. "We want to travel to a country where we don't feel like we have to hide our sexuality."

Gay and lesbian couples still face discrimination – some civil servants have been unwilling to sign their marriage licenses, and the judicial system has been slow to approve adoptions by same-sex couples even though the law now grants them all the rights heterosexual married couples enjoy. Argentina's dominant Roman Catholic Church remains opposed.

The theme of the parade was "let's go for more" – specifically, a "gender identity" law to enable individuals to change their gender on birth certificates and identity cards. Uruguay passed such a law in 2009, but transgender Argentines have no such recourse and often have trouble when dealing with the government using documents that no longer match their expressed gender.

The proposed law has been stuck in Argentina's senate since 2007, but some are more optimistic now that gay marriage has passed.

"The gay marriage law helped open the doors to discuss LGBT issues in Argentina," said Socialist Deputy Roy Cortina. "And that's going to be beneficial for the gender identity law."

Hawaii Could Legalize Same-Sex Unions

HONOLULU (Observer Update) - Same-sex civil unions in Hawaii could become state law next year, following the election victory of pro-gay rights Democratic Gov.-elect Neil Abercrombie and the rejection of many church-backed candidates, reports Washington Post.

Advocate.com reports that Democratic majorities were retained in the state House and Senate, which approved a civil unions bill this year before it was vetoed. Gov.-elect Abercrombie has said he will sign a similar law if passed by the Legislature.

Hawaii, which has been a battleground in the gay rights movement for years, would become the sixth state to grant essentially the same rights of marriage to same-sex couples without actually authorizing marriage itself.

"I'm hopeful, but I would never want to call any shots until the final vote is taken," says Majority Leader Blake Oshiro, who is gay. "While I remain optimistic, there's still a lot of work to be done."

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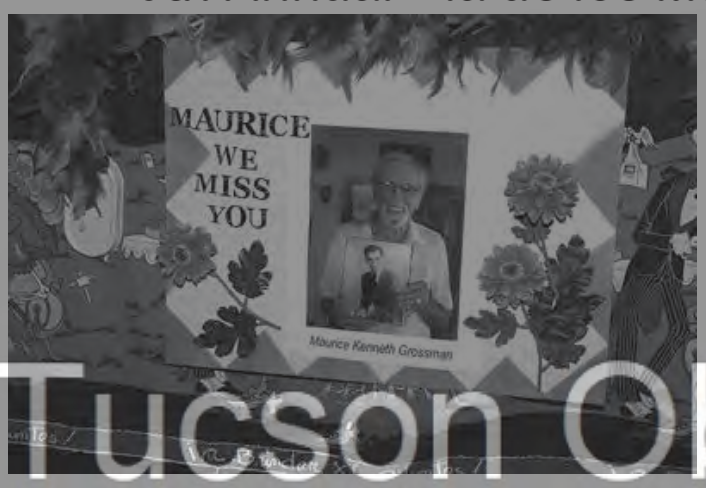
20th Annual Dia de los Muertos - All Souls Procession, Sunday, 4th Avenue



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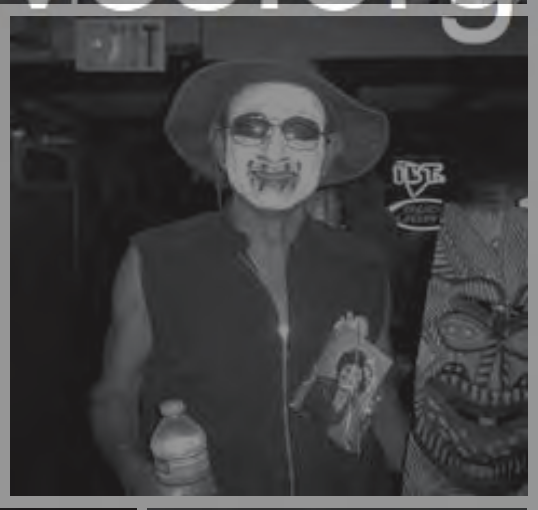

