

DON'T LABEL IT!

a gblt magazine for everybody
December 2009

Melinda Kingsley perseveres to howl with
THE LIVES OF THE MONSTER DOGS



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Everything I Need To Know (To Be An Editor) I Learned In Catholic Grade School

text messages from hell

Lambda Legal Calls APD On The Floor

by Xanna Don't

The specifics of a September 10 raid on The Atlanta Eagle, where up to 62 people may have been illegally searched and detained, fuse with charges of random and capricious Atlanta Police Department (APD) policies in a 34-page civil action complaint filed in federal court by Lambda Legal on November 24. A press conference held at Lambda's Southern Regional Offices in Atlanta within one hour of the suit's filing joined CNN cameras with local print and television reporters to cover statements from the attorneys and four of the 22 plaintiffs.

Daniel J. Grossman, a private practice pro bono attorney serving as co-counsel for the plaintiffs, suggested a hypothetical situation analogous to the gist of his case, the violation by APD of the plaintiffs' 4th Amendment Constitutional Rights.

"Imagine the police saw a shoplifter at Wal-Mart and then forced all the shoppers to the floor," Grossman posed. "Unless they believe *you* have committed a crime, they do not have the right to detain you."

Grossman, speaking in a deliberate staccato, also described the extreme way in which patrons and employees of the Eagle were detained and forced face down on the floor of the club.

"The police made them lay in broken glass," he said.

Attorney Gerry Weber, co-counsel from the Southern Center for Human Rights, noted the verbal abuse of some of the officers during the raid and linked it to a culture within the department that he said must end.

"From the top of the department, this was business as usual, and we've cited that language in our law suit." Weber continued that their procedures "should be put out of business."

Greg Nevins, supervising senior staff attorney for Lambda's southern regional offices, referred to Grossman's earlier point about unlawful police policies that could be applied anywhere.

"The police have made it clear that they will go into any bar and do this," said Nevins. Referring to YouTube videos of police statements made at a community forum on October 5, he warned, "It could be anywhere in this city."

Nevins went on to offer a possible reason the Eagle was targeted.

"They went somewhere they thought people wouldn't fight back."



Eagle patron and plaintiff Mark Danak addresses local and national media at a press conference held at Lambda Legal's Southern Regional Offices on Nov. 24 regarding his participation in a class action lawsuit against The City of Atlanta and the Atlanta Police Department. [photo by Ann L. Brown]

Grossman echoed this theory later in the conference, stating, "They thought they were doing this to people who would be too ashamed to stand up for their rights."

If this was the assumption of the APD, they were wrong.

Geoffrey Calhoun, an emergency communications officer in another jurisdiction and a plaintiff, added, "It seems like Atlanta has a reputation for this policy, and it stops here. I was demonized and humiliated. It's not a vendetta."

Calhoun was at the Eagle that night, watching a video game when he heard people being slammed on the bar.

A performing member of the Atlanta Gay Men's Chorus, Mark Danak had just come from a rehearsal that night and was also involved in a benign activity: he asked to watch Project Runway on the bar's television. With guarded emotion he revealed to the media that he had been kept facedown on the Eagle floor for an hour. He denied ever witnessing nudity or public sex at the venue, describing it as being a place he has frequented once or twice a week for six or seven years.

"It's my local bar," he said. "It's a dance club."

Fellow plaintiffs Rob Treutel and Brian Hughes also denied seeing any sexual acts. Both heard anti-gay taunts and intimidating banter from police officers that night.

Treutel, who is not listed in the current version of the suit but will be in a pending amended version, heard one laughingly joke, "Do we have any military officers here?" He also saw police kick in a door after a bar employee said he had a key.

After spending 30 minutes on the floor, Hughes was released outside, where he heard another APD officer brag, “We ought to do this more often to the gay bars.”

As APD’s Red Dog Squad was prominent in the raid and their function on the police force is targeting illegal narcotics, questions turned to APD drug bust policies, and attorney Dan Grossman returned to the podium to respond.

