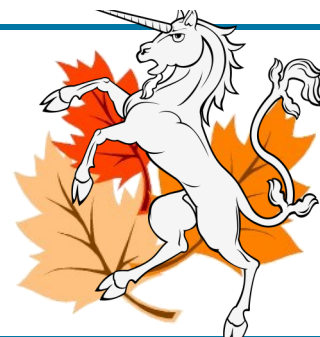


"Nunc Aut Nunquam"

The Unicorn HORN



A Publication of The Unicorn Motorcycle Club / Cleveland, Ohio / Est. 1971

September 2019

2205 St. Clair Avenue, Cleveland Ohio 44114-4046

Unicorn Meeting Held September 15th

Cleveland, Ohio - Members of the Club meet on September 15th in the Clubroom of the Leather Stallion Saloon. It was a jovial group of Brothers who gathered to discuss Club business and plan for our up-coming Fund Raisers and Holiday Party.

The 3rd Annual Fetish Night will be held on Saturday, October 12th, at 9 PM, on the Patio. Road Captain Noel is to co-ordinate with the Stallion Staff for publicity and other requirements. Before the event the Club will be meeting in the Clubroom for a Business Meeting and a Rigatoni Dinner at 6PM.

Annual Christmas Party Club Secretary Dennis Sherrill and Horn Editor Jack Giles will be hosting our Christmas Party in their Willowick Home on December 14th at 3PM. Jack stated that the Entrée will be Spiced Cranberry Glazed Ham, and to plan your carry-in side dishes accordingly, he will be coordinating the Dinner so please contact him. Please watch for further details.

Associate and Alumni Dues Waived: The Club voted unanimously to permanently waive the Dues for all Current Associates and Alumni until further notice, Letters will be sent to inform those affected. Members of those Classes still retain all of the Rights and Privileges the Class provides for.

Cards Sent; The Sunshine Pony, Jim B., passed around a couple of Cards to be sent out to members who need encouragement and Congratulations, as well he reminded everyone of up coming Birthdays, Please see the Calendar on the back page of the Horn.

REMINDER: The Annual Business Meeting and Election of the 2020 Officers will be held in the Clubroom of the Leather Stallion Saloon on November the 17th. The Meeting will begin at 6 PM. As there will be a rather long Agend, we ask that everyone be prompt and prepared. Start thinking about Nominees for all Officers. Additionally we will be Voting on whom will receive Awards from the Unicorn Charities Fund, please have your Nominees submitted by the October meeting so they may be vetted.

Unicorn MC Meeting Dates 2019

After many hours of contemplation, conciliation, and deliberation, imbibing in salacious amounts of libations, and in a delirious moment of weakness the following Dates have been set in Stone:

October 12, 2019 - UMC Meeting, LSS, 6 PM, Bar Event, LSS, 9PM
November 17, 2019 - UMC Annual Meeting and Election of Officers to Overthrow the Tyrant and Return Jack Giles from Exile, LSS, 6 PM
December 14, 2019 - Annual Christmas Party, hosted by Jack & Dennis, Willowick OH, 3PM

The Last Labor Day When LGBTQ Workers Have Rights?



BY JOHN CASEY - SEPTEMBER 02 2019

The White House is gunning to let us be fired for who we are, but there's hope on the horizon

There was a time, not too long ago, when you had to give the appearance of being straight for job interviews, dancing around the questions of children, spouses, and "What do you like to do in your off hours?" Then, once in your job, maintain that straightness by continuing to avoid conversations about your personal life, joining colleagues or clients for drinks and force involvement in conversations about kids, hot women or men, and sports or fashion. Personally, I spent a few nights with clients in strip clubs (and hating every minute of it), while they slammed down drinks and rated the women. I very begrudgingly went along. Oh, the performance art of acting straight on the job.

Most of us, likely, aren't required to do that anymore. Some of us still do because we're not out of the closet, or afraid that while interviewers and co-workers might accept us, there's that chance we could be treated just a bit different. Or, in worst cases, shunned, laid off, or not hired for a job we want because not everyone is as open-minded as we think. Thankfully, laws have been put in place in most cases, and in some states, to prevent discrimination, but could this be the last Labor Day where LGBTQ workers have those protections and aren't forced to act straight or cisgender again?

Next month, the Supreme Court will hear cases involving discrimination of LGBTQ people, and the Trump administration's Justice Department recently filed a brief saying that it's ok to have bias against them and to justify that bias to fire them. And last month, the Labor Department offered a new proposal that helps give religious employers who seek federal contracts freedom to hire and fire workers and contractors. Remember the antigay baker in Colorado? Well now, the possible domino effect of this can be pretty jarring and widespread since the government is the largest employer and contractor in the United States. You could be the very best at what you do, or the most economically feasible, but be discarded simply because you may have a picture of you and your partner's wedding as your Facebook profile image. These new Trump initiatives have absolutely nothing to do with professionalism, talent or work ethic.

Labor Day is defined as the celebration of working people. And at the moment, we in the LGBTQ community can be grateful that Fortune 500 companies, and other businesses, are celebrating LGBTQ workers, improving on their diversity programs and aiming to do a better job of recognizing our community. This year's HRC annual Corporate Equality Index gave a perfect score to 571 businesses including a record number who offer expanded support programs for transgender people. In this era, when the Trump administration goes backward, many companies march forward. This is great news, except for those who are entrepreneurs, work for smaller businesses, own mom and pop shops, or are contractors who might feel the burn of the Labor Department's cruel rule or the adverse effects of a heartless Supreme Court ruling.

Will these folks have to revert to the old days of shielding their personal lives to save their jobs or businesses? Will they have to play it straight when bidding on government contracts or positions? Will they reluctantly reach back to the darkness of the past and censor themselves? Pull down their social media platforms to rid evidence of homosexuality? Deny their personal selves so that they are not denied professionally? Force themselves to make crucifix cakes and hide their "sins" in order to make a living? Or on the other end, go to strip clubs? Dance around the questions of children, spouses and lifestyle? Will these folks feel that this Labor Day might be their last one to celebrate? Will they be forced to leave their professions or instead turn their worlds upside down to make ends meet?