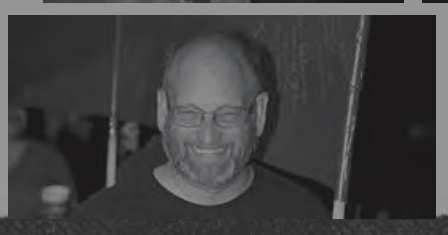

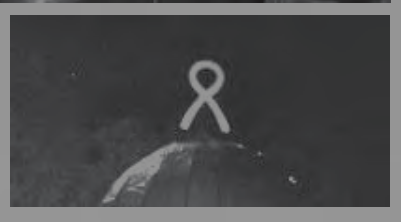

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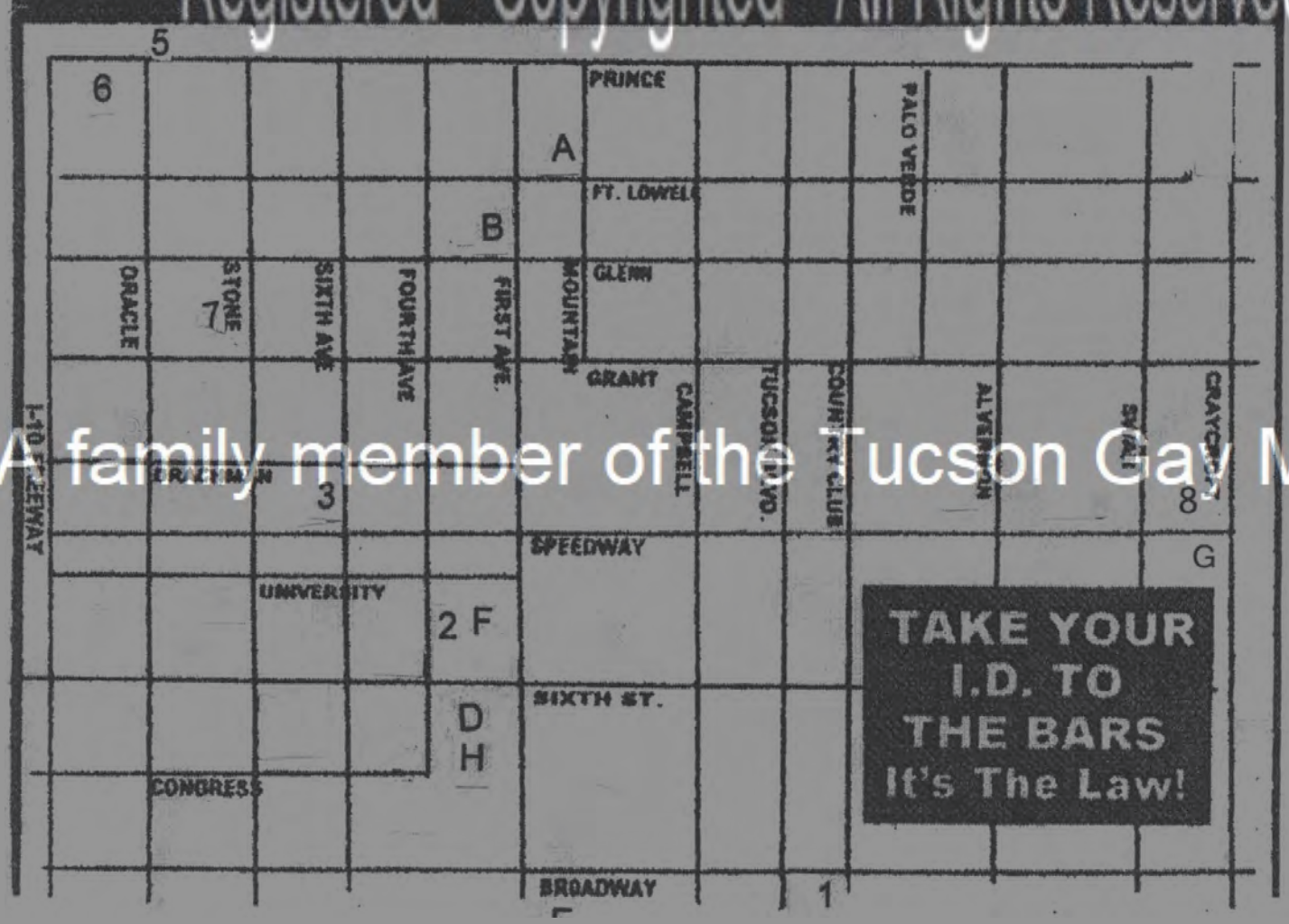