“The police have every right to arrest someone committing a crime... This case is about the people who weren’t suspected of anything,” said Grossman, noting the absence of a warrant, which would be customary in a drug raid.

“If they got a warrant from a judge, we wouldn’t be here,” he said. “Anyone who watches Law & Order knows that.”

No illegal drugs were found in the raid.



The suit names as defendants Atlanta Police Chief Richard Pennington, The City of Atlanta, two supervisory police officers, and as many as 45 “John/Jane Doe” police officers who refused to disclose their names and badge numbers while conducting the raid. It tenders that the plaintiffs believe they will be able to identify “the Does” during the discovery process of a trial. The suit also includes any civilian employees of the APD who may have been involved in the planning and execution of the raid. The plaintiffs seek an unspecified monetary judgment “jointly and severally,” which, if granted by the presiding judge, could result in wealthier defendants having to compensate for codefendants who do not have the means to meet their share of damages.

None of the defendants has yet been served with a subpoena. Grossman stated that they will be served individually over the next few weeks.

Pennington publicly announced his intent to resign as Atlanta Police Chief the same day the suit was filed. His resignation will be effective December 31.

MORE TO BE SCENE



Clockwise from top: Blake Lewis @ Pride, Guyton Maurice @ Bellissima, Alex Wan @ Pride, Martina Diamante & Juan Cezar, Robby Kelley & Richard Ramey @ Pride, Ceasar Mitchell & Tom Sands

encounters

December 1

El Vez *with* Los Straightjackets
@ The Earl, ATL
www.myspace.com/myelvez

December 3

"Know Your Rights" Workshop *with*
Copwatch East Atlanta
@ Charis Books, L5P ATL
www.charisbooksandmore.com

December 5

Slobberbone, The Whisky Gentry
[pictured], and Have Gun Will Travel
@ Smith's Olde Bar, ATL
www.myspace.com/thewhiskeygentry



Mike Geier's Kingsized Holiday Jubilee
@ Variety Playhouse, ATL
www.myspace.com/kingsizedmusic

December 6

For The Kid In All of Us Benefit:
Toy Party & Silent Auction 5:30 pm
@ AmericasMart (Bldg 2), ATL
www.forthekid.org

December 7

new episodes of The Closer
starring Kyra Sedgwick on TBS



December 9

GoGirls Benefit for Melinda Kingsley *with*
Green Bracelet, Grace Buford, Xanna
Don't and more @ Smith's Olde Bar, ATL
myspace.com/atlantachaptergogirlsmusic

December 10

Nitzer Ebb @ Masquerade, ATL
www.myspace.com/mitzerebbmusic



December 11

Girlyman

with Wayne Fishell & Big Peaches

@ The Crimson Moon, Dahlonega, GA

[www.myspace.com/
thewaynefishellexperiment](http://www.myspace.com/thewaynefishellexperiment)



Photo of Wayne Fishell by Sabrina Sexton

Brandan Benson @ The Earl, ATL

www.myspace.com/brandanbenson



December 11—20 (select dates)

Libby's At The Express:

Ho, Ho, Home for The Holidays...

@ Actors Express, ATL

www.actors-express.com

December 11—27 (select dates)

Atlanta Ballet *presents* The Nutcracker

@ The Fox Theatre, ATL

www.atlantaballet.com

December 15

Benefit for Ruthie Morris with

Amy Ray @ The Earl, ATL

www.myspace.com/amyray

December 31

Traxx Girls *presents*

The Red Carpet Affair, Part III

@ The Atrium, ATL

www.traxxgirls.com

The Black Lips @ The Earl, ATL

www.myspace.com/theblacklips



January 1

The Avett Brothers

@ The Fox Theatre, ATL

www.myspace.com/theavettbrothers

Melinda Kingsley perseveres to howl with THE LIVES OF THE MONSTER DOGS

by Xanna Don't



"I felt like I was having a heart attack, but it was my lungs shutting down."