This is a tumultuous time for all workers, gay, bi, trans, or straight. Trump's bizarre tariff negotiations with China and others, his lackadaisical stewardship over the economy and impulsive behavior and meaningless edicts to companies (I hereby order you to leave China!) and our allies, have put tremendous pressure on businesses from Fortune 500, to farmers, to suppliers who work for all of them. Without getting too wonky, there's a huge trickle-down effect when cost cutting measures are enacted by a large company or local employer. Everyone from suppliers to local retailers, restaurants to service shops shutter. And now, Trump wants to add further burdens to all this mess by adding the needless, callous, and dangerous laws of discrimination. If these regulations against our community succeed, it will affect jobs, livelihoods, and communities. There will inevitably be another damaging trickle-down effect.

So, let's hope that this year's worrisome Labor Day for our community is short-lived, and that by Labor Day 2020 we see hope on the horizon, perhaps a Democratic presidential nominee, 30 points ahead in the polls, who supports full and complete employment rights for LGBTQ workers? If Labor Day is about celebrating working people, then the proposition is that it's meant to celebrate all working people, not just white ones, white collar ones, straight ones, or cisgender ones. We need to ensure that just like the 571 companies who are working toward more inclusiveness, that our workforce in the U.S. remains diverse. That a government that establishes a Labor Day, preaches justice for all, and creates rules prohibiting discrimination continues to do the right things. And let's hope this Labor Day is the last one we have without the anxiety of conceivably having to force ourselves, in the future, to be straight again to earn a paycheck.

suit that the ordinance violated their religious beliefs by forcing them to custom-make products for same-sex marriage ceremonies. The court, voting 4-3, ruled that the rights to free speech and free exercise of religion include **"the right to create and sell words, paintings, and art that express a person's sincere religious beliefs."**

"With these fundamental principles in mind, today we hold that the City of Phoenix (the "City") cannot apply its Human Relations Ordinance (the "Ordinance") to force Joanna Duka and Breanna Koski, owners of Brush & Nib Studios, LC ("Brush & Nib"), to create custom wedding invitations celebrating same-sex wedding ceremonies in violation of their sincerely held religious beliefs," Justice Andrew Gould wrote in the opinion. Gould wrote that the city's anti-discrimination ordinance violates the state's constitution in this case.

"To conclude, we hold that the Ordinance, as applied to Plaintiffs' custom wedding invitations, and the creation of those invitations, unconstitutionally compels speech in violation of the Arizona Constitution's free speech clause," he wrote.

He specified that the opinion was not necessarily meant to apply to situations outside of the *Brush & Nib* case. **"The City's concern that our decision will undermine the anti-discrimination purpose of the Ordinance, or that it will encourage other businesses to use free speech as a pretext to discriminate against protected groups, is unwarranted,"** Gould said. **"Our holding today is limited to Plaintiffs' creation of one product: custom wedding invitations that are materially similar to the invitations contained in the record."**

The city further clarified that the ordinance is **"still a legal, valid law and remains in effect."** Justices John Lopez and John Pelander joined Gould in the opinion. Justice Clint Bolick filed a concurring opinion, while Justices Ann Timmer and Scott Bales and Judge Christopher Staring dissented. Staring was sitting in for Chief Justice Robert Brutinel, who recused himself from the case.

Pelander and Bales worked on the case to its conclusion despite both having retired earlier this year. The justices who replaced them, James Beene and Bill Montgomery, were not part of the vote.

"Our constitutions and laws do not entitle a business to discriminate among customers based on its owners' disapproval of certain groups, even if that disapproval is based on sincerely held religious beliefs," Bales wrote in the dissenting opinion.

Two courts previously upheld the constitutionality of the ordinance and rejected the arguments made by the artists. The *Arizona Court of Appeals* previously ruled that **"while the ordinance may have an incidental effect on free speech, its main purpose is to prohibit discrimination."** The appeals court concluded **"the ordinance regulates conduct, not speech."** The penalty for violating the ordinance would have been up to six months in jail and a \$2,500 fine.

It is important to note that this Suit was brought before any Same-sex Customers were turned away from the *Brush & Nib* business and was a **preemptive move by the owners who wishes to Discriminate.** They were Represented by the virulent *Anti-Gay Alliance Defending Freedom*, and religiously motivated (*Pro Bono*) legal organization which claims to **Defend Life, Liberty, Religious Freedom, and Family in America and Around the World**, with 3100+ Allied (*Bigoted*) Attorneys.



"Fuck Off! We don't serve your kind here!"

On Monday, September 16, 2019, the *Arizona Supreme Court Ruled Business Can Refuse Service to Same-Sex Couples.* A Phoenix business can refuse service to same-sex couples, overruling the city's anti-discrimination ordinance. The artists who operate *Brush & Nib*, which makes invitations and other wedding related items, argued in a 2016 law-



Inside the Supreme Court Discrimination Cases That Could Change LGBTQ Rights

On Oct. 8, the Supreme Court is set to hear three landmark LGBTQ workplace-discrimination cases. They are as intensely personal as they are political.



Until 2012, Aimee Stephens was, in her own words, “*basically leading two different lives, one for work and one for home.*” At work she dressed and presented as a cisgender man. Outside of work she dressed as, and could simply be, who she was: a woman.

“*In 2012, it came to a boiling point,*” Stephens said. “*I didn’t know if I could go forward. I knew*

for sure I couldn’t go backwards, so where does that leave me? And if that’s all there was, what was the point? So, in November 2012, I considered taking my life and getting it over with. I stood in the backyard with a gun to my chest for an hour. But I came to the conclusion that I couldn’t do it—that I liked me too much. I made the choice to live. And it was shortly after that that I drafted the letter to my boss.”

It was that letter that Stephens, 59, said led to her getting fired by her employer, **R.G. and G.R. Harris Funeral Homes** in Michigan, after six years of working as a funeral director. Stephens claims she was fired after she told her boss in the letter that she was transgender, and would henceforth be dressing according to the firm’s female dress code.

In March last year, the **Sixth Circuit Court of Appeals** ruled that Stephens—whose case is being supported by the **American Civil Liberties Union (ACLU)** and the **Equal Employment Opportunities Commission (EEOC)**—was **unlawfully fired and that federal sex discrimination laws protect transgender people**. The funeral home is challenging that ruling at the **Supreme Court**.

On Oct. 8, Stephens’ case will be one of three to be heard by **SCOTUS**, which will consider—and ultimately adjudicate—**if current sex discrimination laws protect LGBTQ people from workplace discrimination**. The cases represent as momentous a moment for **LGBTQ rights** and equality at the **Supreme Court** as the **Defense of Marriage Act and marriage equality rulings did in 2013 and 2015 respectively**.