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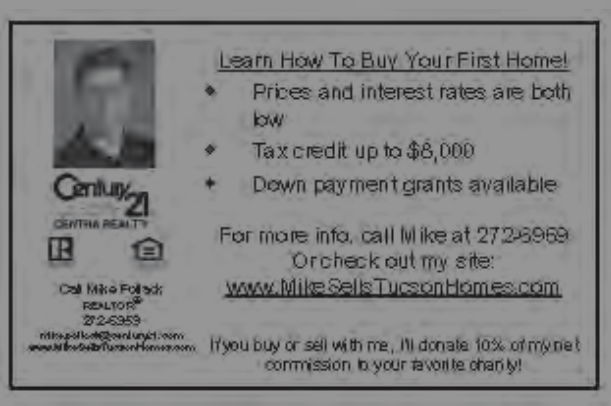

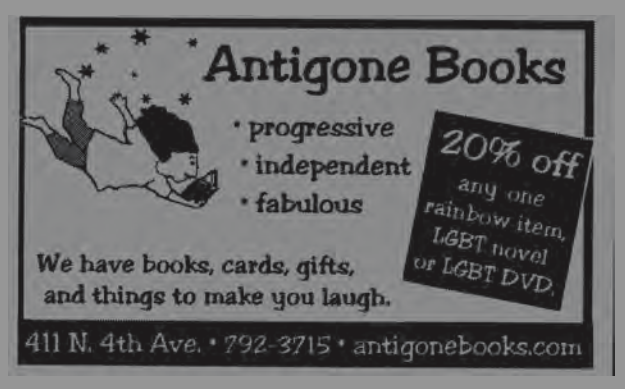

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Smithsonian Explores Impact Of Gays On Art History

WASHINGTON, D.C. (Observer Update) - When artist Jasper Johns was mourning the end of his relationship with Robert Rauschenberg, he took one of his famous flag paintings, made it black, and dangled a fork and spoon together from the top, reported advocate.com.

Hidden symbols in Johns' "In Memory of My Feelings," tell part of the story, curators said. Color from the relationship is gone. A fork and spoon elsewhere in the painting are separated. Here we have a coded glimpse into a six-year relationship that was rarely acknowledged – even in Rauschenberg's 2008 obituary.

The Smithsonian's National Portrait Gallery is decoding such history from abstract paintings and portraits in the first major museum exhibit to show how sexual orientation and gender identity have shaped American art. The installation, "Hide/Seek: Difference and Desire in American Portraiture," opened Saturday and is on view through Feb. 13.

"There's been an entire history hiding in plain sight," said Portrait Gallery historian and curator David C. Ward. "Telling the history of art without the history of gay people is like telling the history of slavery without mentioning black people."

Many have avoided the subject, he said, out of politeness or homophobia.

Ward said he was surprised to discover more gays were fired from federal jobs during the Red Scare of the Cold War era than suspected communists. In that political climate, he said, many modern artists turned to abstraction and coded language to portray themselves and those they loved.

The exhibit, funded primarily with private donations, comes 20 years after the Corcoran Gallery of Art in Washington canceled a retrospective of photographer Robert Mapplethorpe's homoerotic images for fear of a backlash from Capitol Hill.

The Smithsonian's exhibit is different, Ward said. Indeed, there are few pictures of men kissing, but curators carefully chose many of the 105 pieces for what's not obvious at first glance.

An 1898 Thomas Eakins painting, "Salutat," opens the exhibit, portraying a boxer's bare body – but in a way that challenges what it means to be male, considering its creation during the testosterone-charged 1890s, Ward said.

