

INDEX TO PRIMA FACIE CASES

Chronological by Date Case Began

Cases from Personal Testimony

Personal testimony cases have been reviewed by a former intake investigator with the Alaska Human Rights Commission to determine intake jurisdiction if the state human rights law (Alaska Statute 18.80) were amended to extend protection from discrimination on the basis of sexual orientation. Cases marked with one asterisk (*) would be jurisdictional under an expanded AS 18.80; two asterisks (**) indicate cases which would require more information to determine jurisdiction; a cross (†) indicates cases which exhibit clear evidence of discrimination but which would not be jurisdictional under an expanded AS 18.80 for various reasons. For a discussion of these determinations, see the methodology to *Prima Facie*. AS 18.80, expanded or not, would not apply to most of the harassment and violence cases included here; those cases would fall under the purview of other laws.

1975

- * 1. M, 21: *Verbal abuse, housing discrimination (student housing)* 11/75
A University of Alaska, Fairbanks freshman is forced to move after informing his roommate he is gay.
- * 2. F, 23: *Verbal abuse, housing discrimination (apartment)* Late 1975 to 2/76
Three lesbian roommates and one roommate's child are evicted by their landlady's boyfriend.

1976

- * 3. M, 21: *Physical assault* Spring 1976
A student is physically assaulted by a friend who interprets a comment he made to mean he is gay.
- * 4. F, 23: *Employment discrimination (State of Alaska, Alaska Court System)* 8/76
A woman is denied a job interview after her potential employer learns she is a member of a gay organization.

1977

- * 5. M, 44: *Employment discrimination (Municipality of Anchorage, Equal Rights Commission)* Early 1977
The director of a human rights commission believes he was denied reappointment because of his public support for a controversial "sexual preference" provision in a failed human rights ordinance.
- * 6. M, 25: *Verbal abuse, employment discrimination (bar)* 1977
A bartender is fired after a patron makes a derogatory comment about his presumed homosexuality.
- * 7. F, 30: *Employment discrimination (Anchorage School District), harassment, verbal abuse* 9/77-1/78
Anchorage School District attempts to fire a lesbian teacher.
- * 8. M, 25: *Employment discrimination (bar), verbal abuse* 1977
A bartender loses his job because hostile patrons assume him to be gay.

1979

- ** 9. F, 24: *Employment discrimination (State of Alaska, Equal Employment Office)* 7/79
Fired for "insubordination," a temporary state employee believes she was really fired for being a lesbian.

1980

- 10. M, 26/M, 29: *Verbal abuse* 5/80
Young men in a passing car shout abusively at two men walking hand-in-hand.
- 11. F, 32/F, 51: *Harassment, death threats* Summer 1980
Founders of a support group for families and friends receive harassing and threatening phone calls.
- * 12. M, 41: *Threatened loan discrimination (bank)* Late 1980
Two gay men experience difficulty in obtaining a bank loan for the purchase of a condominium.
- † 13. F, 21: *Housing discrimination (room in single-family home)* 10/80
A woman is forced to move when she tells the woman whose house she lives in that she is a lesbian.
- ** 14. M, 30: *Employment discrimination (bar)* Late 1980
A bartender believes his supervisor "set him up" to be fired because he is gay.

1981

- * 15. F, 49: *Employment discrimination (State of Alaska Commission on the Status of Women)* 1981
The successful applicant to a position with a state commission loses the job after the Commission's chair permits a Commissioner to change her vote on the hiring because she learned the applicant is a lesbian.
- * 16. F, 22: *Employment discrimination (State of Alaska, Alaska Marine Highway)* 7/81
A woman is fired after a co-worker sees her dancing in a group of female friends at a local bar.
- 17. F, 36: *Threats, violence* 9/81
A woman and her female partner are threatened by the woman's ex-boyfriends because they are lesbians.
- * 18. F, 20: *Discrimination in services (Health care, State of Alaska)* 12/81-4/82
A staff psychologist, apparently disliking lesbians, forcibly discharges a lesbian halfway house patient.
- * 19. M, 49: *Employment discrimination (Nonpaid public service, State of Alaska)* 1981 or 1982
An applicant for a Blue Ribbon personnel committee is rejected because he wore an earring to his interview.
- 20. M, 28: *Verbal abuse, harassment, sexual assault (multiple assailants)* 1981 to 1982
A gay serviceman is harassed, threatened, and gang-raped by men in his unit.

1982

- ** 21. M, 21: *Bias, censorship (public radio station)* 1982
A disk jockey is reprimanded after playing a song "Hopelessly Heterosexual" on the air, and the song is censored.
22. Alaska Gay and Lesbian Resource Center: *Harassment (bomb threat)* 12/20/82
A staff member at a lesbian/gay agency receives a bomb threat on the answering machine.

