

Georgia insight

Sue Ella Deadwyler
4168 Rue Antoinette
Stone Mountain, Georgia 30083

*"She hath done what she could."
Mark 14:8a*

Jim Martin, Candidate for U.S. Senate – Facts Voters Should Know

He said, "Before I stop serving as a representative, the sodomy law will be repealed."

As a Representative in the General Assembly, Jim Martin's goal was to repeal the sodomy law.

As Judiciary Chairman, he killed a bill protecting Boy Scouts, saying it had "anti-gay implications."

*As DHR Commissioner, he brokered out-of-court terms of *Bellmore v. UMCH* to purge religious influence from tax-funded children's services, forcing the presentation of homosexuality as a positive lifestyle, and the hiring of pro-homosexual counselors.*

Attorney Jim Martin, candidate for U.S. Senate, was in the Georgia House of Representatives for 18 years, 1983 – 2001. He was always courteous to me, though we are poles apart on moral issues. He knew that I openly and vigorously fought to defeat his efforts to legalize sex crimes.

I shall never forget what he said to me personally, "Before I stop serving as a representative, the sodomy law will be repealed." Later, I made a list of the bills he introduced to repeal that law and dilute others. All of them failed, but voters need to know the changes he tried to make.

1984. He introduced H.B. 1570, a four-pager that would've deleted *sodomy* from Georgia law and replaced it with *sexual battery*. It eliminated life imprisonment for aggravated (non consensual) sodomy, weakened the definition of felony and reduced the penalty to 1-20 years. Sodomy *via* incest would've been a crime if a victim were over 14 and under 18, if the assailant were the minor's authority figure and used authority to coerce the victim to submit.

1985-1986. He introduced the four-page H.B. 184 to replace *sodomy* with *sexual contact*, legalize consensual sodomy for anyone over 18, prohibit prostitutional sodomy, but he retained the life in prison penalty. Sodomy *via* incest would've been a crime only if victims were over 14 but under 18 and the assailants were authority figures using their authority as coercion.

1987-1988 and 1989-1990. During those years, Representatives Billy McKinney, Billy Randall and Cynthia McKinney introduced bills to legalize opposite-sex sodomy *between* (two) persons, and legalize fornication, adultery and solicitation of sodomy *among* (groups) consenting adults.

1991-1992. Representative Martin introduced H.B. 1781 to legalize consensual sodomy, solicitation for sodomy unless it involved money, and repeal the fornication and adultery laws.

1993-1994. In an amusing twist of fate, Martin introduced the ten-page H.B. 666¹ to delete the death penalty, replace *sodomy* with *sexual assault*, and divide rape into five degrees. Rape would've been first degree only if carnal knowledge were by force and against the female's will and caused pregnancy, disease, or great bodily harm or a dangerous weapon were used in the act or force or threats of force or threats of violence were used. Penalty: 10-20 years in prison.

1998. After the Georgia Supreme Court ruled the sodomy law unconstitutional, Martin introduced bills to revise criminal law and criminal procedure law as related to sexual offenses, always deleting the word *sodomy* unless it referenced aggravated sodomy or solicitation.

¹ We were amused that he decided to abandon the 666 number and reintroduce the bill as H.B. 1331. A couple of years ago, I asked whether he remembered that. He said, "Yes. I reintroduced it and y'all found it again!" Of course we did!

Martin Killed a Bill Intended to Protect the Rights of Boy Scouts

The Story. In a 5 – 4 vote in June 2000 the U.S. Supreme Court upheld the constitutional right to freedom of expression for Boy Scouts of America, by sustaining their standard for screening applicants. The Supreme Court opined, “The Boy Scouts takes an official position with respect to homosexual conduct, and that is sufficient for First Amendment purposes.” Nonetheless, aggressive attacks on the rights of Boy Scouts escalated, causing former providers of meeting spaces to deny access to accommodations Scouts had always used.

2001. The General Assembly convened in January and help was on the way! On the second day of the session, January 9th, Representative Earl Ehrhart introduced H.B. 39, The Defense of Scouting Act, to protect the constitutional rights of youth organizations, such as the Boy Scouts.

Members of the pro-homosexual Georgia Equality Project lobbied legislators to vote against the bill, but Judiciary Chairman Martin did them a much greater favor. Single-handedly, he killed H.B. 39 by refusing to let it out of committee. That was a big help to Georgia Equality. They didn’t have to lobby the committee members or the entire House and the Boy Scouts got a back-handed slap. When Martin was interviewed by *Southern Voice*¹, a homosexual newspaper, this was his explanation for killing H.B. 39: “I think it opened local governments up to litigation, ... and I’m also frankly concerned about some of the anti-gay implications of the legislation.”¹

But, Representative Ehrhart didn’t quit. When S.B. 52 came to the House floor for a vote on March 14, 2001, he attached H.B. 39 to it. That sent S.B. 52 back to the Senate where the attachment could be accepted or rejected by Senator Nadine Thomas who introduced S.B. 52 to assure motorcyclists equal access to public restaurants, etc. She was so opposed to protecting the rights of Boy Scouts that she sacrificed the motorcyclists and killed both bills.

