

Case against florist fires up gay-marriage critics

BY LORNET TURNBULL
The Seattle Times

SEATTLE — The state attorney general's surprising lawsuit against a small florist in Eastern Washington has energized gay-marriage opponents who all but disappeared after failing to defeat same-sex marriage in Washington last fall.

They are rallying around Barronelle Stutzman, owner of Arlene's Flowers of Richland, who cited her relationship with Jesus Christ in declining last month to provide floral arrangements for the September wedding of two longtime gay customers.

Local gay-rights leaders, meanwhile, have been low key in their reaction to the case — even as it has grabbed attention nationally.

There's concern that as a handful of states seek to legalize gay marriage, a case like this could well provoke resentment among the so-called "movable middle" as well as live-and-let-live types who don't like being told how to run their businesses.

Much like the Wildflower Inn in Vermont that refused in 2005 to accommodate a lesbian wedding and the New Mexico photo studio that declined in 2006 to shoot a commitment ceremony, they know the State of Washington v. Arlene's Flowers will undoubtedly become cause celebre for opponents seeking to highlight what they refer to as the negative consequences of legalizing gay marriage.

Approved by 54 percent of voters last fall, the state's marriage law exempts religious leaders and organizations opposed to same-sex marriage from having to perform such weddings.

But those exemptions don't extend to private businesses whose owners might have a religious objection to such unions, but must still comply with state laws against discrimination, which include sexual orientation as a protected category.

Customers of the Richland florist for nine years, the two men estimate they have spent thousands of dollars on flowers for special occasions — for Valentine's Day, birthdays, anniversaries.

Josh Friedes, a spokesman for Equal Rights Washington, a gay-rights advocacy group, pointed out that while same-sex unions have been legal elsewhere in this country for nearly a decade, conflicts like this one have been few.

Here in Washington, he said, "there have been thousands of weddings ... and this is one of very few negative stories we've heard."

In the end, he said, "The issue is not about marriage, but about whether gays and lesbians can go into a place of business and expect to be served just like everyone else."

Joseph Backholm, executive director of the Family Policy Institute of Washington, who helped lead the campaign against same-sex marriage last year, is representing the florist in the

court of public opinion.

His organization has established a fund for her defense and is exploring the idea of legislation "to clarify what the state's nondiscrimination law can and cannot do."

This is not about a business declining to serve gay people, but about a business owner who, because of her religious convictions, "didn't want to be involved in a same-sex marriage," Backholm said.

"People don't want to have to pass some philosophical litmus test to participate in this society."

Law to be tested

In an unusual move last week, state Attorney General Bob Ferguson sued the florist in Benton County Superior Court, saying her refusal to serve customers Robert Ingersoll and Curt Freed violates the state's anti-discrimination law.

Such a violation, according to the lawsuit, triggers an automatic violation of the state's Consumer Protection Act, which the Attorney General's Office enforces and upon which this suit is based.

At the same time, allegations of discrimination are typically filed with the state's Human Rights Commission, which enforces the state's anti-discrimination law.

JB Bristol, attorney for Arlene's, argues that Ferguson has no statutory authority to bring the suit, in part because this is not a clear case of discrimination. The Attorney General's Office disagrees and ultimately a judge will resolve that question before the merits of this case can be heard.

A court date has not yet been set.

In comment threads and on Facebook pages, supporters are lining up on both sides of the dispute.

Last week, the ACLU of Washington said in a letter to the florist that it plans to sue her civilly on behalf of Ingersoll and Freed unless she publicly apologizes, donates \$5,000 to a local LGBT youth center and stops refusing service to people because of their sexual orientation.

Bristol said his client has no plans to respond to the ACLU threat and, after consulting with several national organizations, is ready to fight the state on this issue.

For now, lawyers on both sides are not allowing their clients to speak publicly about the incident.

Relationship marred

Ingersoll and Freed have been together since they met nearly nine years ago. They live a quiet life in a county that last fall voted by a nearly 3-1 ratio against same-sex marriage.

While the men are likely to be witnesses in the state's case against Arlene's, they did not complain about the shop's treatment of them to either the attorney general or the Human Rights Commission. That issue was first raised in news reports.

Freed grew up in the Tri-Cities and has been on the faculty of Columbia Basin College for nearly 20 years, while Ingersoll,



AP/Tri-City Herald, Bob Brawdy photo

Arlene's Flowers on Lee Boulevard in Richland. The Washington Attorney General's Office is suing the owner of Arlene's Flowers for refusing to provide wedding flowers for a same-sex marriage.

who moved to Washington in the 1990s, works as an operations manager for Goodwill in Richland.