1983

23. F, 24: *Verbal abuse* 7/83
Four women eating at a restaurant are verbally abused by a man who assumes they are lesbians.
- * 24. M, age unavail.: *Threatened employment discrimination (State of Alaska)* 9/83
Rumors that a man is gay threaten his hiring into a state job, and later jeopardize his chances for promotion.

1984

- * 25. Identity, Inc.: *Housing discrimination (commercial space rental)* 1/84-2/84
The director of a nonprofit lobbies its membership to prevent renting space to an agency which serves gays and lesbians.
26. F, 22: *Bias, perceived AIDS* Spring 1984
A co-worker asks a lesbian if she is "going to go and give everyone AIDS" by donating blood to a blood bank.
- ** 27. M, 27: *Bias (political campaign)* 3/84 or 4/84
A political candidate's volunteer press secretary is forced by the campaign manager to cancel an engagement to speak to a university class on lesbian/gay issues.
28. M, 23: *Attempted sexual assault* Late Spring 1984
A gay man is awakened by a male housebreaker attempting to assault him sexually.
- * 29. F, 32: *Employment discrimination (training, secretarial/business school)* Summer 1984
A woman is not invited back as a trainer at a school after a counselor there learns she is a lesbian.
- * 30. M, 31: *Employment discrimination (State of Alaska, Dept. of Health and Social Services)* 7/84
A youth counselor is denied the right to take youth offenders out on pass due to police allegations that he was once the "leader" of a "militant homosexual organization."
- * 31. F, 25: *Employment discrimination (retail bookstore)* 7/22/84
A bookstore employee is fired after a co-worker tells superiors that she is a lesbian.
32. F, 32: *Discriminatory harassment (nonprofit human services)* 1984
Female friends working at separate agencies are accused by the director of a third agency of having an affair.
- + 33. M, 21: *Employment discrimination (military)* Late 1984
A serviceman is discharged from the military after he tells supervisors he is gay.
- * 34. M, 27: *Threatened employment discrimination (Sitka School District), verbal abuse* Fall 1984
Sitka residents attempt to pressure Sitka School District to fire a teacher alleged to be gay.
- * 35. F, 25: *Employment discrimination (State of Alaska, Alaska State Troopers)* 10/84 or 11/84
A potential employer refuses to hire a lesbian unless she agrees to stop going to gay bars.
- + 36. M, 21: *Employment discrimination (military), harassment, property damage* 10/84-7/85
A serviceman alleged to be gay is investigated, and experiences harassment and property damage.
37. F, 30: *Harassment, damage to property* 12/84-5/86
Lesbians living in a rural area are repeatedly harassed by a male neighbor.

1985

- * 38. Metropolitan Community Church: *Discrimination in facilities rental (roller rinks)* 1/85 or 2/85
Three roller rinks refuse to rent facilities to a church with a large gay/lesbian membership.
- * 39. F, 25: *Threatened employment discrimination (health care)* 4/85-7/85
A health care practitioner attempts to pressure another practitioner to stop teaching her lesbian apprentice.
- * 40. F, 24: *Employment discrimination (nonprofit human services)* Summer 1985
A youth counsel believes her supervisor "set her up" to be fired because she is a lesbian.
- ** 41. Out North Theatre Ensemble, Inc.: *Discrimination in facility rental (Alyeska Resort)* 7/85
A resort refuses to rent a facility for the performance of a play with lesbian characters.
42. Out North Theatre Ensemble, Inc.: *Bias* 9/85
Theater-goers on mailing lists of two theater companies protest mailings advertising a play with lesbian characters.
43. Out North Theatre Ensemble, Inc.: *Bias, harassment* 9/27/85
A play with lesbian characters is picketed, and a protester takes pictures of people attending the play.
- ** 44. Out North Theatre Ensemble, Inc.: *Threatened discrimination in facility rental (Muni. of Anchorage)* 9/85
The director of a municipality museum threatens to disallow performance in the museum theater of a play with lesbian characters if there are any protests or pickets of the play.
45. Out North Theatre Ensemble, Inc.: *Bias (MarkAir, Inc.)* 10/85
A major airline accuses Out North of being dishonest about the lesbian/gay content of its plays when it solicited the airline as a sponsor.
- * 46. Identity, Inc.: *Housing discrimination (commercial space rental)* 9/85
A landlord refuses to rent commercial space to an agency which serves lesbians and gays.

1986

47. F, 28: *Discriminatory harassment (housing)* 2/86
An apartment manager harasses lesbian tenants after one of them speaks about lesbian/gay issues in a press conference broadcast on local TV news programs.
- ** 48. M, age unavailable: *Employment discrimination (instructor, nonprofit agency contracting with Municipality of Anchorage)* Spring 1986
An eight-year employee of a nonprofit is dismissed, possibly because he is gay.