Melinda Kingsley, local lesbian singer/ songwriter and frontperson for **The Melinda Kingsley Band**

recounts with trepidation the moment that landed her hospitalized in intensive care for two months. A few weeks prior, she underwent surgery for a benign cyst on her pancreas. It proved to be more aggressive than anticipated and resulted in more organ resections. Then she developed a staph infection. She beat it and returned home to recover.

But within three weeks, a pneumonia blossomed and culminated into a life-threatening moment.

Before the surgery, Melinda was entering a very happy and productive time in her life. Last summer, after a six-month bicoastal relationship, her new girlfriend, Jayne Boot, left Los Angeles and moved to Georgia so they could be together full time. The new version of Melinda's band had ascended to such a fruitful collaborative level that she felt the need to change its name. **The Lives of The Monster Dogs** brings her together with long time band mate **KT Bitner** and new members **Grace Buford**, an accomplished solo artist in her own right, and **Becky Dalke** on drums. She explains, "It's still me, and I'm still doing the writing, but the new members are contributing more. They have a real music sensibility. This is the best we've sounded. Everything is falling where it should."

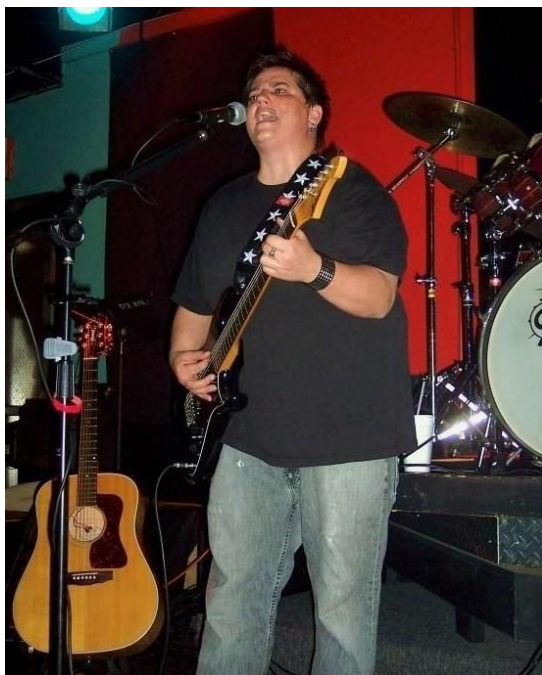
Melinda contrasts that period of professional and personal elation with the hell of being trapped in an intensive care hospital bed for an extended period of time. Her

pneumonia morphed into a complication known as ARDS, a condition where blood is not sufficiently oxygenated. It produced hallucinations that, at one point, caused her to throw herself from her hospital bed and rip off her breathing mask because she believed it to be suffocating her. Ultimately, she received a blood transfusion and underwent induced coma to give her body the restful time it needed to restore its oxygen balance. Upon waking, she remained on a breathing tube because she was still not able to breath on her own. Now rational, she pleaded with her doctors to replace her intubation with a tracheotomy to be less impactful on her singing voice. They conceded. It was a promising sign that she was over the hump.

Today, with at least another month of recovery at home, Melinda readily admits that her emotional state is tenuous at times. She confesses, “I have a fear of returning to the hospital. You’re not in control of your life. Everybody else is running it.”

Despite that phobia, she’s having difficulty withdrawing from the rhythms of an institutional existence. “In the hospital, they wake you every four hours.”

Physically, she has lost 50 pounds and her muscles have atrophied from prolonged bed rest. Financially, she’s struggling. While she does have health insurance, she reveals, “It’s not going to cover everything. I’m going to have to pay a percentage of every test and procedure. Hopefully I’ll avoid bankruptcy.”



To help ensure she does, 18 musical acts will perform at **Smith’s Olde Bar** (upstairs) on December 9, for her benefit. There will also be belly dancing, a silent auction, and a drum circle performance featuring Melinda’s former drummer, Becca Mashburn. A live pay-per-view of the event is planned for **Dirty South TV**, a locally-



based web television channel. Melinda is planning on being in attendance that evening and, if her strength permits, she may attempt one song.