The cases are being heard against the backdrop of the stymied passage of the **Equality Act**, which would enshrine anti-LGBTQ discrimination protections in federal law (**28 states presently have no protections for LGBTQ employees**). The Act passed in the House of Representatives, but has little chance of getting passed in a Republican-controlled Senate.

The other two SCOTUS cases will test if the current sex discrimination laws cover gay people, and will be heard together as they both focus on sexual orientation.



In 2010, Donald Zarda was fired from his job as a skydiver with Long Island company **Altitude Express** after coming out to a customer. Zarda died in a base jumping accident in Switzerland in October 2014, and his sister Melissa and his surviving partner Bill Moore are spearheading the case in his memory at SCOTUS, supported by the ACLU alongside lawyer

Greg Antollino and Pam Karlan of the Stanford Law School Supreme Court Litigation Clinic.

The trial court found that Title VII of the Civil Rights Act of 1964, which prohibits employment discrimination based on race, color, religion,

sex and national origin, did not cover sexual orientation. The **U.S. Court of Appeals for the 2nd Circuit** reversed that holding, claiming that **sexual orientation discrimination was a subset of sex discrimination**.

Like Stephens’ funeral firm, **Altitude Express** has taken the case to the **Supreme Court**. They argue that Zarda had touched a female customer “**inappropriately**” (which Zarda’s family denies). Zarda had told the customer that he was gay, as he prepared to jump with her, to defuse any awkwardness with them being strapped together.

That customer, argued Zarda’s lawyers, was homophobic. Altitude also alleged Zarda had behaved “**inappropriately**” in the workplace. Zarda claimed part of the discrimination he endured was because he “**did not conform to the straight male macho stereotype.**”

Melissa Zarda said, “**It’s pretty heavy. I feel like I owe this to my brother to fight as long as I can and if this case results in helping anybody in the LGBTQ community it just feels like the right thing to do. It is incredibly meaningful to do this in my brother’s memory.**”

“**We talked about the case non-stop. This was so important to him. He was so upset by this case. I don’t know if he would have believed it would get this far, but he would be really excited to see it go as far as it has. I know he’s glad everyone has continued the fight.**”

In the third case, Gerald Bostock, a gay man fired from his job as a child welfare services worker by **Clayton County, Georgia**, also claims to have been a victim of unfair discrimination based on his sexual orientation. As summarized in SCOTUSBlog, Bostock claimed that **the county falsely accused him of mismanaging public money, when it really fired him for being gay**.

The district court ruled that Title VII did not cover sexual orientation, a ruling upheld by the U.S. Court of Appeals for the 11th Circuit, and so Bostock has brought his case to the Supreme Court.

Bostock and his lawyer, Brian J. Sutherland, a partner at Buckley Beal in Atlanta, declined to be interviewed for this article. In a statement, Sutherland wrote: “**At this time, we believe our court filing demonstrates the importance of this issue. We look forward to the hearing and to helping ensure all LGBTQ people are free from discrimination in the workplace.**”

In responses to the three cases submitted to SCOTUS, the **Trump administration—led by Solicitor General Noel J. Francisco and Department of Justice attorneys—has argued that Title VII does not include sexual orientation or gender identity, and therefore it is perfectly legal to fire and discriminate against people on the grounds that they are LGBTQ.**

“**Unfavorable treatment of a gay or lesbian employee as such is not the consequence of that individual’s sex,**” the Justice Department argued, “**but instead of an employer’s policy concerning a different trait—sexual orientation—that Title VII does not protect.**”

The Department of Justice has also filed an amicus brief in support of Stephens’ employer, meaning that **the federal government—as well as arguing it should be legal to fire and discriminate against someone just because they are transgender**—is effectively arguing against itself as the EEOC is on Stephens’ side.

"We have a path to victory"

Ria Tabacco Mar, senior staff attorney with the ACLU's Lesbian Gay Bisexual Transgender & HIV Project, has told the press: ***"I certainly know better than to predict what the Supreme Court is going to do, but I do think LGBT folks have reason to be optimistic here. I think we're right on the law. Title VII of the Civil Rights Act prohibits discrimination because of sex, and I think as the lower courts rightly recognized it is impossible to disentangle discrimination because of sex and discrimination because of sexual orientation."***

Tabacco Mar said that over 200 well-known American businesses have submitted testimonies to the Supreme Court arguing in the LGBTQ employees' favor in their cases.

"They say that inclusive workplace policies are good, and have increased productivity and retention rates," said Tabacco Mar. ***"They are asking the Supreme Court, 'Regulate us now, we want these rules to apply to us.'"***

In Zarda's case, said Tabacco Mar, if he had been a woman, she would not have been punished for being attracted to men; therefore his sex is key.

The cases involve observing statute, not the Constitution, Tabacco Mar asserted, so those justices on the court ***"not inclined to take an expansive view on whether the Constitution protects LGBTQ people this case is free of that question. You do not have to agree that Obergefell (the marriage equality case) was rightly decided to find for the LGBTQ employees here. I think that is critical when you look at the current make-up of the court compared to when the marriage equality decision was taken."***

"We have a path to victory that includes justices who may not agree with the marriage equality decision, but who can interpret the words of the statute to mean what it says. Those are the votes we need. Those are the votes I think we can get. I think these cases will test whether the conservative justices are true to their textualist principles, which actually cut in favor of the LGBTQ employees here."

Anthony Michael Kreis, visiting assistant professor of law at Chicago-Kent College of Law, told us that even conservative judges have recognized trans people enduring discrimination because of ***"classic sex stereotypes."*** A concern, he said, would be if ***"hot button topics"*** like bathroom access and dress codes would give the SCOTUS justices' pause.

When it came to sexual orientation, Kreis' mind went back to Chief Justice Roberts stating, when the court debated same sex marriage in 2015, ***"I'm not sure it's necessary to get into sexual orientation to resolve this case. I mean, if Sue loves Joe and Tom loves Joe, Sue can marry him and Tom can't. And the difference is based upon their different sex. Why isn't that a straightforward question of sexual discrimination?"***

"Kavanaugh is more of a typical conservative as we think of them, but he is a textualist and these arguments are very grounded in textualism. If you get Justice Kavanaugh on board with the sex/sexual orientation analysis you probably have Chief Justice Roberts too."

This echoes in the arguments over the employment cases, said Kreis. But whether the court will rule in favor of LGBTQ people is ***"50-50,"*** Kreis said.