49. F, 27: *Verbal abuse* 6/28/86
A man in a pick-up truck shouts derogatory names at participants in a gay/lesbian rights march.
- ** 50. F, 28: *Threatened employment discrimination (nonprofit human services)* 6/30/86
The director of a childcare program is threatened with job loss after participating in a gay/lesbian rights march.
- * 51. M, 39: *Threatened employment discrimination (State of Alaska)* 6/86-7/86
A nine-year state employee's job is threatened after he participates in a gay/lesbian rights march.
52. F, 27: *Verbal abuse, death threat* Summer 1986
A man shouts threats and abusive language at two lesbians outside a gay bar.
53. F, 30: *Harassment (indecent exposure)* 7/15/86
A drunk man exposes his genitals to a female customer at a gay bar.
- * 54. F, 25: *Employment discrimination (security agency)* 7/86
A lesbian is refused rehire with a security agency because of her "personal lifestyle."
55. F, 27: *Bias (street missionaries)* Late Summer 1986
Missionaries proselytizing outside a gay bar threaten bar patrons with damnation.
56. F, 25: *Verbal abuse* 8/86
Teenage boys shout derogatory names at two lesbians outside their apartment building.
- * 57. F, 28: *Employment discrimination (carpenter)* 9/86
A lesbian carpenter is fired because her employer wants to "protect the company."
- * 58. F, 31: *Employment discrimination (volunteer with youth organization)* 9/86
A woman is pressured out of leading a chapter of a girls' youth club when a parent is told she is a lesbian.
59. Anchorage gay bar: *Harassment (smoke bomb)* 9/86
A gay bar is evacuated after someone throws in a smoke bomb.
60. Gay alliance in small town: *Bias, unequal broadcast treatment of sexual orientation (radio station)* 12/86-1/87
A call-in talk show presents unequal (antigay) treatment of the sexual orientation issue.

 1987

- * 61. M, 20: *Harassment, threats, property damage (hate organization)* 2/87 and 10/87-11/87
University of Alaska, Fairbanks students believed to be gay experience threats and harassment from members of a hate organization called the "Anti-Fag Society."
- + 62. M, 59: *Employment discrimination (ministry)* 4/87
A minister is forced to resign because of his public activities on behalf of lesbians and gays.
- * 63. Out North Arts and Humanities, Inc.: *Threatened discrim. in facility rental (Sheldon Jackson Coll.)* 4/87
College faculty members attempt to prevent performance of a play with gay content in the college theater.
- * 64. Out North Arts and Humanities, Inc.: *Threatened discrim. in facility rental (Skagway School District), loss of income* 4/87-7/88
Skagway residents attempt to prevent performance of a play with gay content in the school multi-purpose room.
- * 65. M, 32: *Employment discrimination (direct sales)* 5/87
Direct distributors attempt to force another distributor out of the business because he is gay.
- * 66. M, 40: *Verbal abuse, harassment* 6/87
A street vendor experiences harassment from teenage boys shouting antigay remarks from passing cars.
- * 67. M, 22: *Employment discrimination (retail clothing store)* 11/15/87
A salesman in a clothing store believes he was fired for being gay.
- * 68. M, 17: *Public accommodations discrimination (non-alcoholic teen club), physical assault* 11/87 or 12/87
A youth is forcibly removed from a teenage club because he was not dancing with girls.

Cases from Documentary Sources

- d-1. M, age unavail.: *Murder of Peter Dispirito by Gary Lee Starbard* 8/10/74
Starbard is convicted of manslaughter and sentenced to one year's imprisonment for the stabbing of Dispirito, a gay man.
- d-2. Alaska Gay Coalition: *Violation of constitutional rights (Municipality of Anchorage)* 7/76
The Alaska Supreme Court finds that Mayor George Sullivan and the Municipality of Anchorage have violated the constitutional rights of a lesbian/gay organization.
- d-3. Alaska Gay Community Center, Inc.: *Denial of public funding (Municipality of Anchorage)* 4/19/79
The Municipality of Anchorage denies CETA funding to a lesbian/gay organization.
- d-4. Two F, ages unavail.: *Employment discrimination (U.S. Army)* 7/4/80
Two female soldiers are discharged from the U.S. Army for "homosexual tendencies."
- d-5. *Gay Alaska: Discrimination in advertising practices (Anchorage Welcome Service)* 7/80
The publishers of the Anchorage Blue Book reject an advertisement from a gay/lesbian publication.
- d-6. Imperial Court of All Alaska: *Harassment, eye injuries (tear-gassing)* 9/5/82
An unknown white man throws a tear gas canister into a hotel ballroom where a gay/lesbian social organization is holding a function.
- d-7. Identity, Inc.: *Harassment, threats* 1/83-6/87
A sampling of calls received by Identity, Inc. (Alaska Gay and Lesbian Resource Center) from January 1983 to June 1987.
- d-8. M, 26: *Sexual assault (multiple assailants)* 11/1/83
A gay male hitchhiker is gang-raped by five men.
- d-9. F, age unavailable: *Discrimination in child custody ruling (Anchorage Superior Court)* Late 1983
The Alaska Supreme Court rules that a Superior Court judge wrongly based his decision to award custody of a child to the father on the mother's lesbianism.
- d-10. Identity of Kenai: *Discrimination in advertising practices (Peninsula Clarion)* 3/84
A Kenai newspaper refuses an ad from an Identity-affiliated gay/lesbian information service.
- d-11. Arctic/Gay Lesbian Association: *Threatened denial of student activity funds (Associated Students of the University of Alaska)* 4/84
A lesbian/gay student organization is nearly denied student activity funds, but receives them on a technicality.