On February 14, 2001, with H.B. 39 in trouble in the House Judiciary Committee, Senator Phil Gingrey introduced S.B. 191, an identical Defense of Scouting Act cosponsored by 54 of the 56 senators. Passage would have been guaranteed except for one thing – Senate leaders employed a slick maneuver. It would die, but not by the strategy used in the House. S.B. 191 was out of committee and poised for a vote March 7th, the 33rd legislative day – the deadline for getting bills passed one body into the other. It was 23rd on the list of 24 bills the Senate would consider that day. But, after the 22nd bill was handled, Senator Charles Walker, immediately, moved for adjournment. Lieutenant Governor Mark Taylor adjourned and killed the bill ... as planned.

H.R. 16 Commended Boy Scouts

Ironically, Boy Scouts Troop 535 and its leaders received kudos on the House floor in 2001. Representative Renee Unterman had introduced H.R. 16 to commend, recognize and invite the eight boys and their leaders to appear before the House of Representatives. They were honored for using emergency preparedness skills to treat Tannis Blackwell on March 18, 2000 after she fell and broke her ankle in the mountains of North Georgia. They built a stretcher and carried her two miles through mountain trails to her vehicle so her husband could drive her to a medical facility. A copy of H.R. 16 was sent to each member of Boy Scouts Troop 535 and the leaders.

A bigger irony: Two legislators killed H.B. 39 – in the House Jim Martin, in the Senate Nadine Thomas. A lieutenant governor and a senator killed S.B. 191 – Lieutenant Governor Mark Taylor and Senator Charles Walker. However, it takes a majority or more to pass a bill.

¹ See *Southern Voice* article accompanying this newsletter.
Georgia Insight

Jim Martin's Culture-Shattering Actions at DHR

2001. After 18 years in the General Assembly, Martin changed careers. He applied for the job of Department of Human Resources commissioner and Governor Roy Barnes hired him. On September 1, 2001, he began that two-year stint and continued his pro-homosexual efforts.

Come January, as Georgia's new DHR commissioner, Martin hired the man he wanted as his assistant commissioner and chief legal officer – an attorney, reportedly, earning an annual \$600,000 with a prominent Atlanta firm, but willing to take a huge pay cut to work with Martin, also an attorney. Soon after Commissioner Martin hired his friend, trouble bubbled up for DHR.

2002. Set-Up or Coincidence? Lambda Legal Sued DHR and UMCH

For years, the United Methodist Children's Homes (UMCH) received state funding for foster children in their care and the vast majority of Georgians were glad the children had religious training and moral counseling. The program's constitutionality wasn't challenged until July 31, 2002 when Lambda Legal, a homosexual advocacy group, filed suit against UMCH and DHR.

Lambda claimed that UMCH used state foster care money to (a) carry out a religious program; (b) to require employees to be professing Christians, heterosexual, and married or celibate; and (c) to require employees to accept and abide by its religious precepts; and (d) inculcate religious doctrine into foster children. Particularly perturbing to Lambda were (e) religious programs that include the condemnation of homosexuality and the UMCH (f) refusal to hire homosexuals.

Martin Agreed. Lambda Won! Result: Children's Services Must be Pro-Homosexual

Had that case gone to court, the decision would have affected only UMCH, but Martin chose to settle out of court. That brought all state-supported children's services (partially or fully state funded) under Lambda's pro-homosexual terms. On October 1, 2003, some two weeks after his "resignation" as DHR commissioner, Jim Martin signed the Lambda agreement that was dated September 29, 2003. Soon, his assistant commissioner left DHR to join Lambda Legal himself.

Though Governor Perdue waited far too long to dismiss Martin and prevent the results of that lawsuit, he finally appointed an interim commissioner. But, Martin's legacy as commissioner of DHR is the culture-shattering changes forced on Georgia in the *Bellmore v. UMCH* out-of-court agreement, requiring state-supported children's services to be pro-homosexual and free of religion. Plus: The agreement requires DHR to be monitored by Lambda to ensure compliance.

"Terms to Apply to Child Welfare Providers," *Bellmore v. UMCH, Civ. No. 2002CV56474* (Briefly Outlined)

- They shall not engage in or require participation in religious activities.
- All services must be performed without discrimination or harassment.¹
- Employees, interns or paid or unpaid volunteers cannot be denied positions because of religion, age, disability or gender (includes transsexuals, transvestites, cross-dressing and other sexual orientations).
- Staff – paid, unpaid, volunteers, interns, consultants – and foster parents caring for children in state custody must agree to read and abide by all relevant DHR policies and procedures or lose funding.