Until then, her mother and father have moved in with her and Jayne. She credits her mother with helping to persuade doctors to expedite her tracheotomy so she would be able to sing again as soon as possible. And while it may be awkward for a fairly new couple to have a set of parents cohabitating, in this instance, it's something for which Melinda is extremely grateful. She sighs, "Sometimes you just need your mom."

The Monster Dog Circus—A Benefit for Melinda Kingsley

DECEMBER 9 @ Smith's Olde Bar (upstairs), ATL Doors at 6 pm; show at 7:30.

featuring Just Jo, Juliana Finch, Xanna Don't, Porter Blue, Grace Buford & Becky Dalke, Cell & Simple Machine, Heather Lutrell, Intrepid Souls, Mike Delaney & Liz Lee, Herman Put Down The Gun, Caroline Aiken, green bracelet, Starfish & Coffee, The Swear, The Issues, Sloppy T Rocker is Captain Beyond, Dream Level 7, and Art House Cinema.

www.myspace.com/thelivesofthemonsterdogs
www.myspace.com/atlantachaptergogirlsmusic
www.dirtysouth.tv



STILL MORE TO BE SCENE

ATLANTA PRIDE 2009



Top:
Sonia
Leigh
and
Levi
Lowry;
Top
Right:
Mike
Fleming;
Right:
Flat Cat.



Left:
The
Armorettes



*Photos by
Ann L. Brown
and
Xanna Don't*

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Personal Forecasts

December 2009



What would Bree do?

What would Xanna don't?

SAGITTARIUS	Does somebody special have a case of the Mondays? Why you do, silly! It's your lucky day this month. Lock and load! Go get 'em!	Don't be too generous with advice this month. You can see things others can't, but learning curve is enhanced by self discovery.
CAPRICORN	Here's to the ladies who lunch! You'll find yourself having the most fun during the day. Book a sleazy hotel room in the afternoon.	Don't be tardy for any parties this month. You may be misquoted if you're not there to make your own declarative statements.
AQUARIUS	It's best not to go around making offers your guests feel they can't refuse. Borrow some new recipes and offer a buffet of options.	Don't drink too much at the office xmas party. You'll want to be coherent when a co-worker over imbibes and finally spills.
PISCES	If you want to take that vacation in the new year, buckle down now and make sure the xmas parties you cater are perfection!	Don't spazz like a cornered rat. There is no dilemma too difficult to dissect if you're honest and self-disciplined. You've got this.
ARIES	You may discover some new moneymaking ventures this holiday season! Write that cookbook and book that big party. Take it.	Don't be the first opinion in the room. Listen and profit. When the dust settles, you'll know what's appropriate for your family.
TAURUS	Remember when I pretended that I could make authentic Italian dishes but, in fact, I stole Angie's recipes? It's time to fess up.	Don't rush into new personal relationships this month. Xmas lighting, décor, nibbles and cocktails could cloud good instincts.
GEMINI	Reach out to your controlling husband and those ungrateful children. Try to make it work. Invite your son's boyfriend over, too!	Don't sweat the big stuff! Sometimes only the small stuff can be controlled and there's comfort in that. Watch your money. Scrimp!
CANCER	Familiarity breeds contempt. It's wise to be more aloof with co-workers. Katherine was my friend until she became my employee.	Don't miss the benefit for Melinda Kingsley at Smith's Olde Bar on December 9. Music is highlighted for you this month. Rock out!
LEO	You may find yourself at odds with fellow board members regarding charitable endeavors. Save your energy for next year.	Don't go overboard with work this month. It's the holidays. Order a big drink at a Friday happy hour and the party will come to you.
VIRGO	Do you recall how overbearing my dead husband's mother was? Change the tie on his corpse and continue with the funeral.	Don't let crazy peeps get you down. With a little patience, you could learn from them. Or you could join a Leo at a Friday happy hour!
LIBRA	Check the cord on your food processor, because it may fray and go zap! Careful with mechanical devices. Yes, all of them.	Don't neglect family this holiday season, even if they live miles away. Send handwritten xmas cards so they know you care.
SCORPIO	Lynette and I learned that money and friendship don't mix as well as Gaby's margaritas. Teach them how to fish instead of serving it.	Don't pick up the check so quickly. Times are tough; let others pitch in to ensure a good tip. Is it time to change your hair don't?

