RUTGERS, THE STATE UNIVERSITY OF NEW JERSEY

NEW BRUNSWICK

AN INTERVIEW WITH JAMES R. DALE

FOR THE

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INTERVIEW CONDUCTED BY

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TRANSCRIPT BY

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Shaun Illingworth: This begins an oral history interview with James Dale, on January 14, 2020, in New York City, with Shaun Illingworth. Thank you very much for having me here today.

James Dale: Thank you.

SI: To begin, can you tell me where and when you were born?

JD: I was born on August 2, 1970, in Oceanside, New York, on Long Island, in South Nassau Community Hospital.

SI: For the record, what are your parents' names?

JD: Doris and Jerry, or Gerald.

SI: Do you have any siblings?

JD: I have one brother named Robert, who is four years my senior.

SI: To talk a little bit about your family background, how did your family come to settle in that area where you were born?

JD: Where I was born in Oceanside is where my parents grew up. My mother grew up in Oceanside, and my father grew up in Baldwin, which is relatively close. We moved to New Jersey when I was about five years old and was in kindergarten. My father got a job in Elizabeth, New Jersey, at Singer Corporation, which manufactured sewing machines. He did purchasing for them. They just wanted less of a commute, so they moved to the suburbs of New Jersey from Merrick, New York, where we were before that.

SI: Did your mother work outside the home?

JD: It was different back then. My mother had jobs on and off. Maybe when I was about five or six, she worked in building management. She also worked in finance and banking—at a bank, not corporate finance or anything. She had several different careers throughout my childhood.

SI: Your father worked for Singer, you said?

JD: Singer Sewing Machines, which, again, is maybe something most kids won't have a point of reference for. [laughter] It used to be a huge sewing machine company, and he worked there for part of my childhood. After that, he worked at a paint company, Grumbacher. Then, he ultimately worked in a civilian position in the Army.

SI: He was in the Army Reserve.

JD: He was also in the Army Reserves, and I think he worked in both for a while. Shortly after he retired from that, he worked in a civilian capacity at the National Guard or the Army, and I'm not sure exactly which one.

SI: Had he been on active duty? You were born in the Vietnam era. Had he been to Vietnam?

JD: Yes, he was on active duty when my brother was born. By the time I was born, he then went to the Reserves and wasn't on active duty anymore.

SI: Do you know where he served during that time?

JD: He served domestically.

SI: Okay.

JD: He served, I think, in California, probably in the late '60s.

SI: Tell me about both sides of the family. Were they always from Long Island?

JD: Yes. As far back as I can recall, my father's father immigrated from Germany. On my mother's side, I think both of her parents, my grandparents, were born here, but then I believe relatives beyond that were from England, and the same on my father's side.

SI: Do you know how your parents met?

JD: They met at a party near where they grew up. They grew up not too far from each other, a couple of miles from each other.

SI: Do you have any memories of that area, or do you mostly remember growing up in Middletown?

JD: I remember visiting my grandparents when we lived in New Jersey. Although the memories I have might be from seeing a photograph and imagining things around it. [laughter] Memories. When I was growing up, we were closer to the family, and we spent a lot more time together. Also, the houses were closer to each other. When we moved to Jersey, I saw my grandparents and cousins much less.

SI: Tell me a little bit about where you grew up in Middletown.

JD: I grew up in Middletown, Port Monmouth. My parents wanted a large house, and it was a very suburban neighborhood. We lived on Lisa Lane in a split-level house—there was the first floor, the living room on the second floor, and then a floor above with four bedrooms—on a quarter acre of property. It was a lot of lawn mowing as a child.

SI: Tell me a little bit about your early schooling.

JD: My first school would have been Harmony Elementary School in Middletown, New Jersey. Then, I went to Thorne Middle School, the junior high school to the elementary school. When it came time for high school, I chose to go to a school called MAST, which was the Marine

Academy of Science and Technology. My brother went to High School South. As a gay kid—and I wasn't openly gay then—I probably wanted not just to be my brother's brother. I wanted to be my own person. Going to MAST, I wasn't particularly interested in the military aspect of it (it was a junior ROTC school); I was more interested in the smaller environment. There were about 33 kids in my graduating class, whereas my brother's school was much larger. There were a couple of hundred kids in each grade. I wanted a different experience. I wanted to be separated from my family, if that makes sense. I was still living with my parents. It was more about coming into my own and not being defined by my brother or family. [Editor's Note: The Marine Academy of Science and Technology (MAST) is a magnet public high school in Sandy Hook, New Jersey, operated by the Monmouth County Vocational School District. It was founded in 1981. All students must participate in the Naval Junior Reserve Officers' Training Corps (NJROTC).]

SI: How far did your parents go with their education?

JD: My father went to Hofstra University and had an ROTC scholarship, which is why he then went into the military. My mother ultimately got her associate's degree, later as an adult, from Brookdale Community College.

SI: Growing up, would you say that they were always encouraging you and your brother to think about college?

JD: Yes, they wanted us to go to college. I don't know if they had the skills to prepare me for a robust college search. They didn't have much experience navigating the college application process and things like that. I was on my own and got help from a guidance counselor in high school.

SI: Growing up in this suburban environment, what did you do for recreation?

JD: My parents, if anything, were joiners. I got that from them. The YMCA had a youth program called the Indian Guides. I don't know if that's politically correct to say that anymore. I was involved in the Indian Guides, probably from the age of five, a parent-child group doing handicrafts and activities like that. I enjoyed that a lot. One of the reasons why I joined the Indian Guides was because I couldn't join the Cub Scouts. At the time, you could only enter the Cub Scouts at eight. At five, I wanted to do something similar, so I did it through the YMCA's Indian Guides. Ultimately, when I could join the Boy Scouts, I did. Also, while I was in the Boy Scouts program, I did many other things. I played soccer. I was in the choir at my church. I was in some of the church pageants and activities, live nativity, and a renaissance festival we had there. My parents were pretty active in the church. I taught Sunday school there. [Editor's Note: The YMCA's parent-child program, Indian Guides, became known as Adventure Guides in 2003.]

SI: You did or they did?

JD: I did. When I was a bit older, I helped teach Sunday school. I wouldn't say I led the classes myself. I went to vacation bible school and things like that. I think religion was probably an

important thing that I was very involved in, but I also tried many sports, though I wasn't particularly good or didn't find a place in sports. I don't know if it was my lack of coordination. My father hadn't played many sports, but my parents felt I should. So, I tried but didn't find tremendous success in that. Other than church, I would probably say Scouting was the thing that connected or clicked with me. That's one of the reasons why I stuck with it for so long and, as I got older, dedicated more and more time to the Boy Scouts.

SI: You talked about the church. What church was it?

JD: King of King's Lutheran Church in Middletown, New Jersey.

SI: Was your troop or first Cub Scout pack affiliated with the church?

JD: I have a storied experience with my troops and packs. [laughter] My first pack was at my grade school. That was the one that my father and my brother were already in. My father was an assistant Webelos pack leader, part of the Cub Scouts. My brother was in that pack as well. Then, my church, King of Kings, had a troop. But they didn't have a Cub Scout pack for younger Scouts. So, when I could, I joined the one at my church. Again, I think one of the things I often looked for was a smaller environment. I liked smaller settings because I found them safer and more accepting, and there was more of an opportunity to get positive attention. I think this might be the gay thing, finding a place where I could feel more accepted and welcomed. Growing up, larger environments were more intimidating to me, and I found less acceptance in those environments. In smaller settings, smaller troops, and a smaller high school—I found it to be more welcoming.

SI: Aside from that aspect of the environment, what else appealed to you about Scouting?

JD: The structure made sense to me. It didn't seem arbitrary. It seemed, at least to me, that there was a path that you follow—you know, earn skill awards, your merit badges, or community service or whatever the requirements were, you could advance up the ladder and get to the next level. Also, there wasn't one singular prescribed way to get there. There are many different options. It was like the *Choose Your Own Adventure* books when I was growing up. You could do one of many other things and succeed in the Boy Scouts. You didn't have to do these things; specifically, A to B to C to D. It allowed a little more of myself to come out.

SI: As you progressed through school, what did you find most interesting academically?