The men say they were deeply hurt by the rejection, in part because they believed they had a meaningful relationship with the florist.

On the shop's Facebook page, Stutzman acknowledges the relationship, but said that when it came to the couple's planned September wedding, she told Ingersoll: "I could not do it because of my relationship with Jesus Christ."

In her posting on Facebook, she said, Ingersoll told her he respected her opinion, they gave each other a hug and he left.

"I believe, biblically, that marriage is between a man and a woman," she wrote on Facebook. "That is my conviction, yours may be different."

Obituaries

PAUL COUGHLIN, 'PADDY O'FURNITURE'

Paul Coughlin, "Paddy O'Furniture," 90, of Wenatchee, died Tuesday, April 16, 2013.

He had resided in the Wenatchee Valley for 18 years and had been a high school teacher in Montana, as well as a published poet.

Survivors include his wife, Karlann Coughlin of Wenatchee; and his children, Kevin Coughlin of Bismark, N.D., Matthew Coughlin of Hibbing, Minn., and Cris Coughlin of Whitefish, Mont.

Private services will be held.

Arrangements are by Telford's Chapel of the Valley, East Wenatchee.

MOVITA L. WALKER

Movita L. Walker, 73, a Wenatchee resident for over 50 years, died Saturday, April 13, 2013.

Survivors include her husband, Paul Ray Walker of Wenatchee; her children, Crystal Migliore of Spokane, Bruce Walker of Columbia, Mo., Paul Alan Walker of Wenatchee, William "Bill" Walker and Heather Yonko, both of East Wenatchee, and Aric Walker of Ellensburg; her sister, Diane Clark of Edmonds; and her brother, Richard "Dick" Smith of Kingston.

A memorial service will be held at 11 a.m. at the Eastmont Baptist Church, 400 S. Kentucky Ave., East Wenatchee, with Pastor Steve Brewer officiating.

Arrangements are by Heritage Memorial Chapel, East Wenatchee.

Career voyeur charged in Manson peeping-tom case

BY JEFFERSON ROBBINS
World staff writer

MANSON — A man with a history of peeping-tom burglaries faces arraignment Monday on charges of voyeurism.

Tal Richard Vanderpool, 50, of Arlington also faces a charge of failure to register as a sex offender, after sheriff's deputies investigating a voyeurism report in Manson said he took up temporary residence there without notifying local authorities.

Vanderpool was charged by warrant April 2, based on an investigation that began with a peeping-tom call on Furey Avenue in Manson the night of Feb. 27. A resident there called 911 from his cellphone as he chased a man on foot away from his window, where the suspect had been peering in at his wife. The fleeing suspect jumped into a parked pickup truck at Lakeshore and Totem Pole Road and sped away.

It was the second incident of voyeurism at the home. The resident's daughter and a friend told him they'd seen a man staring into her bedroom window one evening about three weeks earlier.

A few days later, the resident spotted the same man at the local hardware store, and followed his truck to a nearby construction site. Deputies spoke with the

suspect and identified him as Vanderpool, who'd pleaded guilty in 2005 to three counts of residential burglary with sexual motivation and one count of voyeurism in Walla

Walla County Superior Court. He served 90 days in jail and was ordered to register as a sex offender wherever he resided.

In that case, Vanderpool was linked to 15 peeping-tom incidents in Walla

Walla, including entering a home and masturbating while he watched a couple sleeping. He also pleaded guilty in a misdemeanor indecent exposure case in which he exposed himself to a drive-through barista in Marysville. Vanderpool has admitted committing similar offenses since age 14, involving more than 200 victims, according to Washington sex offender registry details.

Chelan County prosecutors initially sought a lone charge of voyeurism, but amended charges April 10 to include failure to register. Vanderpool lived in Manson for about three weeks while working on a construction project on his family's property.

Vanderpool is free on \$40,000 bond, and required to reside in Arlington.

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Tal Richard Vanderpool

News of Record

DOUGLAS COUNTY

Superior Court

Alfonso Rincon, 30, Brewster: Pleaded guilty April 15 to residential burglary and second-degree theft and was sentenced to 90 days in jail, six months community custody and \$1,700 in fines and fees.

Charges filed

Lauren Dyan VanValkenberg, 25, Seattle: Charged April 3 with second-degree identity theft, second-degree theft, second-degree possession of stolen property and third-degree possession of stolen property.

Michael J. Hogan, 50, Bridgeport: Charged April 4 with first-degree rape of a child.