"Settlement Agreement," *Bellmore v. UMCH, Civ. No. 2002CV56474* (DHR Requirements Briefly Outlined)

- All contracts and agreements between DHR divisions and private providers must include terms consistent with the "Terms to Apply to Child Welfare Providers." (See above.)
- DHR had until October 3, 2003 to incorporate the terms into new contracts and agreements with private providers and incorporate them into others within twelve months.
- DHR may be subject to a lawsuit if Lambda objects to revisions DHR might make in the terms.
- DHR must continually ensure that policies and procedures contain the terms' non-discrimination principles.
- DHR had to pay Lambda \$54,046.73 in attorney fees within three days of the settlement.

¹ Harassment could be so broadly defined it would encompass warnings about health risks to individuals practicing alternate lifestyles.

Party Platforms Define Party Positions; Gender Platform Sways Political Action

The first three platforms below quote the family values/sexuality agenda of three registered political parties.

Supporters of the fourth platform promote its sexuality agenda in all political parties.

DEMOCRATIC¹ PARTY Platform: Family Values/Heterosexuality

2004 “We support full inclusion of gay and lesbian families in the life of our nation and seek equal responsibilities, benefits, and protections for these families.”

2000 “We support the full inclusion of gay and lesbian families in the life of the nation.”

1996 “We support continued efforts...to end discrimination against gay men and lesbians and further their full inclusion in the life of the nation.”

1992 “...[P]rovide civil rights protection for gay men and lesbians...ensure that no Americans suffer discrimination or deprivation of rights on the basis of sexual orientation....”

REPUBLICAN¹ PARTY Platform: Family Values/Heterosexuality

2004 “We further believe that legal recognition and the accompanying benefits afforded couples should be preserved for that unique and special union of one man and one woman which has historically been called marriage.”

2000 “We support the traditional definition of ‘marriage’ as the legal union of one man and one woman, and we believe that federal judges and bureaucrats should not force states to recognize other living arrangements as marriages.”

1996 “...[W]e believe the family is the core institution of our society.... We reject the distortion of those laws to cover sexual preference, and we endorse the Defense of Marriage Act to prevent states from being forced to recognize same-sex unions.”

1992 “We believe in traditional family values.... Today, more than ever, the traditional family is under assault.... We affirm our support for judges who respect traditional family values....”

LIBERTARIAN² PARTY OF GEORGIA Platform: Sexual Rights and the State

“We hold that individual rights should not be denied or abridged on the basis of sex or sexual preference.... We affirm the right of adults to private choice in consensual sexual activity. Government must neither dictate, prohibit, control, nor encourage any private lifestyle, living arrangement or contractual relationship. We therefore call for repeal of all legislation and state policies intended to condemn, affirm, encourage or discourage sexual lifestyles or any set of attitudes about such lifestyles; this specifically extends to Georgia’s infamous sodomy laws as they relate to consenting adults.”

HOMOSEXUAL³ Platform of 1972

“Millions of gay women and men in this country are subject to severe social, economic, and psychological and legal oppression because of their sexual orientation.

“We affirm the right of all persons to define and express their own sensibility, emotionality, and sexuality, and to choose their own lifestyle, so long as they do not infringe upon the rights of others. We pledge an end to all social, economic, and legal oppression of gay women and men.

“We demand the repeal of all laws forbidding voluntary sex acts involving consenting persons in private. Laws prohibiting loitering for the purpose of soliciting for a homosexual liaison are vague and unconstitutional. Nevertheless, they are frequently used as the legal cover for police entrapment of gay women and men.

“We demand the repeal of all laws prohibiting solicitation for a voluntary, private sexual liaison. Prejudice and myth have led widespread discrimination against gay women and men. We demand the enactment of civil rights legislation, which will prohibit discrimination because of sexual orientation in employment, housing, public accommodation, and public services.”

On November Ballot: U.S. President and Vice-President; 8 Appeals Court judges; 23 Superior Court judges; 7 DAs; 2 PSC members; a U.S. Senator; 11 U.S. Representatives; 40 State Representatives; 18 State Senators; and many local politicians. All are very important! The winners will shape the culture of our country, state, counties and municipalities.

ACTION – VOTE WISELY! Know each candidate’s party platform and position on family/sexuality before voting.

¹ Compiled by: Brentwood News Service (U.D. Roberts), 4000 Beallwood Ave., Columbus, GA 31904, 800 334-2828, January 2008. Reprint permitted and encouraged. www.brentwoodbooks.com. E-mail: brentwood@aol.com or uhland@bellsouth.net

² Approved in Convention, May 3, 2003, Atlanta, Georgia

³ Adopted by the National Coalition of Gay Organizations in Chicago, Illinois, February 23, 1972

Georgia Insight is a conservative publication financed entirely by its recipients.