JD: At Rutgers or before then?

SI: No, before Rutgers.

JD: I liked the sciences and music, and I liked some of the arts, and I can't say I liked history.

SI: Did you play an instrument?

JD: Never successfully. I played the drums, and I played the trumpet for a while. I sang in the choir when I was in church. I always appreciated the arts that way. I probably have more of an inclination toward the creative side, but I don't know if that was something my parents saw as a viable path at the time. They wanted me to go to college. And so did I. I think that the drive to go to college came from them. Even if they didn't know how to get there or the best things to do to be an applicant, they saw the value in going to college and a liberal arts education versus performing arts.

SI: We will start first with the Scouting for this question. Did you have mentors, people who guided you, from your time in Scouting before you went to Rutgers?

JD: Norman Powell, the Scoutmaster at my second troop. I had many different Scouting troops. I started in a Cub Scout pack at my grade school. Then the Scout troop that was at my church, but that troop folded due to a lack of adult leadership. It was a small troop, maybe 12 or 15 kids. Many kids dropped out of Scouting after that troop folded. Some of us went to another Scout troop at a different church. It was Troop 128. There was the Scoutmaster there who appealed to me—Norman Powell, who was of South African descent. He was a direct descendant of the founder of Scouting, Lord Baden-Powell. What I liked about him was that he was very fatherly. Whereas most other Scoutmasters were the father of a peer, he was more like my grandfather's age, probably in his sixties at the time. He walked with a cane. He had a large white beard. I just loved to hear the stories of his childhood growing up in the wilderness. I also loved that he saw the value in me. Maybe that's what one looks for in any mentor, for them to see that, "Oh, this is a good kid, and there's potential here." We had a friendship. He was a mentor of mine. He was the person who awarded me my Eagle Scout badge, later at a different troop. That was a significant friendship to me growing up. [Editor's Note: Robert Stephenson Smyth Baden-Powell, 1st Baron Baden-Powell of Gilwell, was a British Army officer who founded the Boy Scouts in 1908.]

SI: What about in school? Do any teachers stand out?

JD: The person who was my biggest role model was Jim Anderson. I don't know if you know Jim Anderson from the SCILS [School of Information, Communications and Library Studies] department.

SI: Oh, from Rutgers.

JD: From Rutgers, yes.

SI: I was thinking more before Rutgers, but I definitely want to ask about Dr. Anderson.

JD: I had a math teacher who was great to me in high school. I'd have to think about what her name was again. I wouldn't say anybody had quite the same impact as Norman Powell did. He lived in Red Bank, a couple of towns away from my parents. I often went on a Saturday afternoon to talk to him and hear stories.

SI: Going back to what interested you in Scouting, were there other aspects that appealed to you, like camping, or was it mostly this leadership training type thing?

JD: I think it was the camaraderie, finding a place where you feel connected to other people. As I mentioned before, many of the social outlets weren't as welcoming or rewarding as the Boy Scouts. I found in Scouting a lot of self-esteem and value. I felt important. I felt like I had an impact on what I was doing, which wasn't always the case in other youth activities. In sports—I tried out soccer and basketball—most of the time, I was sitting on the sidelines, wondering if I would get a chance to play. In Scouts, there was always a place for me, particularly in the troops that I sought out, the smaller troops. Some troops were bigger—they're called Eagle Mills, where anybody can be an Eagle Scout, you have to go through the paces—versus Scout troops, where I found more of an individual connection and mentoring and people that I could look up to.

SI: Tell me a little bit more about MAST. From what I understand, the process to get in is difficult. What was the culture and day-to-day activities like?

JD: This is probably closer to when MAST started, in the mid-to-early '80s. I guess it's been around for quite some time now. It was relatively small. My class was probably the smallest of the classes. There were about 33 of us, I would say. It was nice, but it was a schlep to drive from Port Monmouth, Middletown, where I grew up, to Sandy Hook. It was a 20- to 30-minute ride each way. When you go there, you're driving out to Sandy Hook. You're driving out on the end of the peninsula. It was a different high school experience. In the summer or in the spring and fall, it was beautiful. In the winter, it could be beautiful but a little gloomy because there's not much activity out there. Sometimes driving out there, the waves would flood the road. You felt like you were going someplace special. In my oceanography and marine biology classes, you would literally go out to the beach. We would walk five or 10 minutes and be at one of the beaches. You would be looking at the waves and talking about the marine species in front of you. That was great.

It was a quasi-public school. It was an NJROTC. Within your curriculum, you would take a couple of Navy-related classes and marine biology or oceanography classes which were relevant to the Navy and also to where the school was physically located. Two days a week, you would wear a uniform. It wasn't my favorite part of going to school there. [laughter] I did find it interesting, however. Like the Boy Scouts, the military's structure and process made sense to me. While I was at MAST, I found success in the military aspect. They had a battalion with two companies, each with a few platoons. I was appointed company commander during my senior year, leading one of them. We went on school trips sometimes to different military bases, like in Key West and South Florida. Those were exciting trips. Every week we had formations and inspections on Thursdays and Fridays. You'd need to clean your uniform up and everything. Again, I chose MAST because of the size, the intimacy, and the individual attention I would get there. My friend Jeff Egnatovich went there as well. That also had something to do with my decision.

SI: While you were going through high school, you were advancing in the Boy Scouts. Tell me about your path to getting the Eagle Scout award.

JD: It was a long path. As I alluded to before, I was in three different Scout troops as a teenager, in addition to a Cub Scout pack. The first troop that was in my church folded. Then, I went to a second troop and met Norman Powell, the Scoutmaster. That troop went through a couple of Scoutmasters. It was a larger troop with about 40 kids. Ultimately, it folded, too. My last troop was Troop 73 in Matawan. That's where I earned my Eagle Scout badge. There's also the honor society within Scouting called the Order of the Arrow. From my first troop, I was selected to become part of this honor society. [Editor's Note: Founded in 1915, Order of the Arrow is the National Honor Society of the Boy Scouts of America.]

As my troops came and went, my connection grew stronger with Monmouth Council and the Order of the Arrow. I got very involved in the Order of the Arrow. Within the society, there were three different levels. Within the highest level, I was ultimately the leader, or the chairperson, who oversaw the selection of those admitted into the highest level of the honor society. I found success and satisfaction there. Again, as my troops were changing, people were moving on, and my peers were leaving the Boy Scouts to go, I don't know, play sports or have other interests, like girls, or whatever it may be; I stuck with the Scouts and had relationships more at the council level than just at a troop level.

SI: Did you get involved in summer camps or things like that?

JD: I did, yes. I went to summer camp every year. One year, I enjoyed it so much that I somehow became a member of the camp staff and was there for a couple more weeks because of that. I was on summer camp staff for one or two summers. That was in Forestburg, New York, near High Point in New Jersey. I enjoyed that a lot. [Editor's Note: Forestburg Scout Reservation, in Forestburg, New York, is operated by the Monmouth Council of the Boy Scouts of America.]

You asked me before what appealed to me about Scouting. I'm not going to say I was the best wilderness person or camper. I did that. I enjoyed some of that. I generally liked camping more when there was a cot than when you were just sleeping on the ground. [laughter] The first camping trip I took as a Boy Scout was in the winter in a tent my father gave me that didn't have a floor. There was snow on the ground. It was a traumatic experience. My tentmate had his parents come to take him home after the first night. [laughter] I stuck it out, but I wouldn't say that was my favorite part. My favorite part was probably the community, the leadership activities, and learning about all the different things. Maybe that speaks to my generalist tendencies, learning about many different things. In Scouting, I enjoyed that.

SI: Just to give a little bit about my background, I am from Monmouth County too, and I was in Boy Scouts. I also worked at Forestburg.

JD: What's our age difference?

SI: I am nine years younger than you.

JD: Okay.

SI: I am curious, when you were at Forestburg, was Bear the director? I think his nickname was Bear or something like that.

JD: I don't recall.

SI: Oh, okay, all right.

JD: Not to say that I black things out, but I kind of put some things in a box. Especially with the lawsuit and all that, I haven't thought about some details. I remember I was close to the ranger, not the director and his wife. That's when I wound up working in the dining hall. I also remember I worked at the trading post on the other side of the lake in...