Municipal Court

Roxana Karen Lome-Sotelo, 23, East Wenatchee: Fourth-degree assault — domestic violence, 364 days in jail with 354 days suspended and \$5,000 fine with \$4,500 suspended.

Travis Victor Smith, 27, East Wenatchee: Fourth-degree assault — domestic violence, 364 days in jail with 363 days suspended and credit given for one day served, \$5,000 fine with \$4,250 suspended.

Melinda Hubbard, 50, East Wenatchee: Driving while intoxicated, 364 days in jail with 362 days suspended and \$5,000 fine with \$3,304 suspended.

Willie M. Whaley, 71, East Wenatchee: Driving while intoxicated, 364 days in jail with 334 days

suspended, 30 days converted to electronic home monitoring, and \$5,000 fine with \$3,304 suspended.

Burglaries

300 block North June Avenue: Details not available, reported April 16.

300 block North Kansas Avenue: Gas cans taken from a shed, reported April 16.

Vehicle prowls

1200 block First Street Southeast, 500 block 11th Street Northeast, reported April 15.

CHELAN COUNTY

Charges filed

Andrew Jerome McCabe, 25, Wenatchee: Charged April 12 with second-degree assault — domestic violence.

Pedro V. Torres, 43, Manson: Charged April 12 with second-degree assault.

Vehicle prowls

10 block South Western Avenue, 1900 block Fifth Street, 1800 block Orchard Avenue, 2000 block North Western Avenue, reported April 15.

Dissolutions

April 11: Connie Lynn Weger and Jimmie A. Weger, Connie's last name changed to McKenzie.

April 12: Griselda Flores and Everardo Campos.

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State jobless rate down along with job creation

The Olympian

Seasonally adjusted Washington state unemployment fell to 7.3 percent in March, ending three straight months in which the jobless rate was stuck at 7.5 percent, the state Employment Security Department announced Wednesday.

The March jobless rate was

the lowest since December 2008.

Although the unemployment rate fell last month so did job creation as the state coughed up 5,500 jobs in the February to March period.

But Employment Security labor economist Anneliese Vance-Sherman said the overall economic trend is job growth and a falling jobless rate.

IN MEMORIAM

Visit wenatcheeworld.com to view tributes & sign guestbooks online.

Marjorie Sharon Grover

December 7, 1936 ~ April 13, 2013

After fighting a valiant battle with cancer, Marjorie Sharon Grover passed away in her home, surrounded by her family, on April 13, 2013. She was born in her childhood home in Granger, WA to Gerald and Marjorie (Stump) Baldwin on December 7, 1936. She attended Granger schools, and met her lifelong love, James K. Grover, who she married on March 8, 1957, in Granger. Their union resulted in three beautiful children, Jim Michael, Rhonda Lynn, and Roger Alan Grover. The family relocated to Silverton, OR in 1964, where they eventually purchased farmland and operated a dairy. Every night after dinner, Margie taught her kids to play music, forming a family band that still plays together today. She started playing the piano at the age of seven, and gave her last performance two weeks prior to her death. Through the years, she played in many bands, most recently 'The Grover Family Band', 'Goody Two Shoes', 'The Wild Turkeys', and 'Grover's Tab'. In 1980, with their children grown, Margie and Jim moved north to Kent, WA, where they lived until Jim passed away in 1993. Shortly thereafter, she relocated to the Wenatchee Valley, where all her children now reside. She was known as "Auntie M" to some, but "Mom" to many more. She was famous for her hospitality and home-cooked meals — nobody went hungry at her house. She loved people, and they loved her.

Margie was preceded in death by her husband, James; parents, "Shug" and Marjorie; and brother, Tommy Baldwin. She is survived by three sisters, Patricia (Robert) Stanton, Carol (Kenneth) Tucker, and Doris Cochran; two brothers, Dennis and Ronald (Janet) Baldwin; children, Jim (Judy) Grover, Rhonda (Jay) Bollinger and Roger (Arlene) Grover; grandchildren, Ace Bollinger, Jenny (Ken) Peterson, Jackie Bollinger, Maddie and Lucy (Travis Clark) Grover and their mother, Diane Grover, and Jason and Jessica Grover; great-grandchildren, Lily and Mia Bollinger; and numerous nieces and nephews.

A Graveside Service will be held for family and friends at 11:00 a.m. at Zillah Cemetery on Saturday, April 20, 2013, with a reception following at the VFW Hall in Sunnyside, WA. In lieu of flowers, donations may be sent to the Central Washington Hospice Foundation, 1020 N. Wenatchee Avenue, Wenatchee, WA 98801. Arrangements are by Telford's Chapel of the Valley, East Wenatchee.

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