Chief Justice Roberts could provide the swing vote, Kreis thought, but if he doesn't all eyes will go to Justices Kavanaugh and Gorsuch. ***"Even though they are both conservative, they apply very different principles, which means they could diverge on their decisions. Kavanaugh is more of a typical conservative as we think of them, but he is a textualist and these arguments are very grounded in textualism. If you get Justice Kavanaugh on board with the sex/sexual orientation analysis you probably have Chief Justice Roberts too."***

The Trump administration telling the Supreme Court that it should be legal to fire someone just because they are gay is ***"partisan gloss,"*** and not re-

flected in the decision of the lower court, Tabacco Mar said. ***"They are trying to make into a political issue when really what this is about is what text of the statute means."***

The Supreme Court is mindful of the era it is sitting in, said Kreis. ***"The court doesn't like to be out of step with public opinion, particularly on hot-button issues like this. They will really think about these cases."***

Kreis laughed. ***"Of course, there is also the chance I am wrong, and their priorities about LGBTQ rights and claims color their perspectives too much and they won't make the connections that others do. Justices Kavanaugh and Gorsuch are the ones to watch. It is conceivable and plausible that either one of them votes for the LGBTQ employees, but time will tell."***

When it came to Stephens' case, Tabacco Mar said, there was ***"no way"*** to separate her being fired because she is transgender from her sex. There was no objection to her work performance. ***"The only objection was to her living openly as a woman—something the employer would have had no objection to if Aimee had been assigned female at birth. She was assigned male, which led to her employer rejecting who she was, and so putting her out of a job."***

"We've got a powerful history of Supreme Court interpretation of the sex provision to include broad forms of discrimination based on sex," said Tabacco Mar.

"We can't be judged on the kind of man or woman we are. Our sex should be irrelevant to employment decisions. The same applies to men like Don—men who are not considered the 'right kind of men' because they are gay or bisexual."

The ACLU is referring to a 1989 SCOTUS case involving Ann Hopkins, a Price Waterhouse employee who sued her employer after she was denied partnership because her firm objected to how she dressed and did her make-up.

"Aimee's case flows on from that: We can't be judged on the kind of man or woman we are. Our sex should be irrelevant to employment decisions. The same applies to men like Don—men who are not considered the 'right kind of men' because they are gay or bisexual."

Some observers have said the sex discrimination laws should not be ***"extended"*** in this way—but Tabacco Mar disputes these LGBTQ cases are ***"extending"*** the law at all. ***"We're talking about applying the law to a particular form of discrimination."***

"When the Supreme Court ruled in favor of Hopkins, it made clear that gender stereotyping was as actionable as sex discrimination." Such cases test our increasing understanding of what sex discrimination looks like, said Tabacco Mar. In 1998, the Supreme Court accepted that a male oil rig worker had been sexually harassed by his male co-workers; it was conservative justice Antonin Scalia who wrote the decision for the court.

"The Supreme Court will not be willing to roll over for the Trump administration just because the Trump administration says so," said Tabacco Mar. ***"Hopefully, the justices will continue their trend of skepticism."***

"We are not asking for anything special. We just want the basic human rights that we should already have"

When we spoke, Aimee Stephens was ***"hanging in there."*** She had a terrible cough, and was resting after one of her regular dialysis treatments, her kidneys having failed in 2014. ***"I've had a few good days in the last week, so all in all I'm OK,"*** said Stephens. ***"It's very draining. I come home exhausted and take a nap, after each treatment. I guess I will be on dialysis as long as I live."***

Overall, Stephens wishes her case wasn't headed to SCOTUS, ***"because I already won in the lower court. But it is what it is. Maybe now we'll get"***

clarification on it from this point on and know where we stand. When it first started out, I didn't even think about the fact it could end up in front of the Supreme Court, but now that it has: Bring it on and let's get it done."

In 2012, having moved beyond the thoughts of suicide she recalled at the beginning of this article, Stephens gave her boss the letter informing him of her transition, laying out **"where I was at in my life and what was going on and where I needed to be. It said I would come back from vacation in my true self, dressed appropriately in women's attire according to what that was at the funeral home."**

Her boss looked at the letter, **"and said, 'This is not going to work,' and handed me a letter of dismissal along with a severance package."** If she accepted those terms, said Stephens, she would have **"signed away all the rights I had to see him in court."** Stephens came home, talked to her wife Donna, and both decided to reject the severance package. Then they got in touch with the ACLU.

"I had been doing my job and doing it well, and I didn't understand why what was happening had any effect on my job performance. Basically, they fired me because I was transgender."

Stephens' former boss, Thomas Rost, has said he would have felt he would be **"violating God's commands"** by allowing Stephens to come to work as a woman. As Bloomberg Businessweek reported, the right-wing group **Alliance Defending Freedom**, which is representing the funeral home, said that letting Stephens come to work dressing and presenting as a woman would **"disrupt the healing process of grieving families."**

Getting fired from the funeral home, **"bothered me a lot,"** said Stephens, **"because I had been doing my job and doing it well, and I didn't understand why what was happening had any effect on my job performance. Basically, they fired me because I was transgender."**

In a lower court, Stephens discovered her employer had used the reasoning that she didn't adhere to the dress code.

"I was perfectly willing to adhere to the women's dress code. His problem was he didn't see me as a woman. He saw me as a man and therefore if I did not wear a coat and tie I wasn't adhering to his dress code. He never got to see me as a woman."

The case, said Stephens, had been **"a rollercoaster ride,"** after she realized this kind of discrimination had not just happened to her. **"I took up this fight not just on my behalf, but for everybody, all transgender people."**

Stephens was born and raised in Fayetteville, North Carolina, and moved to Michigan 20 years ago. She thinks her sisters realized **"something was different"** with her. Her biological father died when Stephens was 1, the man her mother remarried **"is the only dad I've ever known."** She took on his surname as her own.

From a young age, Stephens said she knew she was **"different,"** but didn't know how—this was many years before the internet or when trans issues were discussed. **"I was brought up down South. It certainly wasn't something we talked about every day."**

Finally, through the internet Stephens realized she wasn't alone, but wasn't sure **"what to do about it."** She started to see a supportive therapist in 2008, Stephens began to **"get clues about what I needed to do."**

Donna, Stephens said, has been **"right by my side. We've known each other basically all our lives. We were best friends growing up."**

Both had been married previously before marrying each other 20 years ago. **"We've been together ever since,"** said Stephens. **"We didn't foresee any reason to grow apart (after her transition). You don't just walk away and leave your best friend. It took her a little while to accept everything that was happening as it would anybody, but there was no talk of us getting divorced or me moving out. We worked through it and here we are."**

Stephens' mother died in 2003, long before her transition in 2012. **"I wrote my dad a personal letter, and put pictures in it. When he had read it, he told my sister that I made a better-looking woman than I ever did a man."** He died this year.