SI: Dan Beard? [Editor's Note: Two camps exist within the Forestburg Scout Reservation: Dan Beard Camp and the J. Fred Billett Camp.]

JD: Dan Beard, exactly. I remember working in both of those places. I'm unsure if it was the same or two different summers. I loved Darlington Falls. [Editor's Note: Darlington Falls is a ninety-foot waterfall in the Forestburg Scout Reservation.] I haven't been back there since. I'm not sure if this is the healthy way or the right way to do it, but I think, to some extent, when I was expelled from the Boy Scouts, it was almost like the wall came down. I heard things secondhand or thirdhand. I heard that the director, actually I'm not sure what the title was, but the person who ran Forestburg—it wasn't the people I knew—[said], "He's never going to step foot back in Forestburg as long as I am here." I think it was the person you might be referring to.

SI: It could be, yes.

JD: There were a few people that reached out to me. Norman Powell was one.

SI: In a supportive way?

JD: Yes, he was supportive. He believed in me. This is the late '80s or early '90s. I'm not making excuses or anything. In some ways, going to Rutgers and coming out at Rutgers—even though it was only 40 minutes from Middletown to Rutgers—felt a world away. To some extent, it was easy almost to turn the page and focus on Rutgers and everything that was going on because I was also very active at Rutgers while there. I don't think I dealt with the pain and the difficulty of being rejected by people.

Growing up as a gay kid, the Boy Scouts was a more nurturing environment where I found acceptance. To then have that suddenly taken away was traumatic. I was on my path, going in a slightly different direction, going to college and things like that. It wasn't like I stayed in Middletown and on Tuesday nights was like, "Oh, I can't go to the Boy Scouts." My life moved on. But it was painful to feel rejected by people who had thought so highly of me for so long. Going from being accepted and respected by the Boy Scouts to having them see only one side of who I am and then having the door closed, the curtain goes down, was very painful.

I don't think I processed it, in those words, at the time. It was painful to hear the director of Forestburg declaring: "He will never be in Forestburg again." Some people were—I don't know if supportive is the word, but not as homophobic maybe—still supportive of me. I don't know if they got the gay thing; they didn't have the experience or the perspective on it. They knew who I was. They respected me. [Note added by James Dale: This is the news story that was on my mind during the interview, but I didn't mention it here. This didn't happen at Forestburg, but it was very disturbing. "Scout leader fired for gay gun target," Aug. 13, 1999, *San Francisco Examiner* https://www.sfgate.com/news/article/Scout-leader-fired-for-gay-gun-target-3072137.php]

My last Scoutmaster, Earl Wightman from Troop 73, was someone I met through the Order of the Arrow, and then we became friends. He was an Anglophile. He was very into the ceremony, pomp and circumstance, of the Boy Scouts. I don't know; he was about 15 years older; we connected and became friends. He essentially recruited me to join the Scout troop, where he was Assistant Scoutmaster at the time, and he ultimately became the Scoutmaster. He was a significant person to me in my life. However, he was one of the people from the Boy Scouts who wrote a deposition against me, saying essentially, "Had I known James was gay; I would have never signed off on his Eagle Scout badge." It seemed extremely mean, even hateful.

For somebody I was so close with to then turn their back on me and say that being gay is against everything Scouting is about, and had he known that, he would have never wanted me to be in Scouting—that was very, very painful. I remember his name came up with my peers, primarily in the Order of the Arrow. Some people suggested that he was gay. He was single and often perceived as being gay. Whether he is or was, I have no idea. I'm not going to say that I was super progressive before I came out, but I do know that at that moment, I said, "That's not what this is about. This isn't about whether he's gay or not. This is about whether he stands up for what we believe in, the values and the principles."

Ultimately, he was inducted into the Vigil Honor Society. I was running the Vigil Committee, and I oversaw the ceremony, and I inducted him into the society. For him to then, a couple of years later, say that I went against everything Scouting stood for was very hurtful. Sometimes, those painful things are easier not to remember, but they are just more…

SI: Prominent in your memory?

JD: More prominent, more of an exclamation point to my experience. Again, I was pleasantly surprised when I reached out to people--about being gay and challenging the Scout's homophobia--but I wouldn't say everybody volunteered their support initially. I protected myself, too. I went to college. To some extent, I started cutting those ties a bit and had a supportive network at Rutgers and people who meant a great deal to me there.

SI: One thing I was angling towards before was you said you found a lot of acceptance, but also, from my own experiences just a few years later, there is a certain base level of homophobia. Did that affect you? Was that a part of your experience?

JD: When I was a kid or as an adult with the lawsuit?

SI: Before the lawsuit.

JD: I would say a little bit. It was the '80s. That was a pretty homophobic time in our country's history. There were a lot of HIV fears as well. I'm not going to excuse the homophobia, but I think it's all muddled together. I generally found the Boy Scouts a better place to be a gay kid than the soccer team or the locker room. There was homophobia. I don't know if I helped activate that homophobia in the Boy Scouts through my lawsuit. That actually might be part of it. People are homophobic, but I didn't find people running around saying antigay stuff. But there were the comments, like fag and queer.

SI: Okay, that is more what I am referring to, yes.

JD: There was that, but I generally found less of it than I found in society at large.
I found Scouting more of a supportive place as a gay kid. I think that's the irony or the tragedy of the Boy Scouts and what happened to them. A lot of gay kids found a welcoming place in the Boy Scouts. They found what they didn't find in other places. They found support. They found acceptance. I found it a much better place to be a gay kid than many other places. Again, I was self-selecting. I was deliberate in the troops I chose. I found that smaller troops were less homophobic than larger ones, maybe because there's more adult supervision. Generally speaking, adults weren't as homophobic—no, I wouldn't say that. Generally speaking, they wouldn't allow bullying as much. That's probably what I'm getting to with a lot of this. It's about bullying. Generally, not always, the troops that I found weren't tolerant of bullying. Even the homophobic Scoutmaster [Earl Whiteman], who said he would have never signed off on my Eagle Scout badge, would not have allowed people to say antigay things to a child in his troop. He wouldn't have allowed or fostered that type of bullying environment, even though he was very homophobic.

SI: When you got to Rutgers, there was obviously a student group that offered some support. But I would imagine, at that time, there was nothing like that on the high school level...

JD: Yes, there was no…

SI: …nothing for you to reach out to.

JD: I went to a small high school, too. This was before the gays in the military. There was nothing in my high school, junior high school, or grade school. Most of that movement and momentum came about with this organization called GLSEN (the Gay Straight Alliances) in the '90s after I was pretty much out of college. [Editor's Note: GLSEN is a non-profit organization that was founded in 1990 by a group of teachers to promote awareness and equality, especially in schools. Founded in 1998, GSA Network (formerly Gay Straight Alliance Network) is a next-generation LGBTQ racial and gender justice organization that advocates for safer schools and healthier communities.]

SI: Before we talk about Rutgers in more depth, is there any other aspect of your life that I have missed or that you would like to talk about?

JD: I think we're getting there, getting to Rutgers. That's probably something we haven't looked at a lot. You asked me if I felt that the Scouts were homophobic. Looking back…when I was in college after the lawsuit had been initiated, I feel that I think I might have initiated or instigated some of the homophobia unintentionally. In the late '90s, a Scoutmaster at a Rhode Island summer camp put a picture of me as a target at a rifle range and had Scouts shoot at me.

SI: Wow.

JD: I'm not excusing this horrible person, but I didn't experience anything like that when I was a kid, or maybe I chose not to see it. There was bullying. There was racism. There were those things. Perhaps my radar wasn't as tuned into it then. I didn't think as much of it at the time, but I remember this camp counselor at Forestburg named Kwon. I remember people joking, "Oh, Tae Kwon Do. Take Kwon, tie him up and roll him up in dough, Tae Kwon Do." That was a joke someone told, which, looking back on it now, was offensive and racist. At the time, I didn't think about it that way. Again, my sensitivities weren't up then. I'm sure that there were also AIDS jokes that were told like there were everywhere at the time. But, in general, Scouting was a more supportive environment. I chose the troops where there would be less homophobia. I selected the smaller troops, where you didn't have to be a jock.