A 1914 painting of "Men Reading" by J.C. Leyendecker used for Arrow shirt ads treads a thin line between portraying two men as acquaintances or lovers. The artist modeled one character on his male partner.

Fast forward to 1998 with an Annie Leibovitz portrait of Ellen DeGeneres meant to capture the ambiguity of how the actress presented herself to the public before she came out.

Other portraits show male nudes, which are still less common in museums than portraits of bare women.

While the images are mostly tame, curators know such a show at the publicly funded Smithsonian Institution could draw scrutiny. Co-curator Jonathan Katz of the State University of New York at Buffalo said he tried for 15 years to mount a similar exhibit in New York City but found no takers.

"How did we get to a point where the banking world is more progressive than the museum world?" he said, noting many corporations already offer benefits to same-sex partners. "This was the last acceptable prejudice."

Tucson Observer Archives

Michigan Asst. AG Accused Of Harassing Student , Fired

LANSING (Observer Update) - An assistant state attorney general accused of harassing the gay student assembly president at the University of Michigan has been fired, his lawyer said.

Andrew Shirvell, 30, went on leave about a month ago after national criticism erupted over a blog he wrote characterizing student leader Chris Armstrong as a "racist" and a "liar" who promoted a "radical homosexual agenda."

Shirvell has not yet decided if he will appeal the decision to the Michigan Civil Service Commission, said his lawyer, Philip Thomas. "It was very clear something political had occurred," said Thomas, who has said Shirvell's actions were constitutionally protected as free speech.

Shirvell was at a disciplinary hearing at the Michigan attorney general's office on Monday.

The attorney general's office declined to make any immediate comment.

Armstrong's lawyer applauded the decision and said the state should go further and revoke Shirvell's law license.

"This clearly is the correct decision by the attorney general's office," Deborah L. Gordon said in a statement. "The next step must be a complete retraction of all the malicious lies and fabrications by Mr. Shirvell, and a public apology to Mr. Armstrong, his family and others Mr. Shirvell has slandered."

Armstrong has accused Shirvell of videotaping a late-night party at his off-campus house, showing up at campus appearances with a sign that read "racist" and "liar," and lambasting him on his blog. Armstrong had filed for a personal protection order against Shirvell but withdrew that request late last month.

Shirvell is allowed on the University of Michigan's campus but with restrictions. He is not allowed to make physical or verbal contact with Armstrong nor can he be in the same place as the 21-year-old student when it's likely Armstrong will be present.

Shirvell, one of about 250 lawyers in the attorney general's office, handled cases in which convictions are appealed in federal court, writing defenses for the state. It was not a management or supervisory position.