Stephens' sisters are very supportive. They all speak two or three times a week. The rest of her family has been mostly supportive, except for one aunt **"who told me I didn't exist any more"** when Stephens began her transition. **"Since then, she's come around. In fact I saw her, earlier this year down south, and she came up to me, hugged my neck and told me, 'I still love you, I still care about you.'"**

"If you can't be true to yourself you're not only not going to be true to yourself, you're not going to be true to anybody or anything else. It's not easy, it never will be, but it's something that's worth it in the end"

"If I had to do it all over again I would," Stephens said. **"And to other transgender people on the verge of coming out, wondering what to do and how to do it, I would say, more than anything else you have got to be true to yourself. If you can't be true to yourself you're not only not going to be true to yourself, you're not going to be true to anybody or anything else. It's not easy, it never will be, but it's something that's worth it in the end."**

Stephens got her first job in a funeral home in the early '80s when still at college in North Carolina. The work bothered her at first. She couldn't sleep after helping prepare the first body she ever embalmed. **"But I told myself, Look, you gotta work here if you want to stay in school. Learn to live with it, or else."** Her career in funeral homes began.

Before her health problems, after her funeral home job ended, Stephens worked as an autopsy diener, cutting and removing organs for pathologists to look at. It was a natural flipside of the funeral home work she had done, preparing dead bodies for families and loved ones to view.

After her kidneys failed, Stephens has not been able to work. She is **"wiped out"** after her three-times-a-week treatments, but she would love to return to work **(the ideal job would occupy her for the other four)**. If she could work again, she would teach funeral home-related skills at mortuary school.

But first, there is the case to fight at the Supreme Court. Stephens hopes the justices look at the history of favorable lower court rulings, uphold those rulings, and **"once and for all say there are protections for LGBTQ people."** I hope they recognize the protections are there, and that being transgender is not new. We've always been here. It is just now there's enough of us to come forth, and that it's open for discussion.

"We're human beings. We deserve the same basic human rights as everyone else has. That's all we're asking for. We are not asking for anything special. We just want the basic human rights that we should already have anyway."

"We are fighting for Donald, and for all LGBTQ people"



The last years of Donald Zarda's life before his tragic death in 2014 were **"pretty much dominated"** by the case, his sister Melissa, a graphic designer, told the press **"We talked about the case non-stop. This was so important to him."**

Donald loved skydiving, Melissa said. **"It was everything to him. Before the case it was all he talked about."** There were always videos and photographs to see, and Donald went back

to school to get a degree in aviation-related management and administration. **"Anything that involved being in the air was all he cared about"**

An **"incredibly smart"** young boy, Donald was always intrigued by airplanes and air travel. Both his mother and father had pilot licenses. As an

adult he spent a lot of time skydiving with friends and others who shared his passion. Melissa is scared of heights, and **“a huge regret”** was that she never jumped with her brother. He was warm, generous, and loving as a brother, and loved sharing his professional passion with others.

Donald’s family was immediately supportive after he came out; **“it was almost not an event,”** said Melissa. He did so in his mid-20s. **“I don’t think he was delaying telling us for any other reason than he was busy traveling the world and skydiving. He was not around that much.”**

He died in 2014. **“Just hearing you say it gave me goosebumps,”** said Melissa. **“Even years later the emotion tied up with it is still that intense. He kept our family together. We’re still tight, but he was such a force. It has been a devastating loss, unbelievably hard.”**

Donald felt strongly that he was a victim of homophobia. **“He absolutely was a fighter,”** said Melissa. **“He could not stand anything unfair. He felt he had been discriminated against, and was immediately prepared to fight. He knew it was wrong, and he was going after it. He wanted to stand up, in case it happened to anyone else.”**

Fighting the case in her brother’s memory **“is obviously a surreal thing,”** said Melissa. **“I can’t believe how far this has gone. It has totally taken me out of my comfort level. But it was a no-brainer. Of course, we wish he was here to see this and for us to fight this with him.”**

Before the case, Melissa herself, **“like so many people,”** didn’t realize that LGBTQ were not protected against discrimination in the workplace. **“I can’t bear that. I can’t bear the idea of anybody not feeling like the rights that are allowed to me are not allowed to them. It’s just not fair.”**

Had Donald been alive, he would have been grateful for everyone’s support, and **“then buckle down and fight as hard as he could knowing what was at stake. That would have made him fight harder.”** It motivates Melissa too. **“This has been so upsetting. We saw how badly it hurt him, and we hear from LGBTQ people about the discrimination they have suffered. We are fighting for Donald, and for all LGBTQ people.”**

“The Equality Act and what happens after SCOTUS decides”

A pro-equality decision from SCOTUS would be historic, said Tabacco Mar. **“This is about the ability to earn a living, put a roof over our head and food in the refrigerator, rent an apartment, provide for ourselves and keep ourselves safe.”**

A ruling in favor of the LGBTQ workers, Tabacco Mar said, would also send a powerful message about the unacceptability of anti-LGBTQ discrimination in many contexts; a decision against the workers **“would send a deeply disturbing message about the membership of LGBTQ people in society, pose a barrier to inclusion, and place LGBTQ people at the higher risk of violence and discrimination.”**

The cases are taking place alongside the frustrated progress of the Equality Act. Tabacco Mar said, **“I don’t think there is anything less legitimate than getting a decision from the Supreme Court to say it’s illegal to fire anyone ‘cos they are LGBTQ. After all, marriage equality came from SCOTUS.”**

“There are contexts where federal law simply has a gap which Congress is going to have to fill”

“However, we will need action from Congress to expressly state that it’s illegal to discriminate against someone because they are LGBTQ for two reasons. One is we want to be crystal clear, to the extent there is any ambiguity in the word ‘sex’ for employers, that there is no question in anyone’s minds.”