SI: When it came time to look at colleges, what led you to Rutgers?

JD: It's a good school. And it was relatively close to my parents, although it felt like a million miles away from where I grew up. I also looked at some schools in the city here [New York City]. I looked at Pace University, and I didn't look at a tremendous number of schools. As I mentioned, my father went to Hofstra, a short distance from where he grew up on Long Island. I don't think canvassing the country and flying off to visit campuses was in their experience. It wasn't something that was my experience, either. It's interesting because I had always found these small places before I went to Rutgers, and then I did the exact opposite.

I remember I went to a concert at Rutgers—I think it was Echo and the Bunnymen—with a friend of mine from high school. I was some kid in high school who was into indie, alternative bands. I remember being at the concert and being close to the stage and thinking how cool it was that the school was producing this big concert. It was in the College Avenue Gym. That was something that factored into my mind. While I was at Rutgers, while there was the LGBT stuff that was very well covered and talked about, I was also very involved in two concert committees, both when I was a Cook student and when I was a Rutgers student. I led the concert committee at Rutgers College. I got tremendous satisfaction and joy from producing concerts and listening to music.

Another thing that stuck in my mind about Rutgers was that it was a place my parents could afford, which was a consideration of theirs. Back then, it was only a couple thousand dollars a semester, so it was under ten thousand dollars a year. There were the rational things, getting into the school, the affordability, the proximity, and the large campus were all things. Then, I was a kid in high school, and it was cool that these bands that I admired were performing, that you

could be involved in producing something like a concert while you were a kid in college—that spoke to me.

Then, even though I wasn't out at the time, I picked up on something gay at Rutgers. I don't know exactly what it was. It wasn't like you could go on the Internet and type in "Gay group at Rutgers" and see if it was there. I somehow knew there was some type of gay community at Rutgers. I don't know if it's when I went to the concert. I don't know if I saw gay people there or people I understood to be gay or if I read some article or some brochure. I don't know what it was, but something in my mind told me that Rutgers had a gay community. I didn't know it then, but it had the second-oldest continuous LGBTQ organization in the United States. I learned that when I was co-president of the group there. There was a long history of LGBT or probably just gay activism at the time, at Rutgers. I picked up on that. I somehow knew that. That was unspoken to myself and my parents, but it was a significant consideration. While I usually went to smaller places to find safety, I think I knew that a larger school like Rutgers would have a gay community of some sort, and they did. Then, in my second year, I came out. A factor in choosing Rutgers was that there was a gay community there. That was an important one to me. Even though I didn't have the words on paper to say it was, there was something—I can't put my finger on why or how. I knew there was a community there, and I was right. It worked out well for me. [Editor's Note: In 1969, Rutgers sophomore Lionel Cuffie and others founded the Rutgers Student Homophile League on the College Avenue Campus in New Brunswick. It was the first openly gay organization in New Jersey, the first post-Stonewall campus-based gay liberation organization, and the second-oldest gay and lesbian organization on a college campus nationwide. Now the student organization is called the Queer Student Alliance (QSA). Over the years, it has been known as the Rutgers Gay Alliance, the Rutgers University Lesbian/Gay Alliance (RULGA), and the Bisexual, Gay, and Lesbian Alliance of Rutgers University (BiGLARU).]

SI: That brings up something I want to ask about. As you were going through this very personal process, did you try to look for information that might support you?

JD: Sure, you're asking about a coming out thing?

SI: Yes, to find out more. What did you look at?

JD: It wasn't that vigorous or that scientific. It was more of a feeling. Maybe I had seen gay people in New York City, so I thought, "Oh, that's what a gay person looks like." My coming out story was not reinventing myself but defining myself on my terms at Rutgers. The size of the university allowed me to do that as well, as opposed to going to a small school where you meet everybody in your first few days, and then you can't change or evolve. I saw Rutgers as an opportunity to grow and become whom I wanted to be or who I hoped to be.

SI: To find out information, what did you look at?

JD: In terms of seeking out information about Rutgers or sexuality?

SI: Yes, finding out more. I guess my own mentality would be to go to the library to find a book or something.

JD: Yes, I did do that. I looked, but I don't remember finding much information there. This was in the '80s at a library in Middletown, New Jersey. A friend of mine, Amy, from when I was in high school, her uncle lived in New York City, and we went and visited him once. He was openly gay. I remember him taking us by the gay community center on 13th Street. And I remember being terrified and wondering, "Why is he showing us this?" but also putting it in the back of my mind. I think that's probably how I went about collecting information. No deliberate methodology, but you hear things or people say something, and you catalog them away in the back of your mind.

I remember somebody who was the co-president of the gay group at Rutgers with me, Sharice Richardson; I knew her my first year before I came out. She later mentioned that I had said antigay things or laughed at gay jokes. I don't remember that. Not that I was perfect, and it was interesting that that was her perspective of me. I'm not sure if she was out at the time.

How I came out, there was a method to it. Finding a school where there was, I don't know if I'd say gay, but maybe it was an alternative crowd or a crowd like the people I saw in New York City in the gay neighborhoods. I think that was something that attracted me to Rutgers. When I was younger, I wasn't as outgoing before I went to Rutgers. I was shyer, or that's how I think of myself. When I went to Rutgers my first year and started at Cook College, I remember being the opposite. I remember feeling like I wanted to meet everybody and get to know everybody, and it just felt like an excellent opportunity to start over. Even though I wasn't out the first year, maybe the gateway or the incremental step to coming out was falling into more of the alternative crowd or the indie crowd, which I did a little bit in high school. I did that at Rutgers, joining the concert committee at Cook College and the one at Rutgers College. I think the reason for that, other than maybe just liking music, is that I thought artsy people tended to be more open-minded. Some of them were gay. I think that's probably why I gravitated toward the music crowd. I don't know if that was why I went to Rutgers, but that was definitely in there. Again, I don't know if I knew there was a gay community or if I just perceived it because of things like that.

SI: As you were interested in the music scene in high school, were you mostly experiencing it in New York City, or would you go to Asbury Park?

JD: No, I went out in New Jersey too. I went down to Asbury Park. I saw Public Image Ltd. there. I went to some concerts at The Paramount. Some of my friends in high school were also into music. There was a place in Shrewsbury called Behind the Scenes where I would go. It was basically in a strip mall. There was a back entrance to a warehouse in the strip mall, and there was a little club there. I would go there. City Gardens in Trenton was another club I went to. I started to get into that later, when I had more freedom to do my own thing. I got away from my parents. I began to get more involved in the music scene. Red Bank, at the time, had a small underground music scene. I didn't get involved in that, but I went there. I came to New York City to see the Sugarcubes (Bjork was the lead singer). I guess that was in college. I gravitated towards these communities that tended to be more embracing or open. [Editor's Note: City Gardens was a nightclub in Trenton, New Jersey, that was in operation from 1979 to 2001.]

SI: When you came to Rutgers, why did you go to Cook College first?

JD: That's where I was accepted, to be honest with you. My high school guidance counselor said, "Why don't you go to Cook College, and then you can transfer to Rutgers College?" which is ultimately what I did. It was kind of ridiculous. I could take classes wherever I wanted, but my degree would have come from Cook College. Even though Cook College felt smaller, I was trying to get into the larger school, which I perceived as more progressive. The LGBT Alliance always met on College Avenue. Initially, it was only funded by Rutgers College. Ultimately, the other schools started to support the Alliance as well. The gay community was College Avenue–focused at the time. College Avenue and George Street were the focus. The Aggies (agricultural students) at Cook College were not as welcoming of gays, or I didn't perceive them that way. There wasn't as significant a gay presence at Cook. When I say gay, I mean my experience as a gay man, but I don't mean to exclude other people in the community.

SI: Did you live on Cook Campus?

JD: Yes. I lived on Cook Campus in Voorhees Dorm during my first year. I still have friends I met there during my first week at college—I just had dinner with one of them on Friday. I liked Cook College. I was more pleasantly surprised with Cook than I thought I would have been. I wasn't interested in being a vet or working in the agricultural industry. However, I found a friendly community there. I remember I would feed the animals; Voorhees Dorm was next to one of the farms. I would take bagels and apples from the dining hall and then feed them to the pigs and cows, although I'm not sure I was supposed to. I liked doing that. I wanted that connection. I've always loved animals. [Editor's Note: The School of Environmental and Biological Sciences (SEBS) was formerly Cook College.]