tucsonobserverarchives.org

LOTS OF FUN & LOTS OF FAMILIAR FACES AT DAVE AND FRANK'S ROAST AT WOODY'S SATURDAY

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Poet's Corner

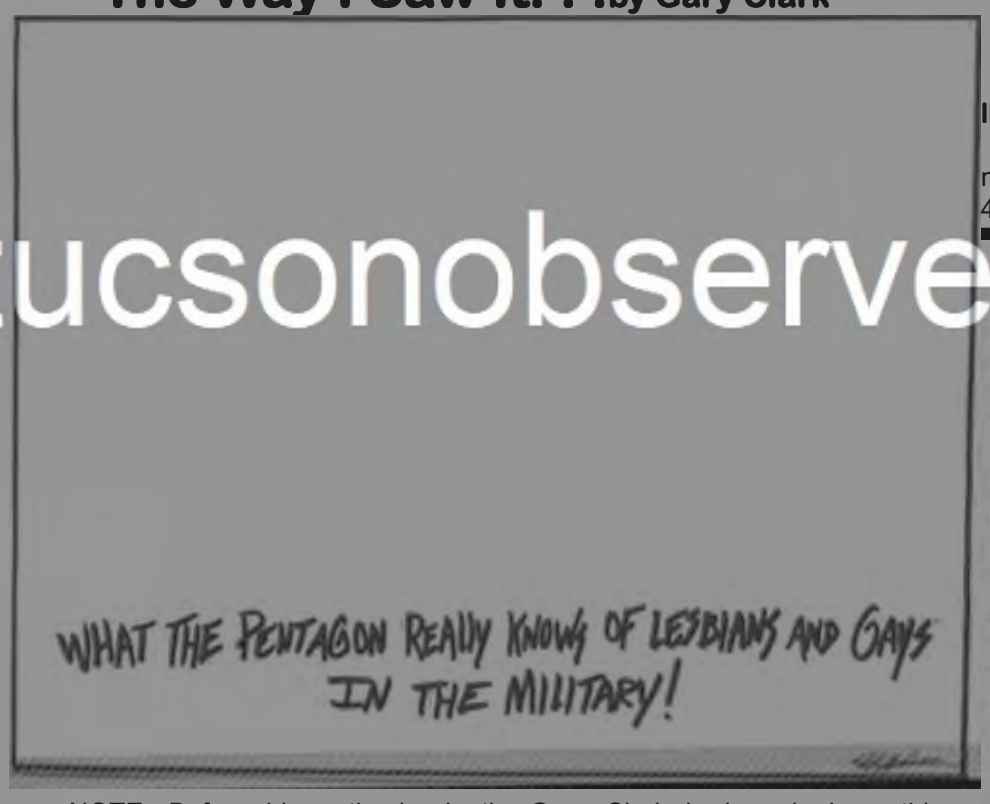
STOLEN BORDERS

By Ron Rose - Tucson

Rolling plains, not jet fueled planes, in 1492
Elk and deer and water clear, too bad we had to screw
The simple folk, in feathered hats, we stole the land they loved.
Placed on reservations, while the sun shone high above
Good old Walmart, nuclear power, polluted water, we enjoy
We're the thieves who stole America, sad lesson to employ,
Polluted shores, department stores, the bounty of our greed.
While victims of our looting are now so much in need.
So square the score my country men, and open borders now
To all who want to join us, just please, please tell them how
For we are all just immigrants, not so legal, you can see
Because we stole America, and made the natives flee.

Tucson Observer Archives

The Way I Saw It. . .by Gary Clark



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NOTE: Before his untimely death, Gary Clark had worked on this newspaper for nearly 40 years as graphic artist and Entertainment Editor. Part of his heritage was producing a weekly humorous drawing of life 'as he saw it'. It is amazing that most of these drawings are as funny and entertaining today as they were in past years. We have decided to open the 'vaults' on these faultless viewpoints. Enjoy!

Ian McKellen On Closeted Hollywood Stars

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HOLLYWOOD (Observer Update) - Ian McKellen, who has been out since he was 49, has always had a lot to say about being openly gay in Hollywood. He tells Popeater:

"I don't think any gay person is going to be happy and bring joy to themselves and other people unless they can be honest about their sexuality, and if other people don't like that honestly, that's a comment on them and not on the person who is being honest. That might seem a harsh thing to say to a young actor who is being advised by an agent to stay in the closet. There are no openly gay stars in Hollywood, so someone is telling them to shut up."

He adds: "If you're going around telling a lie you may get by but you won't be half as happy as you would be if you came out. If that means you have to give up hopes of being one of the three or four young sex symbols in Hollywood so be it. You probably weren't going to be one of those anyway. That happens by chance and it doesn't last for very long. There is a difference between living a private life and being in the closet. Being in the closet means you're lying about your life but just because you come out doesn't mean you have to talk about every affair you have. You don't have to talk about what you do in bed anymore than I have to talk about the food I eat."