“Secondly, federal law prohibits sex discrimination in some, not all, contexts. It prohibits discrimination in the workplace, schools, and healthcare. But it does not protect against discrimination in places of public accommodation, like bakeries. So there are contexts where

federal law simply has a gap which Congress is going to have to fill”

In the lower courts, President Trump has appointed a number of conservative judges, with anti-LGBTQ records and who would not be favorable to such claims, Anthony Kreis said.

If SCOTUS rules in favor of the LGBTQ people in these three cases, **“will the lower court judges be as fair and impartial with such cases as we would like them to be?”** he asked. Like the ACLU, for Kreis, a positive ruling would **“communicate something very powerful and positive more generally about LGBTQ people.”**

If SCOTUS doesn’t rule in favor of the LGBTQ workers, then all eyes turn to the currently stymied progress of the Equality Act. Kreis said a negative decision could embolden those who would like to discriminate more against LGBTQ people.

Politically, Kreis thinks a SCOTUS ruling against the LGBTQ workers would not energize Trump supporters as much as forming an issue to energize progressive voters—suburban voters, and particularly educated suburban women in places like Maine, northern Georgia, and Denver, he said—to get behind Democrats standing for Senate, with an eye on getting the Equality Act finally passed if the Senate became Democrat-controlled.

“You don’t need both the SCOTUS decision and the Equality Act, but there is no harm in having both”

For Kreis, **“The Equality Act would be the surest way to effect non-discrimination as it would expressly protect people around sexual orientation and gender identity, and it would breathe a tremendous amount of life into civil rights in this country.”**

“That being said, it is also important for SCOTUS to show it understands the relationship between sexual orientation and transgender discrimination and sex discrimination. If the court rules in favor of LGBTQ people, it is important to codify that in statutory law, and because it sends an important message beyond expanding protections.”

“It’s the belt and suspenders approach. You don’t need both the SCOTUS decision and the Equality Act, but there is no harm in having both. They’re achieving the same goal, twice, and that’s a fine thing to do.”





A FEW YEARS BACK Cyclops became a non-biker, after a final ride on the BMW R-75 concluded with jaws aching from clenched teeth at the increased menace of our outrageous auto traffic, and the realization that what was meant to be relaxation and fun, was no longer either. Now after more of the same high-risk transport on Cleveland's out-of-control Interstate freeways and streets which feel as if freshly bombed and strafed by fighter planes, plus a most unpleasant accident, Cyclops stopped driving his car for about six weeks until selling it to a **Leather Stallion** regular, and surrendered his Ohio driving license. Despite the kindness of many friends who provide needed lifts to rare book hunts, library sales and occasional shopping trips to **Whole Foods**, **Giant Egret**, and **Aldi**, plus forays to such exercises in futility as auto races at **Blossom Music Festival** and to major league sporting events such as **Corn Holing at the Leather Stallion**, Cyclops is learning the ropes of the Regional Transportation System which is reasonably dense, uncoordinated, under-financed, in need of newer equipment, and very understaffed.

A look at the website map of [**<Ride RTA.com>**](http://<Ride RTA.com>), will vouch for the system's density, but the trip scheduling section is a bit confusing. Much of the vehicular equipment has seen better days: most of the buses seem to have long abandoned replacing shocks and springs which of course, traversing our devastated streets are a joy only to one's orthopedics specialist or proctologist. Buses and Rapid Transit rail trains coordinate only by chance and much the same is the case for routes which revolve around **Cleveland's Public Square** which, from the usual neglect by the city, has grown into an unkempt mass of weeds, sleeping vagrants, beggars, the mentally challenged and spewing skyward, greasy blue smoke from a restaurant which faces the once venerable **Terminable Tower** and the formerly elegant Higbee department store now turned into the neon vulgarity of the **Jack Casino**. Cyclops remains undaunted and will be reporting in future issues about his progress in coping with **RTA**. (and **RTA's coping with Cyclops**).

COOKIE OF THE MONTH....They're back! Those utterly decadent **Toffee Crunch** cookies with which **Heinen's** stole our hearts and clogged our delighted arteries last fall. But be advised, or ill-advised, because **Heinen's** being **Heinen's** will offer these triumphant goodies for a mere month before replacing them with practically anything, usually far less memorable. (*Brighter minds would make **Toffee Crunch** cookies a permanent flagship item!*) Be advised, they're neither cheap (*what great things are?*) nor for the diet conscious ;but what a way to go In their place, stacks of rich, heavy chocolate chip cookies. Hasten to your nearest **Heinen's** and, with luck devour 'em while ye may! Breaking News!...today's check of the cookie table at the **Rocky River Heinen's** produced not a single **Toffee Crunch**, but, instead, boxes of four heavy, well laden chocolate chip cookies, each generously sprinkled with sea salt. With either of these numbers, your cardiologist will thank you, but who cares!

WHOLE FOODS TAKES ON ANOTHER BIGGIE.....**Whole Foods**, now the prestigious grocery arm of **Amazon**, heretofore for it's notorious floor stackings of fifty and sixty-dollar bottles of fine vino, has just gotten metaphorically down and dirty against the highly successful **Winking Owl** house wines of **Aldi**. **Winking Owl** Vineyards, a trade name for a special line of wines bottled by **Gallo** at Modesto, California are available in several varietals, priced locally at \$ 3.99. They are sound and quite palatable wines, a commodity dear to those of us used to drinking wine daily with dinner, and they have been flying off the shelves of the German retail chain. **Whole Foods**, momentarily abandoning its taking aim at the astonishingly high meat prices at **Heinen's**, has recently brought out its own line of wines for

daily consumption and cooking under the label of **Three Wishes Vineyards**. So far there are only four varietals available: **Cabernet Sauvignon**, **Merlot**, **Chardonnay**, and **Pinot Grigio**. These wines, like **Winking Owl**, are merely vinted but not produced by **Three Wishes Vineyards** which is really not a vineyard, but a shipper's trademark for wines purchased from small, independent vineyards and blended to specification by the marketing company. Also, according to specific laws. Non-vintage California wines given a generic name such as Chardonnay, for example, must contain no less than fifty-one percent of wine made from those grapes. If a vintage is named, the wine must contain seventy-five percent of the named varietal. **Whole Foods** has priced its **Three Wishes** wines at \$ 3.79, temporarily, one assumes, under cutting **Aldi** by twenty cents! We await further comment until we open our bottle of **Three Wishes Merlot** next week!