As I said before, I was on the concert committee at Cook College. I was in Amnesty International. I was in Cook student government, too. I was kind of a joiner, and I wanted to try everything out and see what Rutgers had to offer. I'm trying to remember my transfer because I ultimately transferred from Cook to Rutgers College. Initially I was going to do economics as a major, agricultural economics. Then I switched to sociology and communications, double majors. Also, I did a theater arts minor. Is Cooper Dining Hall still there?

SI: Yes, yes.

JD: I would often hang out there. There was also Neilson Dining Hall. It's funny how the memories all come back. Neilson Dining Hall was the one at Cook. Cooper Dining Hall was the one on Douglass Campus. Mason Gross [School of the Arts] and Cook students would also go there. That was my community there, where I would go and have meals, the dining hall culture, and all that. I enjoyed that. I liked being close to the theater, Mason Gross, and the art students. I appreciated being by the women's college. I was on the Pro-Choice Task Force and was the group's fundraising chair for a semester. [Editor's Note: Neilson Dining Hall remains open to students. Cooper Dining Hall was closed for student dining but is still used by Dining Services.]

SI: Let's talk a little bit about some of those activities. The concert committee, what would you do there?

JD: On the concert committee at Cook College, I was on hospitality, I think because some of my friends were. My first show was The Replacements. Animal Sounds was the name of the concert committee at Cook. I would go to these meetings; I can't remember if they were weekly or biweekly. We would review popular bands and vote on which bands we wanted to play here. We would publicize the show, put up posters all over campus, and do things like that. If you were on the hospitality committee, you would work the dressing room, buy the food in advance and get the food there. If you were on security, you would work the barricades at the show, do ticket taking, and make sure that the operation was running well. I was the security chair of the College Avenue concert committee. Then, later I became chair of the College Avenue Concert Committee.

When I go back to "why did I go to Rutgers?" I also think it was just so cool that college kids were producing these huge concerts. What I like about event production, compared to other work, is that there's a beginning, a middle, and an end. It's a process. There's a high and a culmination. There's all of that. Then, there's the cleanup and break down, the disassembly work. I enjoyed that. I remember working with these huge budgets when I was in college. Interestingly, the two big things I did in college were the gay stuff and the concert stuff. The concert stuff, nobody talks about that. That was important to me during that time, and it still is today.

SI: Were all the shows at the gym, or were there other venues?

JD: At Cook, they were primarily at the Cook College gym and maybe sometimes in the student center. The same thing happened with Rutgers College—they took place in the College Avenue Gym, sometimes in the Rutgers Student Center, and sometimes in the Busch Student Center. I also did a show in Deiner Park. Deinerfest, it was called. That was huge. That was with the Red Hot Chili Peppers. [Editor's Note: Deiner Park is located behind the River Dorms on the College Avenue Campus on George Street.]

SI: Really? Wow.

JD: Yes, Red Hot Chili Peppers, Big Audio Dynamite, Party Dolls, and one other band that I'm forgetting. It was a great experience.

SI: Did you work on Deinerfest all four years?

JD: I'm trying to think. When was I chair? In my senior year, I was chair. I had an extra half a year, super senior year. So, I think so. The one that stands out the most to me is the one while I was chairperson. I can't remember any other concerts before that. My management of Deinerfest pissed people off and screwed it up a little for future concerts. About 6,000 people came. After that, they scaled it back a lot. They said, "Oh, we can't have something that big and unruly." It was fun. It was a once-in-a-lifetime experience.

SI: Do any of the other concerts or acts that came through stand out in your memory?

JD: I would say Echo and the Bunnymen, the show I saw when I was a high school student that compelled me to consider attending Rutgers. Meatloaf also played there, in the Rutgers Athletic Center on Livingston Campus. I wasn't a big Meatloaf fan, and we didn't produce that.

We also did a laser light show, which was fun. It's been so long since I thought about the concerts. Again, many of the people I met on the concert committees I'm still friends with today, so I made strong friendships. I didn't do the Greek fraternity thing at all.

SI: Later on, there were a number of controversies surrounding concerts at Rutgers.

JD: What were the later controversies?

SI: There was a riot at one of the Rutgersfests. [Editor's Note: Rutgers University decided to cancel the annual Rutgersfest after the 2011 concert resulted in overcrowding, heavy drinking, several shootings, injuries and arrests.]

JD: Oh, okay.

SI: There was a lot of stuff like that. I was just curious if there was anything where you got any feedback or pushback from the administration.

JD: Well, that Deinerfest one that I mentioned. But it was nothing like that. I got some pushback that we weren't programming a diverse slate of concerts. That was probably why I didn't get reelected. [laughter] We didn't program enough for all the students. They levied fees on every student towards these events, and it's how the concert committee got their funds. So, I think I was probably dinged for not being diverse enough in programming. What else? I believe that Deinerfest one year was a little too big. We promoted it outside of the university. The administration didn't like that. Rutgers students were paying for it. It was probably on WHTG or another radio station, and they mentioned that anybody could go since it was a free concert. It got big; they thought too big, a fair critique. I was a college student. I don't take it all too personally now, looking back. There weren't any riots or anything like that.

SI: Would you bring in other types of acts, like comedians and stuff like that?

JD: The structure of RCPC (Rutgers College Program Council) at the time, there were all different committees. There was a concert committee, a lecture committee, and a travel committee. I need to remember all the other committees, but a bunch of committees, each had a different focus. The Council started with only a concert committee called Rambling Rose at the time. The students who taught me the ropes were a little bit like, "We're the concert committee, and we're the best committee here." Concerts also allocated a disproportionately large percentage of the budget, so I think there was some resentment or jealousy from other committees. As the biggest, you get targeted a bit. There was some of that.

I guess I haven't told the coming-out story. In my first year, I mentioned that I was joining everything, not LGBT stuff, but other things, like the Pro-Choice Task Force. In my first year, I thought, "I've never really given being straight a chance." I didn't seriously date women. When I got to Rutgers, I felt like, "Okay, I'm going to give this straight thing a try." I dated women, one of whom I met on the Pro-Choice Task Force, and gave one last try at being straight. Some women on the Task Force didn't like that a man or someone perceived as a straight man was in a leadership position. My girlfriend there advocated for me. It was right at the end of my first year. I gave being straight more of a chance than I ever had before.

When intimacy with the woman from the Pro-Choice Task Force didn't work out, that's when the weight of being gay came down on me. Before then, I thought, "Well, maybe I'm bi." After that, that's when I decided to come out. If there was a singular moment that I was gay, that was it. The other thing, too, is that it wasn't a serious relationship; it was more of a fun thing. She was a few years older than me. I didn't feel that I was going to break her heart. I didn't have the weight of that on the relationship. Things were never consummated in the relationship. I think, in my mind, that meant that I was gay. That was between my first and second years at Rutgers. With friends from Rutgers that summer, I pieced it all together.

I started finding a gay community that summer. I came out when I returned to Rutgers at the beginning of my sophomore year. When I could say it to myself, I could say it to anybody. I went from in the closet to co-president of the gay group in about three months. I dove in head first. I immediately got involved. I saw that the group didn't have people who were stepping up or didn't want to be out. I got elected, did that, and just ran with it a bit.

Initially, the primary Rutgers LGBT group was only funded by Rutgers College. I remember thinking, "We need to be funded by all the colleges. Rutgers College isn't the only college with gay students, and we need to have a presence at all the colleges and get funding from all the colleges." I tried to expand the presence and visibility of gays on campus.