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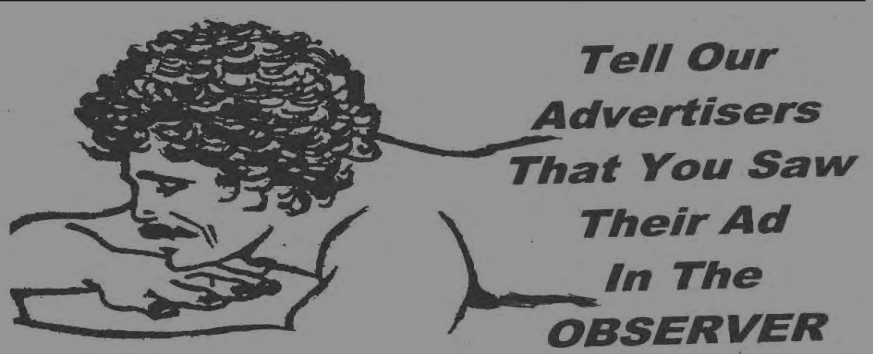

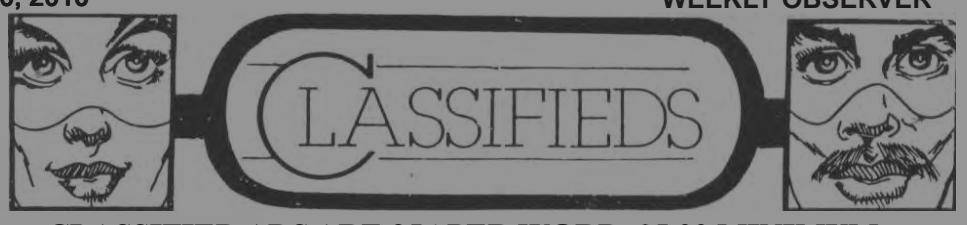

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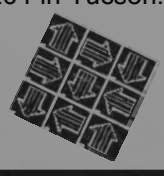

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Alameda County Voters Elect Country's First Transgender Judge

OAKLAND (Observer Update) - Transgender judicial candidate Victoria Kolakowski made history election night, becoming the country's first out transgender judge, reported the Oakland Tribune.

According to unofficial returns, Kolakowski had garnered 115,570 votes or 50 percent of the total, giving her a 3,329-vote lead over her opponent, Alameda County Deputy District Attorney John Creighton, for the Alameda County Superior Court's Office #9. With an unknown number of ballots remaining to be counted, Creighton has yet to concede the race and a final count isn't expected until Friday at the earliest. But Kolakowski was cautiously optimistic that her lead would hold and she would be sworn into office in early January.

"I've got the lead and it looks really good, but it is not 100 percent. It is not in the bag yet," Kolakowski told the Bay Area Reporter early Wednesday morning. "When the final votes are counted, I think I will have won." Yet the congratulatory calls were already coming in and the Gay and Lesbian Victory Fund, which helped Kolakowski raise money for her campaign, featured her on a call with its major donors Wednesday.

Her campaign had attracted national attention, with the mainstream media playing up the history-making potential of her campaign. But Kolakowski said voters paid little attention to her transgender status and were more focused on her resume. "If you look at the election coverage from the San Francisco Chronicle and Oakland Tribune it makes it sound like I ran as the transgender candidate in the race. That is not why people voted for me and not why people didn't vote for me," said Kolakowski, the wife of B.A.R. news editor Cynthia Laird. "People made their decisions based on who they thought had the best experience and was the best fit for the job."

It was the second time Kolakowski had sought a seat on the local bench. An administrative law judge for the state Public Utilities Commission, Kolakowski pointed to the support she received from progressive groups such as the Sierra Club and Equality California, the statewide LGBT advocacy group, in helping her overcome the financial advantage Creighton had in the race.

DAILY BAR CALENDAR

SUNDAY

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

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

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

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

MONDAY

THE BIZ - Closed for employee training.

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

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

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

TUESDAY

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

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

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

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

WEDNESDAY

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

COLORS - Open 4-10pm. Happy Hour 4-7pm, $3.75 Skyy cocktails, $3.00 Domestics and Well. ½ price appetizers 4-6. Full menu served until 10pm. Nightly dinner specials.

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

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

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

THURSDAY

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

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

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

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

FRIDAY

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

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

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

WOODY'S - Open 11am-2am; Happy Hour 11am-8pm (excl spec events). Full Menu Kitchen open 11am-11pm Back Pocket Patio Bar open 5pm-close. Enjoy the Live vocals and piano stylings of Susan Artemis 6-9pm.