A pet peeve of Cyclops is not necessarily a dislike of the Cuyahoga County tax of seven cents a bottle levied on wine, which allegedly goes to local support of the arts, but that as a courting of such right wing groups as the Evangelicals, some stores, **Whole Foods** for example, list this on the sales slip as a sin tax. Constitutionally speaking, the determination of what is or is not a sin is not a governmental prerogative. As to the question of Jesus eschewing wine as a something sinful, I believe He had a successful turn at turning water into it. Should Jesus had made of habit of consuming the local water of his day, He probably would have been dead of diphtheria by the age of two!

SPEAKING OF CULINARY MARVELS...**The Cafe at the Cleveland Museum of Art** recently produced one of the most delicious soups we have ever tasted. **Lamb curry** whipped up together with fine stock and laced with cilantro cream, stole our hearts and re-filled our bowls a second time recently. A week later, while waiting for the Blue University Circle bus outside the museum, I was chatting up this soup with a young kitchen worker there who allowed that this Lamb Curry soup had been the pride and talk of the entire kitchen staff. Trust me, that's high praise indeed!

SPEAKING OF THE CMA....Their very popular "**Medieval Monsters**" has only a short time left to run. This deliciously subversive show about how terror and hatred can be used by governmental and clerical authorities to keep the common man in line, also offers a rare once-in-a-lifetime to see some of history's most magnificent books from the collection of the **Morgan Library at New York**. Breathtaking and thoughtful. Closes

SUMMER READING is always a treat. Cyclops has a great habit of never moving about the city, or enduring promptness denied at appointments without some sort of reading material. The young, of course, have sold their souls to cell phones which, judging by the enormous amount of fiddling dialing and redialing with these objects which one sees everywhere, they are not filling the bill. Occasionally, one of the cell phone users hits pay dirt and falls into a comatose sense of bliss which requires only a prayer rug to achieve complete nirvana. Usually, however, cell phones, in sic transit, or more piteously, at a gay bar, inspire scowls or tears, unless one is seated beside the likes of Dr. John in which case they're preferable company after all.

READERS OF MARGARET ATWOOD, the brilliant Canadian novelist and fans of "**The Handmaid's Tale**" her famous work of a mythical (*We hope!*) theocracy, has just published a sequel entitled "**The Testaments**" It has been nominated, and shortlisted for the Man Booker Prize, arguably the most prestigious literary award for a writer in the English language. Ms. Atwood has previously won "**the Booker**" for "**The Handmaid's Tale**". It is currently available, so far as we know, at **Loganberry in Shaker Heights** and at **Mind Fair** at the **Ben Franklin** five-and-ten store at **Oberlin**.

AMANDA-GATE-Just for Fun.....The rumour mill is simply on fire with buzz about **Amanda Reckonwith's** annual comeback on Halloween at the **Leather Stallion Saloon**. Her rivals, of which there are so many Wannabe Reckonwiths, claim unsuccessfully, that she beat the rap for shoplifting at the **Buenos Aires branch of Harrod's** when she simply pointed out that the famous London-based store emphatically carries nothing loud and vulgar enough that this icon (*Herself*) might deign to wear. It might also be noted

that *Harrod's womens shoe department* doesn't carry anything larger than a size 14! Amanda also blasted those terrible accusations that she is an opioid abuser simply because she stomps to pieces, with her size 17 red and gold glitter combat boots, all the manufacturers' samples sent to her at the anonymous request of her countless enemies in the *Statehouse at Columbus*. The ageless (*and how!*) diva maintains that all the old values are gone with the wind but, after all these years and years, her God-given artistry will carry the day. Amanda firmly queries, what is Halloween about without a pizzaz-laden old hag! Plans are afoot to tape her performance which will simultaneously be streamed, on the Horror Channel.

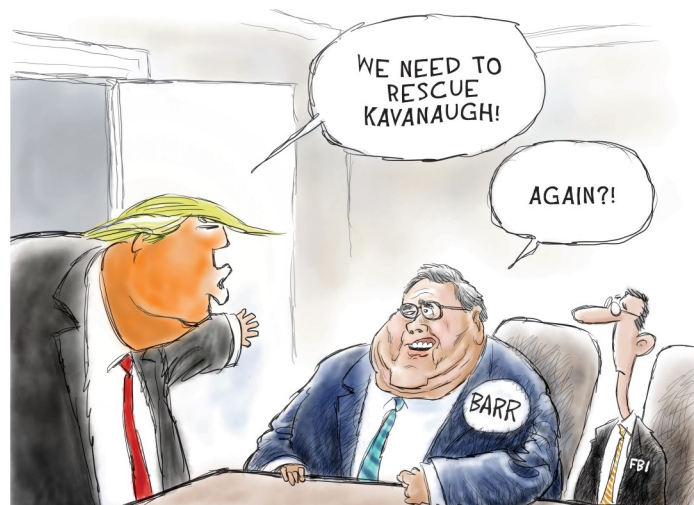
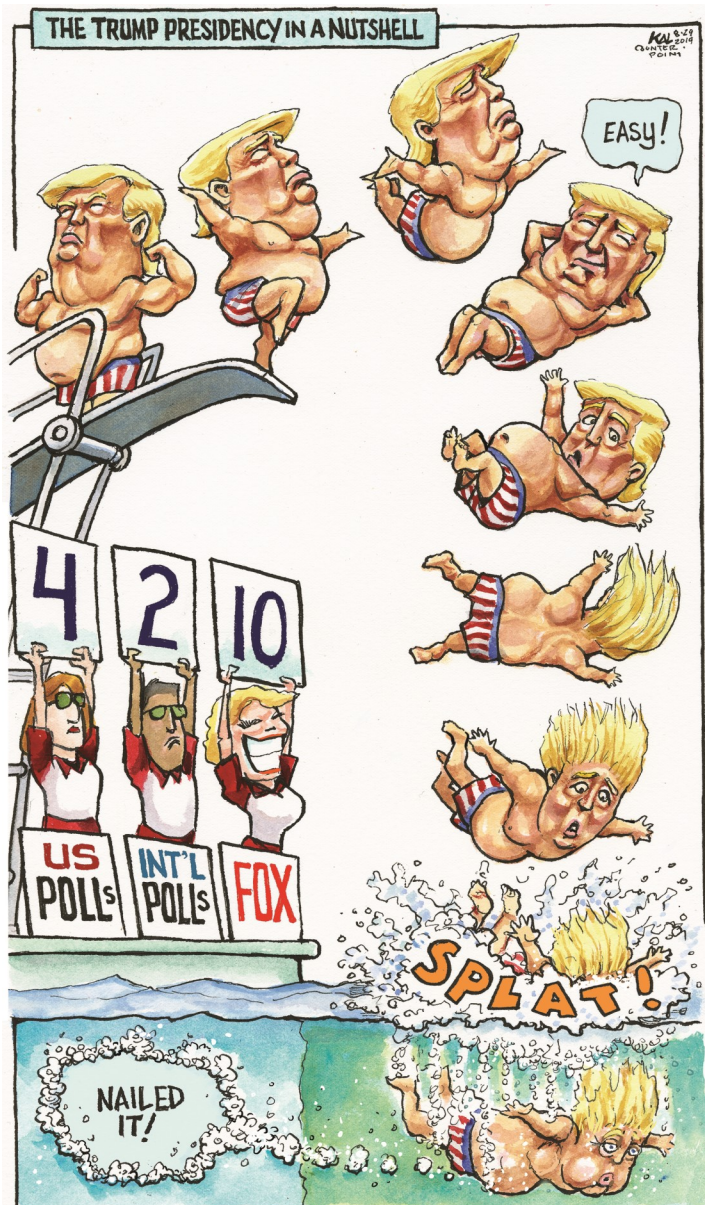
MOST RIDICULOUS (Sub) HEADLINE OF THE MONTH....from the front page of the "*New York Times*", 11 Sept, under the main headline of the President's ousting of super-tweed and hawk, John Bolton as his national security adviser: "*Exit Sets Trump Free to Advise Himself*".