The office for the gay group was in the College Avenue Student Center, on the top floor, across from the radio station [WRSU]. It was in a part of the building that was open 24 hours a day. It was a small office. When I started in the gay group, everything queer came from this organization. I'm like, "Well, that doesn't make any sense." I remember there was a difference of opinion. The office was across from WRSU. It was counseling, support, and the gay social/political group. All of these functions were under the same organization. It seemed like an inherent contradiction between being proud and open and being in an office with all the windows covered with privacy paper. From the perspective of the students leading the counseling, it was important to have a discrete place where people couldn't see who was in there, especially if they were talking to somebody coming out. I was more of the thought: "Let's open it up and let people see who we are." Other people thought: "No, it has to be confidential and anonymous. We need that." Inherently, we had different agendas, so they became separate groups. The social/political group got another office, and counseling and support retained the private one. Ultimately, our presence grew. We were able to say, "These are different functions." Saying that every gay person's needs are met by one group wasn't realistic.

SI: This counseling group, was it part of the same group?

JD: Then, it was all RULGA [Rutgers University Lesbian/Gay Alliance].

SI: So it was not related to the general counseling.

JD: No, this was gay-specific.

SI: Yes.

JD: Everything gay was in this one little office on College Avenue. The thinking that I had was to diversify it and ask, "Why is only Rutgers College supporting us? Why are all the needs of gay students supported by only Rutgers College money? Why is there only this one little office that has to be support, counseling, activism, politics, community?" That was a big thing at the time, separating the support function from the social and political parts. When I came out, I felt the group was slightly cliquish when I first went there. Maybe it became a clique in a different way when I was leading the group, in all fairness. I had much more activist tendencies or the desire to be visible.

I'm not sure precisely the timing of the Boy Scouts in all this. Again, everything happened in a short timeframe because I didn't come out slowly. I came out big. I want to say, was it a year after? I remember it was National Coming Out Day, and I had a relatively new boyfriend. We were kissing on the steps of Brower Commons on College Avenue for National Coming Out Day in October 1990. A picture was taken. It was put on the front page of the student newspaper, *The Daily Targum*. It was a scandal.

SI: A scandal at Rutgers or a scandal?

JD: It was scandalous.

SI: Scandalous, all right.

JD: Scandalous because it was a very intimate, passionate kiss on the newspaper's front page. I remember some people pinning it up on their dorm room doors and others ripping it down. This is how I was dealing with my coming out process. I would go to New York City, attend ACT UP and Queer Nation meetings, and then take that mindset back to Rutgers and filter it through a Rutgers student lens. I excited the activism of the organization.

When you asked me who my mentors at Rutgers were…my mentor was Jim Anderson, Associate Dean James Anderson, from SCILS, the School of Communication, Information, and Library Science. He was probably the best mentor I could have had. He later sued Rutgers and had activist tendencies, but he wasn't radical. His temperament was like that of a Scoutmaster I once had, a man with a big beard, affable; not that my Scoutmaster was an activist, but Jim was an activist. Jim encouraged my activism. He never told me what to do. He always encouraged me to do what I wanted to do or what I thought was right—to be out, to be proud—and he gave me support and helped me navigate the Rutgers bureaucracy. [Editor's Note: James Anderson served as a faculty member and administrator in the School of Communication, Information, and

Library Studies (SCILS) from 1977 to 2003. He worked on behalf of the Rutgers LGBTQ+ community, including chairing presidential committees, advising organizations, and advocating for policy changes. He led the campaign for the university to extend benefits to same-gender partners. After suing the university in 1993 and the university still refusing to give equal benefits coverage, Anderson resigned in protest in 2003.]

I talk to people about that a lot, what it was like going to Rutgers. I was talking to somebody recently who wants to go to the School of Engineering. People sink or swim at Rutgers. It's a huge school. You could just get lost, or you can find a niche. Some people do the Greek thing, and some people focus intensely on their studies. I did concerts and the gay stuff. You can get lost, fall between the cracks, party all the time, and never go to classes. I was fortunate that I was able to navigate the system and become the person that I wanted to be and speak out on the things that I wanted to speak out on.

The Boy Scout case, which started when I was at Rutgers, I couldn't think of a better place to go through that. It started there and then went on for another eight or so years, 10 years total. It was just a great place to find my voice, to find support, and for some people to call me on it. Cheryl Clarke, who I believe is still at Rutgers, was the other co-advisor of the LGBT group. She was a little tougher on me. She called me on stuff, like being more inclusive as an activist. I don't think I intended to ever not be inclusive. I remember one time, it was the end of the year, and we had extra money in the budget for the Gay Alliance. I ordered a whole bunch of books for the library for the group. I wanted to spend the money before we lost it. I ordered books I thought lesbians would like versus asking lesbians what ideal books were. She would call me on stuff like that. I respect her. She was tough. Jim was different. They had different approaches. Jim was supportive but not as direct as she could be. [Editor's Note: Cheryl Clarke is a poet, activist, educator and administrator who worked at Rutgers from 1970 to 2013. Amongst many roles, Clarke served as the founding director of the Office of Diverse Community Affairs and Lesbian/Gay Concerns (now called the Center for Social Justice Education and LGBT Communities) in 1992. Her oral history is available on the website of the Rutgers Oral History Archives.]

SI: They were co-advisors?

JD: Yes. Essentially, they were there if you needed them, and they weren't coming to meetings and running things. Sharice Richardson was co-president with me for part of the time when I started, and then there was another co-president after that. Sharice was involved, but I was spending a lot more time channeling my energy into the gay group.

SI: You mentioned moving in a more activist direction. What form did that take?

JD: I think going to ACT UP meetings in New York City. [Editor's Note: Founded in 1987, the AIDS Coalition to Unleash Power (ACT UP) is an international, grassroots political organization that works to improve the lives of people with AIDS through direct action, medical research, treatment, and advocacy.]

SI: Would you take a group of Rutgers students to a meeting?

JD: I would go by myself or with a friend, just seeing how politics were happening in a big city like New York. In some ways, the Boy Scout case made me check myself a bit more. As that was boiling up—I mean, it took a decade, so it had some time—there was reason to be angry that people were dying because they were gay, and people didn't want to deal with that. There was reason to be mad as a kid being bullied, name-called, or things like that.

[RECORDING PAUSED]

SI: You mentioned seeing how there was political activism in the community in New York and bringing some of that back to Rutgers. You mentioned some of the societal prejudices that were in full force in the late '80s.

JD: Rutgers helped me channel some of the anger that I had. Again, being expelled from an organization you care deeply about, there's anger there, too. It's not something that I necessarily discuss front and forward. Being angry wasn't going to win over the hearts and minds of Americans, which I felt was needed in my case that ultimately went to the Supreme Court. Because my case started so small and over a decade got so big, I was able to mature and grow up. Early in college, I dyed my hair blue-black, and I had these big hoop earrings. When I was at Rutgers and going on these little cable TV shows in New Jersey, right when the case started, a call-in person on the talk show was unable to relate to me. Even though this was the me I wanted to be at the time, I realized that in that arena, I needed to present myself like I would for a job interview. I needed to put my best foot forward. I cared about many social issues—from animal activism to women's rights to apartheid. I also realized that in the role of "the gay Boy Scout," I had a short amount of time to make my point, and to best do so, I needed to refine my message, be as succinct as possible, and not distract, whether by what I was wearing or how I was saying it. I needed to essentially be the Boy Scout that I was in some ways, even though I was 25 or 30 years old when all that was going on. I was a communications major at Rutgers. All of that education paid off well.

You asked me how I expressed my activism at Rutgers. I think working within the LGBT group there, leading the LGBT group, trying to make a visible presence, being very visible and very vocal. I have specific anecdotes if you want to hear about what I did.

SI: Yes.

JD: One of the co-presidents and I went to a New Jersey Lesbian Gay Coalition Conference. I bought these shirts that had "Rutgers" printed on them in big red letters with a big sunrise-type in a half semicircle, and then beneath it, I painted the words "Fag" and "Dyke". They said "Rutgers Fag" and "Rutgers Dyke". We wore them at the conference and when we spoke on a panel. Also, I made this black and hot-pink beaded choker with letters that spelled out "Q-U-E-E-R." When I wore that, someone had to acknowledge that I was gay when they were talking to me. It was a bit out there. I did things like that. I also organized a kiss-in on campus.

SI: You mentioned this event on National Coming Out Day. Was that something that would be organized every year?