SATURDAY

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

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

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

WOODY'S - Open 11am-2am; Happy Hour 10am-8pm (excl spec events); Full Menu Kitchen open11am-11pm. Back Pocket Patio Bar open 5pm-close. Techno and Top 40 Dance with DJ Jeff 9pm til close. Check our ad for Twice-A-Month Special Events or Themed Parties.

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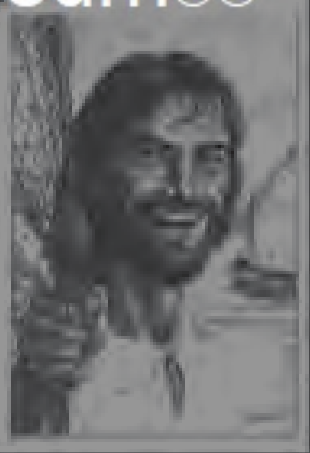

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Three Iowa Justices Removed After Gay Marriage Ruling

DES MOINES (Observer Update) - Iowa voters have voted to remove three state Supreme Court justices, siding with conservatives angered by a ruling that allowed gay marriage, the AP reported on 365Gay.com.

The vote was the first time Iowa voters have removed a Supreme Court justice since the current system began in 1962. The three who weren't retained were Chief Justice Marsha Ternus and justices David Baker and Michael Streit. They were the only justices up for retention this year.

They were on the court of seven justices who unanimously decided last year that an Iowa law restricting marriage to one man and one woman violated the state's constitution.

Gay marriage opponents spent hundreds of thousands of dollars on the campaign. A group of

CHIEF JUSTICE MARSHA TEMUS

former governors, lawyers and judges said the justices' removal would threaten Iowa's independent judiciary.

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Wisconsin Braces For Attack On DP Registry

MADISON (Observer Update) - Following Republican election gains in the governor's office and the legislature, gay advocates in Wisconsin are readying for a fight to preserve the state's domestic partnership registry, which grants dozens of protections to same-sex couples.

According to TheNorthwestern.com, Fair Wisconsin, the state's leading gay rights group, fears that Republicans' professed focus on economic issues is hiding a long-standing interest in repealing the domestic partnership registry, already the subject of an ongoing lawsuit in light of the 2006 constitutional amendment banning same-sex marriages and civil unions.

"'(Governor-elect) Scott Walker and (Lieutenant Governor-elect) Rebecca Kleefisch have been very clear about how they feel about domestic partnerships and we are prepared to defend the legislation,' said Katie Belanger, executive director of Fair Wisconsin, the state's leading gay rights advocacy group," reported TheNorthwestern.com.

Walker vetoed a domestic partnership measure as Milwaukee County executive and said he would have rejected the state's initiative. Meanwhile, Kleefisch compared same-sex unions to marriages with animals and inanimate objects in a radio show this year.

In the legislature, state representative Penny Bernard Schaber told TheNorthwestern.com that she expects Republicans in the majority will try to dissolve domestic partnerships.

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Florida Ends Drug Assistance For 350 With HIV/AIDS

TALLAHASSEE (Observer Update) - The Florida department of health with stop paying for pharmaceuticals for nearly 350 uninsured people with HIV/AIDS due to the state's budget crisis, the South Florida Sun Sentinel reports. The change will occur within the next 30 days, reported advocate.com.

Additionally, another 2,000 people are are at risk of losing the drug subsidy program if the state cannot close a $16 million budget shortfall. That same shortfall caused the state to put 2,300 people on a waiting list for the AIDS Drug Assistance Program. Tom Liberti, chief of the state's Bureau of HIV/AIDS, told the Sun-Sentinel that dropping the program would save the state about $10,000 per person annually.

According to the report, South Florida is one of the hardest-hit areas for new HIV infections per capita in the United States. Out of nine states forced to start waiting lists for drug treatment access, Florida has the largest. In June, President Barack Obama infused the states with $25 million to reduce the lists, and will receive another $50 million from a bill poised to pass Congress.

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