Marcia Cross plays Bree Hodge on ABC's *Desperate Housewives* www.abc.com

ALWAYS MORE TO BE SCENE



Clockwise from left:
Natalie Byrd and
Isaaca Byrd, and
Jeremy Byrd of
The Bridges;
Woof's 10th
Anniversary Party;
Tryst's Angie Terrell
@ Bellissima. ATL.



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Previously published in the 1990's in Austin, Texas, this 'zine began simply as my band's newsletter and evolved into a regional Texas publication. Since the demise of Atlanta's lesbian magazine and as its former Entertainment Editor, I've revived the concept of cross-pollinating on paper the worlds I've always lived in: the live music scene, film happenings, and the **gay community**.

Within these pages, they coexist in harmony.

Thanx for picking us up! *Xanna Don't*

www.dontlabelit.com

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text messages from hell

brad (11/2, 8:38 pm): I

wanted to do cake for Scott's birthday.

brad (11/3, 12:31 am):

CUNT!

brad (11/3, 11:59 am): I

called you yesterday to invite you for cake and you did not reply.

me (11/3, 2:09 pm): If I

texted "cunt" to you every time you didn't respond to me, the "c" on my keypad were be broken by now.

brad (11/4, 2:34 pm):

When will you be home?

me (11/4, 9:51 pm): Thank

you for the roses. They're beginning to open and look great with the new Italian terra cotta wall color. Nice gesture.

brad (11/11, 5:42 pm):

Why are you mad now?

me (11/11, 5:42 pm): I'm

not...?

me (11/11, 10:18 pm): We

had a film thing tonight that we were en route to when you texted, so I couldn't follow up 'til now—we're at Bellissima getting a panini. Why do you guys think I'm mad?

brad (11/11, 10:20 pm):

You have not acted like you wanted to be social.

me (11/11, 10:23 pm): I do.

Whatta you guys wanna do? Come to karaoke at The Eagle tomorrow night? I'm just not conveniently located next door to you guys anymore. Still doing the stuff I always do... Where have y'all been hanging?

brad (11/11, 10:26 pm): I

have been working 2 jobs, so I have not been hanging.

brad (11/13, 12:37 am): I

miss you!!!

me (11/13, 10:47 am):

Good morning...!

me (11/15, 5:46 pm):

Meeting Ray at Woof's. Are you gonna be in the 'hood? I'm walking there now...

steve (11/15, 5:49 pm):

Cleaning the male and dog stench house.

me (11/15, 6:13 pm): Too

bad. We're rucking! Lots of rucking going on up in here!

me (11/15, 8:07 pm):

We're at BJ's.

scott (11/15, 10:29 pm):

Still at BJ's?

me (11/15, 10:51 pm):

Been home for about 45 minutes. Sorry we missed you guys. Ray was kinda wasted and Phredd had to get back to East Point. Weird evening—I got hit on there! Ugh!

me (11/15, 10:53 pm): She

though I looked like Aunt B from Mayberry and while that may be true, I don't get what's attractive about that!

scott (11/15, 11:04 pm):

Wow, that's double edged flattery!

ann (11/17, 11:45 am): Just

figured out why cars are flashing lights at each other on our block. Some guy just did it to me on my way home from the doctor.

They're gay guys cruising for tricks!

me (11/17, 11:55 am): Oh

crap, I called the cops the other night because I thought it was a drug deal! Come in the house before he thinks he scored!