JD: Yes. We would organize it on October 11th, National Coming Out Day. There would be speakers and people coming out, telling their stories, discussing discrimination, and then a public display of same-sex affection with the kiss-in. I also saw the value in the social component and dances. I ensured that we had dances and that those posters were up everywhere, all over the campuses at Rutgers. We'd try to have huge dances.

There was a situation one time when we were at the graduate student lounge on College Avenue where we were hosting our dance. Some guy came into the event to start trouble. He grabbed a heavy box of course catalogs and threw it into the crowd. I went right up to him. He said that somebody had groped him. But there was no reason for him to be there if he wasn't gay or an ally. This was clearly advertised as a gay dance. I almost had the guy expelled after that. I confronted him in the situation, and got the police involved. Many other people were inclined to not make a fuss or to allow something to slip away.

Also, I made sure that LGBT stuff was covered in Rutgers student newspapers like *The Daily Targum*. I did the same for the Boy Scout thing as well. My case was heavily in the media right when the AIDS crisis was starting to be more under control. At the beginning of the '80s, people were dying. It's still going on in the mid-'80s. It's still going on in the late '80s. Then by 1995, protease inhibitors and cocktail therapy came along, and people could live with HIV. I think that at Rutgers, there were many people who wanted to raise awareness. We did a lot of HIV activism at Rutgers. While HIV wasn't solely a gay thing, we had an affinity toward it.

Like with the Boy Scout issue, many people wanted to address it. Many people, like editors at *The Targum* and the *Rutgers Review,* wanted to have gay stories told or the LGBT perspective for their readers. I worked with them. I made sure that *The Targum* was called when we had a rally or if there was an action that they knew about it. Working with the press served me well later with the Boy Scouts case. You've got to be media savvy—don't fight the press; make it easy for them to tell the story. Return their calls. Make time for them. Be open, and communicate. These things were essential to me, but it's surprising when other people don't understand them. Those were skills I learned at Rutgers—how to deal with the press, how to engage the press, write a media alert, and write a news release. All of that helped me later with my Boy Scout case as well.

Ultimately, I wound up living in Demarest Dorm. It was the year they were starting an LGBT Studies section, and my roommate at the time wanted to call it that. I led the charge to call it the Queer Studies section, which created a giant rift. My roommate was Catholic and more religious. He wanted to be a bit more subdued. My instincts were the opposite, "No, we're the Queer Studies section. Let's be out, loud and proud."

Another thing I did at Rutgers was there was always this statistic that approximately 10 percent of the population is gay. I don't know if it's true or not. It's based on some early studies, the Kinsey Report. [Editor's Note: *Sexual Behavior in the Human Male*, published in 1948, and *Sexual Behavior in the Human Female*, published in 1953, written by Alfred Kinsey, Wardell Pomeroy, Clyde Martin, and Paul Gebhard, are two scholarly books on human sexual behavior. Together, they are commonly referred to as the Kinsey Reports.]

SI: Kinsey, yes.

JD: I created this group "Five Thousand Queers at Rutgers." It was more of a political awareness through posters, messaging, and wheatpasting. I created these posters, often based on ideas I had seen in New York City, and then I reinterpreted them for Rutgers. I would do this stuff on the Macintosh computer at the RCPC office. Jim Anderson found this biography of Colonel Henry Rutgers. Whoever wrote this biography made it sound as though Henry Rutgers was gay. I don't know if the guy thought he was gay or what he was. The quote Jim Anderson thought was interesting and showed me was: "Colonel Henry Rutgers had a fondness for young men." I took that and ran with it. I made posters with that quote on them. When the school had the [in person] add/drop period for classes at the beginning of the semester, it took place at the College Avenue Gym. We wheatpasted these posters all over the windows outside of the buildings so that everybody who went through add/drop, on the first day of add/drop, was faced with, "Absolutely Queer: Colonel Henry Rutgers," then I had that pull quote on it and this big illustration of Colonel Henry Rutgers. I did things like that.

Another time, when the gays-in-the-ROTC issue was very active, the [senior] Bush Administration was saying something to the effect of: "If you cut off funding to the ROTC, then we'll cut off funding to your school." It was this whole huge thing. I wheatpasted around campus and also around the ROTC building: "Fear of a Queer Army." It was a knock-off of *Fear of a Black Planet* album from the hip hop group Public Enemy. I did these grassroots activist things like that. It created an impression that there was an even more significant, out gay community at Rutgers. There was a lot of making sure to leverage mass media. [Editor's Note: In 1990, Rutgers administrators worked to align the University's non-discrimination policy with policies of cooperative academic programs, including Army and Air Force ROTC. Whereas the University's non-discrimination policy prohibited discrimination based on sexual orientation, the Department of Defense barred homosexuals from serving in the military. After the Rutgers Select Committee on Gay and Lesbian Concerns recommended that programs that do not comply should be terminated, the University cut ROTC scholarships. (Lee S. Duemer, "The History of the Reserve Officer Training Corps Among the Association of American Universities from 1982 to 1992: Review of Institutional Responses to ROTC Policy Regarding Homosexuals," *Educational Policy Analysis Archives*, Vol. 5, No. 9, March 21, 1997)]

SI: Yes.

JD: Mass media, newspapers, wheatpasting, radio shows—whatever it took to turn up the noise and turn up the volume and make there be a physical presence. Some people told me this made them hide in the closet more; others said it helped them come out. I don't know if it was always the right way to go. I think it was how I channeled whatever I was going through while I was a student at Rutgers. I didn't find Rutgers to be a homophobic place. It had an excellent reputation as an accepting institution. What was that project that was very popular in the '80s? *In Every Classroom.* They invested a good deal of money in that. Then, Blumstein…was he the university president at the time? [Editor's Note: In February 1988, President Edward Bloustein convened the Committee to Advance Our Common Purposes and the Select Committee for Lesbian and Gay Concerns. Chaired by James Anderson, the Select Committee for Lesbian and

Gay Concerns consisted of various task forces and released its report *In Every Classroom* (1989), which made recommendations for institutional changes.]

SI: Bloustein? [Editor's Note: Edward J. Bloustein served as the president of Rutgers University from 1971 until his death in 1989.]

JD: Bloustein, exactly. Bloustein was there, and he was pro-gay, very progressive. Then, someone came after him, and he wasn't as ...

SI: Lawrence, yes. [Editor's Note: Francis L. Lawrence was the president of Rutgers from 1990 to 2002.]

JD: Lawrence didn't make it as much of a priority. I think that's when the whole thing with spousal benefits for LGBT employees came up. I remember getting Christmas cards from Bloustein because I made a lot of noise and activated many people. I'm proud of that. I still have people who were in college back then come up to me now. I remember there was this one person who was on the staff of the *Rutgers Review*. He was very homophobic. I've heard from him recently, and he ultimately came out. He was sorry that he was such a jerk at the time, not that that's always the case, but there are many stories like that. Or, "I didn't know you in college, but…" I have another good friend with whom I went to college who says how helpful I was for him in coming out. I think just being visible created a lot of support and community. I guess not everybody wanted to stick their neck out. For whatever reason, I was willing to stick my neck out. Did I feel I had nothing to lose? I don't know. I thought about that sometimes. I guess I didn't feel like I had anything to lose.

When I came out to my parents, I came out to my mother first. I was at Rutgers. The timing is all pretty close. I came out in September of my sophomore year. By December of that year, I was co-president of the Gay Alliance. Less than a year later, I was expelled from the Boy Scouts. I had only come out to my parents six months before that, and then suddenly, I'm in the newspaper. I was out at Rutgers, but it was on a much smaller scale.

In 1990, I was at a conference hosted by the Rutgers School of Social Work. The *Newark Star-Ledger* reported on it, and there was a photograph taken of me and the other co-president of the LGBTQ group. It appeared on the cover of one of the sections. That got me thrown out of the Boy Scouts because I was speaking at the conference about gay teens. [Editor's Note: In July 1990, James Dale spoke at a Rutgers School of Social Work conference on the health needs of LGBTQ teenagers and was interviewed by the *Newark Star-Ledger*. The *Star-Ledger* then ran a photograph and story about James Dale. A week later, Dale received a letter from James W. Kay, the Monmouth Council Executive, revoking his membership in the Boy Scouts. In July 1992, Dale sued the Boy Scouts of America, claiming the organization had violated the state statute prohibiting discrimination on the basis of sexual orientation in places of public accommodation.]