ALSO SPEAKING OF RIDICULOUS...., The political scene is simply lit-up like a *Campfire Girls marshmallow roast*. The Democrat's debates are turning into self-immolation TV specials. Thank the gods, that *Senator Kamala Harris* had the great sense to remind all the participants during the third session that the object of the campaign is to oust *Donald Trump*, the common enemy, and, with apologies to the Hardings, just about the commonest in history. Trump is El Toro and the nation is his china shop; make that the world. Trump subjects our nation to countless diversions to conceal the truth, profiteering, enormous corruption, and other misdemeanors from dismissals, racism, cruelty to children, possible treason, faux pas, to medieval style denial of scientific fact, trade wars, and the pronouncement of endless other lies and fabrications. It's all too sad and terrible to even parody or to mock. This creature is an international jaw-dropper. Yet, he is eternally and astonishingly adored by his cult of tragically misguided disciples. God help America; ASAP!

NEWS FROM THE HOOD Well genital readers, I guess it simply had to happen. Last month, during the 3 AM dosing time, at the *Dstrkt (sic) Hybrid Lounge*, which is directly across the street from our home bar, all hell broke loose resulting in *two shootings and two stabbings*. As a first hand spectator to the endless carrying-on over there during a frantic *St. Patrick's day melee*, with countless brawls and visits from the police, that things couldn't get any worse. *Well they have, Blanche, they have!* Even more mysteriously, there were frequent projections on their front wall sign, of *Leo-the-Lion roaring under the Ars-Gratia-Artis logo*, followed by the more formal logo, *Metro-Goldwin-Mayer*, en cartouche. For the unknowing, M-G-M long ago ceased making movies in Hollywood, but merely releases and distributes a few independent films. Metro is now primarily in the gambling business, labeling it Entertainment. Locally, M-G-M runs the slots at the two local racetracks. Were they attempting to set up more of them across the street? We'll never know. *First the M-G-M logo vanished, then, Leo the Lion himself*. An above ground swimming pool has been constructed out of unfinished boards at the rear of the parking lot *We hear the pool has been denied a license by the Board of Health*. Beside it is a kiddie style lemonade stand. Both these amateurish eyesores seem to have been constructed by *Spanky's Our Gang*. The "*Plain Dealer*" says that *Dstrkt Hybrid* is officially listed as an "*Over-21 bar, open only on Friday and Saturday*". They commandeer quite a stretch of Saint-Clair Avenue for their Valet Parking - five nights a week. Somehow or other, with all this commotion, they manage to stay open with the blessings, we suspect, of some big boys downtown. *They also claim that they exist for the Elite. Pardon the pun, but take it from this observer, the Elite wouldn't be caught dead there. That's Entertainment!*

IN CONCLUSION....The next and one hopes final Democratic debate will take place next month on the campus of wee *Oterbein College at Westerville*, Ohio, a village now largely swallowed up by greater *Columbus*. Westerville was the birthplace of the now defunct, WE HOPE, *Anti-Saloon League*, whose zealous axe and Bible wielding ladies have long since gone to their just reward in the great DRY beyond. In any event, Cyclops will be standing by, close to the TV, clutching his faithful gin bottle, just in case.

Ride Easily, CY



October 2019

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|--|--|--|--|---|--|--|
| | | 1  | 2  | 3 | 4  | 5 |
| 6  | 7 | 8  | 9 | 10  | 11  | 12  |
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| 20 | 21 | 22 | 23 | 24 | 25  | 26  |
| 27  | 28 | 29  | 30  | 31  | | |

- October 1 - *International Coffee Day*
- October 2 - *Empire City MC General Membership Meeting, NYC*
- October 4 - *Dave Wittmer's Birthday*
- October 6 - *Iron Eagles General Membership Meeting, Cocktail 2.0, Akron*
- October 8 - *Supreme Court Hearing on LGBTQ Employment Discrimination, Washington D.C*
- October 10 - *Human Rights Campaign's LGBTQ Democratic Presidential Townhall*
- October 11 - *International Coming Out Day*
- October 11 - *Empire City MC 55th Annual In-Town Run, NYC*
- October 11/13 - *Iron Eagles' Annual Run, Cocktails 2.0, Akron*
- October 12 - *Unicorn MC Meeting & Fetish Bar Night, Leather Stallion Saloon, Meeting 6 PM, Bar Night 9 PM*
- October 12 - *Ohio Mr. Leather Competition, Cocktails 2.0, Akron*
- October 14 - *Indigenous Peoples Day, formerly Columbus Day*
- October 25 - *International Frankenstein's Day*
- October 26 - *Rangers' Halloween Party, Circle JJ Ranch, Scio*
- October 26 - *Iron Eagles' Halloween Party, Cocktails 2.0, Akron*
- October 27 - *Mother-in-Laws' Day*
- October 29 - *Mike Boron's Birthday*
- October 30 - *National Candy Corn Day*
- October 31 - *Halloween*

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