- d-12. M, 43: *Murder of Oscar Jackson by William M. Justice* 12/21/84
Justice is convicted on charges of first degree murder and related charges in the murder of Jackson, a gay man; Justice is sentenced to sixty years' imprisonment.
- d-13. Two F, four M, high school-aged: *Harassment, property damage, rape threat* 2/1/85
Six high school students are harassed and threatened by two young men yelling antigay remarks and obscenities.
- d-14. M, 55: *Murder of Raymond Barker by Charles Cole and Matthew Decker* 4/3/85
Cole and Decker are convicted of the murder of Barker, a gay man they befriended in an Anchorage gay bar.
- d-15. M, 20: *Assault* 11/12/85
A gay student is assaulted by another student wielding a machete and a baseball bat.
- d-16. Systemic: *Discrimination in services (dating agency)* 3/87
A dating agency advertises its services as being "exclusively for people interested in the opposite sex."

CASE SUMMARIES

Reading the cases. Cases from Personal Testimony are followed by Cases from Documentary Sources. Within these divisions, cases are arranged in chronological order by the date each case began, except for the five personal testimony cases from 1985 reported by Out North Theatre Ensemble, which are grouped together. For cases reported by individual respondents, each respondents age at the time the incident began (if available) and sex is given.

Information within quotation marks represent statements made by respondents, statements attributed by respondents to other individuals involved in their cases, or quotes from documentary materials. In some instances quotes include obscene or derogatory language; while objectionable, we have chosen not to delete such language if its occurrence was relevant to a case.

CASES FROM PERSONAL TESTIMONY

(Questionnaires and Interviews)

Male, 21

* 1 — VERBAL ABUSE, HOUSING DISCRIMINATION (STUDENT HOUSING) November 1975

Subject was a freshman at the University of Alaska, Fairbanks. Subject was in the coming-out process (i.e., had just become aware that he was gay) and had just become involved with a gay social organization on campus. He and his roommate had become friends, and Subject decided to tell his roommate he was gay. When he told his roommate, his roommate became irate; he "just screwed up his face in rage, turned red, and started shouting really ugly things" at Subject. The roommate said Subject could not share a room with him and told him to get out. Subject asked him why he didn't move, since he was the one wanting a change in roommates. The roommate insisted that Subject be the one to move. The roommate told many others in their dorm that Subject was gay.

Subject went to the campus housing authority and told them what had happened. They immediately offered him a single room. Subject thought this was unusual, as single rooms were not normally available to freshmen. He declined a single and eventually found a roommate in another dorm who had no problems with him being gay.

Subject notes that normally when there is a problem with roommates, the roommate with the complaint is the one expected to move. He was forced to move during the midterm examination period, which caused him difficulty with his studies.

** This case would be jurisdictional under an expanded AS 18.80.*

Female, 23

* 2 — VERBAL ABUSE, HOUSING DISCRIMINATION (APARTMENT) Late 1975 to February 1976

Subject lived in a basement apartment in Anchorage with two roommates, who were also lesbians, and the three-year-old son of one of the roommates. The upper level of the building was occupied by the female owner of the building, her child, and her boyfriend. Subject occasionally held support group meetings for lesbians in her apartment. She was also active in community organizing in the lesbian/gay community in Anchorage.

The female owner of the building frequently visited the Subject's apartment. She was especially friendly with Subject's roommate G, because both women had a child. The owner's boyfriend discovered that Subject and her roommates were lesbians. Over a period of about two months he became abusive to Subject and her roommates, and began frequently to call them "dykes" and other names. He forbade the owner from coming downstairs to visit with them. She still came down sometimes when he was gone; when he found out, Subject says, he "made a big fuss."

Subject became active in the early stages of the writing of a municipal human rights ordinance, which would prohibit discrimination on the basis of, among other things, sexual preference. One night the owner's boyfriend had evidently been drinking heavily. Subject was holding a meeting that night in her apartment. The boyfriend began