

TUESDAY, MAY 17, 2016, 12:52 P.M.

Shawn Vestal: Killing of gay man in Idaho shows why state must ‘add the words’

Shawn Vestal/SR shawnv@spokesman.com (509) 459-5431

While culture warriors have been hysterically policing public restrooms, a truly horrific killing of a gay man in Idaho has flown mostly under the radar. And now, as police look for other possible victims, we are seeing a sadly perfect example of the problems raised by the state’s refusal to criminalize discrimination against gays and lesbians.

Four young men from the Nampa area are accused of luring a Boise man to his death last month – using a personal ad to draw him to a meeting, and then beating and kicking him mercilessly, stripping and robbing him, and leaving him naked in the cold early morning at an outdoor recreation site near Nampa. The man, 49-year-old former University of Idaho student Steven E. Nelson, managed to walk a half-mile to a home and was taken to a hospital, where he died hours later.

The four men have been charged with first-degree murder and robbery – but not with a hate crime. Idaho’s hate-crime law doesn’t include protections for gays and lesbians, just as its anti-discrimination law omits them from protections against prejudice in the workplace, housing and other places.

Federal officials are still considering whether to bring federal hate crime charges; they would need evidence that the crime was specifically motivated by the victim’s sexual orientation, and the Canyon County sheriff has suggested that might be a difficult burden of proof in this case.

Meanwhile, authorities believe that the suspects have carried out similar attacks – “many, many times before,” in the words of the prosecutor. It’s not clear that they targeted gay victims, but there is certainly concern that they did, and reason to believe that they did, and so there is also great concern that any possible victims might not want to come forward.

If you’re a gay man in Idaho, after all, it wouldn’t be at all crazy to worry about your landlord or your employer finding out.

“I think everyone’s biggest concern right now is there might be other victims out there who aren’t coming forward, because of the danger of being outed,” said Chelsea Gaona-Lincoln, the chairwoman of Add The Words, the political action committee working to add “sexual orientation” and “gender identity” to the state’s anti-discrimination law.

For 10 straight years, Idaho legislators have stood steadfastly in favor of discrimination, blocking efforts to “add the words,” often without even giving the measures a hearing. Last year, lawmakers listened to scores of citizens – 21 hours of testimony over three days – begging them to make it illegal to discriminate against them and their family members.

Idaho’s lawmakers were unmoved. Vito Barbieri, the Dalton Gardens Republican, said at the time that it was “heartbreaking” to hear people’s testimony of suffering discrimination. But he concluded, “It’s impossible to ignore that there are many whether in that community or otherwise that have an agenda in this proposed policy that is dangerous to people of faith.”

People of faith, apparently, *must* discriminate against gays and lesbians. Their faith *requires* it, apparently. Otherwise, the state could do something to help ease Vito’s heartbreak.

So, that’s the bad news about the humanity and logical line of the Idaho Legislature. The good news is that the people of Idaho are way ahead of them on this one, and on the issue of gay rights in particular, the public has been way ahead of the politicians. A Dan Jones & Associates poll taken last year showed that majorities of Idahoans – majorities of Republicans, Democrats, independents, “very active” Mormons, inactive Mormons, Catholics, Protestants – support adding the words.

You know who else supported adding the words? Steven Nelson. Nelson worked with students in fundraising for Boise State University, and he was a lover of the arts, theater, science fiction and politics. He attended the UI studying public relations between 2008 and 2011; one of his professors and eventual friends, Becky Tallent, described Nelson as a “Renaissance man” with a lot of interests and opinions and the booming baritone with which to express them.

“He was such a personality,” Tallent said. “You couldn’t help but be drawn in by him.”

After graduating from the UI, Nelson returned each year to give a presentation on gay rights history and the media to Tallent’s students. He loved politics, and was working for Hillary Clinton’s campaign this year – which gave him a chance to meet her.

“That man was over the moon about the fact that he’d gotten to talk to Hillary,” Tallent said.

Nelson was not quiet about his sexual orientation. Tallent said he announced to her that he was openly gay when they first met. She had moved to Idaho from Oklahoma, and “he taught me a lot about gay politics in Idaho,” she said.

It would be ridiculous to suggest that Idaho’s political hostility to the LGBT community is somehow connected to the murder of Steven Nelson. Wouldn’t it? It absolutely would. Which is not to say that there is no relationship between the attitudes and beliefs of people who would refuse to bake a gay wedding cake and the people who would refuse to hire a gay person and the people who would evict a gay person and the people who would rob and kill a gay person.

There is. It's a leap – but it's a leap along an unbroken philosophical line, which identifies a group of people as lesser-than. Less worthy of protection. Less worthy of respect. Less worthy of life.

In 2014, UI assistant professor of journalism Denise Bennett produced a documentary on gay rights in Idaho titled "Little Blue Dots." Nelson was interviewed for the documentary. I watched the unedited interview from the film this week.

"There's a reason the founding fathers did not want direct democracy, that we are a representative democracy," Nelson said. "And that's because sometimes a group of people that's in the majority is a righteous thing, and sometimes they're a mob. And the only thing that protects us from the mob is the idea that there's a line we don't cross."

Shawn Vestal can be reached at (509) 459-5431 or shawnv@spokesman.com. Follow him on Twitter at @vestal13.