The conference would have been in July of 1990. I was still involved in the Boy Scouts but wasn't as involved as I used to be. It was more of a summer and winter break kind of involved than going to meetings every week. I was also growing slightly in a different direction. I said I

didn't experience much homophobia when I was in the Boy Scouts. But in my freshman or sophomore year, when I was back for my friend's Eagle Scout Court of Honor, I had the earrings and black hair, and I remember one of the older leaders making some snide, slightly homophobic comment to me about that. Maybe I was starting to feel a little less comfortable. Had I just been made to feel unwelcome, I would have left the Boy Scouts. I wouldn't have stayed for the point of just staying. I think it was the homophobia of writing in a letter and saying this is what they're all about. In life, there are always places we don't feel comfortable, whether at a club or sitting at a table with people in a dining hall at school. So, you don't go there. The fact that it was a policy that I never knew about wasn't something I was going to walk away from.

SI: You got the letter. Tell me your reaction to getting it. I would imagine none of this really gets out to the public until after the case starts.

JD: Well, my being gay was, I guess, out there because I was in that article in the *Star-Ledger*. I get a letter from the Boy Scouts. At the time, I'm living at Rutgers off-campus. It's the summer—June, July. The letter went to my parent's house, my then-official mailing address. I got a call from my mother that I got a piece of certified mail from the Boy Scouts of America. I go back home and open it. The letter said I didn't meet the standards for leadership as established by the Boy Scouts of America. I didn't know why. I had fears, but it didn't say, "You're gay. You're out." I talked to Jim Anderson about it; he was the advisor of the group and also a friend of mine. I was so conflicted. Jim said, "Well, just ask them. Just ask them why they're throwing you out," in his very matter-of-fact way. So, I did. Then, a second letter came back saying, "Avowed homosexuals are not permitted in the Boy Scouts of America." The first letter instilled much fear in me. "What is this? What have I done?" The second letter was devastating, like a punch to the gut, but it also increased my activism. It got me passionate and purpose-driven.

I knew that it was wrong. There weren't any laws that said that at the time. I didn't have any resources. My parents are pretty lower-middle class. I had no resources to sue the Boy Scouts of America for antigay discrimination. My parents, at the time, also had no interest in me suing the Boy Scouts or telling anybody I was gay, period. They had their own coming out process and journey. This was not something that they thought I should do. But it was something that I had to do. This is who I was, the values instilled in me in the Boy Scouts, and I was a gay activist at Rutgers. Calling myself an "activist" was the wrong terminology during the legal proceedings. I was a person who was in the Boy Scouts my entire life who was then expelled, not an outsider trying to change the organization.

Scouting wasn't something I could walk away from. But then I had to kind of scrap together how I was going to challenge them, how I was going to pay for that, or how to get an organization like the ACLU [American Civil Liberties Union] or Lambda Legal Defense—the organization that I ultimately went with—to see my case as precedent-setting enough to take me on as a client and find a way to challenge this expulsion, even though at the time it wasn't really against New Jersey law. The law my case ultimately filed under was not passed until after I was expelled. The Law Against Discrimination that was expanded to include sexual orientation came a year after I was removed from the Boy Scouts.

I worked with Lambda and found an attorney there. They were a small organization. They didn't have the resources to sue the Boy Scouts, and they had to find a pro-bono counsel. That was a big journey as well. One law firm took it, but then they had to drop it because of, I would say, some homophobic partner there who didn't want them suing the Boy Scouts. Then I found another firm that ultimately took me for almost ten years, spending probably millions of dollars challenging the Boy Scouts and dumping all these resources into it, which was admirable.

SI: Aside from the obvious rejection and violation of the letter, how did it start to affect your life in 1992-93? You graduated in 1992, right?

JD: I graduated in '93, technically.

SI: I've seen some of the news articles starting then. How did it start to change your life at that point, or did it?

JD: I don't know if it changed my life. It was a slow build that I alluded to before. To your point, nobody knew about it until I told them. They sent this letter. They kick out lots of people. Most people, for whatever reason, put their tail between their legs. They walk away. They don't fight the Boy Scouts of America. I was a kid who felt like he had nothing to lose. I didn't think, "Oh, is this going to be great for job interviews?" [laughter] I didn't think about it in those terms. I think it became a cause for me. It wasn't like, "Oh, my God, I have to be back in the Boy Scouts." That wasn't what was driving me. It was like, "This is so wrong and un-American and against what they taught me." That was my driving force in this. I was an activist.

As I alluded to before, saying I was an activist, that's not what a judge wants to hear when a case comes before them. But I was an activist. I was a good Scout, and then I became an activist. I believe it was aligned with every merit badge I had and every value I was taught—honesty, openness in your relationship with other people, being trustworthy, and being loyal. All of the things that the Boy Scouts taught me said to me—and many other people had the same interpretation—it wasn't about them being antigay; it was about being a person of strong moral character, standing up for other people. That's what I took from the Boy Scouts. I don't know if that's what the people running the Scouts at the time wanted me to take away from it. But that's what I took away from it, as many other people did.

Yes, it was devastating. Thinking back to Forestburg, I'm like, "Oh, I'll never see Darlington Falls again." I had so many good memories there. I'm not saying I would have been [there] the following summer had I not been expelled, but for somebody to suddenly say, "You can't have that experience anymore," was very painful. I think I had said before, to some extent, it's easier to turn the page than to go back and unpack all of those relationships and see how they are with things: "Are they going to be okay with me being gay?" That was the beauty of Rutgers University. There were so many people there. When there was a homophobe, I didn't care. I'd talk to somebody else. There were so many people there that even if there were a lot of bigoted or homophobic people, there were 50,000 people—faculty, students, and staff. I'm not saying I didn't challenge them or whatnot, but there was enough there that you could find a place for yourself. As I said before, as a youngster, I was going for smaller environments that seemed

safer to me. Between high school and college, I was like, "I want to go to a big environment where there will be a place for me."

SI: Going back to some other issues related to BIGLARU [Bisexual, Gay, Lesbian, Alliance at Rutgers University]—I forget what the name was before.

JD: RULGA—Rutgers University Lesbian and Gay Alliance.

SI: In any organization of this period, it is now contending with the fact that there are multiple communities that it is trying to represent.

JD: Sure.

SI: Were other groups forming?

JD: Yes.

SI: Were you trying to serve the needs of multiple communities?

JD: Yes. I think this is where the Cheryl Clarke part of it comes in, saying, "Talk to diverse people. Talk to diverse communities." That was probably something I learned from her. I didn't feel threatened when suddenly there was another LGBT group there. I thought, "Populate. Go out there. Take over." That was my rationale. I think I mentioned before the breaking off of the counseling and hotline from the social-political group; I was very much in favor of that. There was a gay men's social group that started right around the same time, which I think was great. That had never been there before. It's not a one-size-fits-all. Also, some people didn't want to be in the political thing. Some men didn't want to be around lesbians. I had a lot of lesbian friends. I liked hanging out with different people. The main difference I had with other people was activism. I think my activism was probably too much for some people. I was perhaps more of an activist than others wanted to be, or they didn't want to make waves. I was making waves.

SI: Were there other people in the administration that you either found supportive or maybe came in conflict with, on the college administration level?

JD: Dean [Lee] Schneider, the dean at Cook College when I was there, was supportive. Again, it goes back to when I gave examples of what people were like in the Boy Scouts. It's not always black and white. Cheryl Clarke and Jim Anderson were super supportive, so they volunteered to advise the gay group. There were other people. I don't remember any people who were not supportive. Maybe Dean Schneider, who I always found to be a nice guy, I think when push comes to shove, he did the right things, but I don't think he was out there advocating for the LGBT cause. When an issue came up, he was fair and fair-minded with it. I'm trying to remember everybody else. Raleigh Green, who was a resident advisor, was supportive. There was also this whole element, I was known to be a troublemaker. First, I was in the Community Service House; I don't think I was a troublemaker there. When I went to Demarest, I alluded to—what's it called, Demarest and all the dorms around Demarest and then the central building?

SI: Bishop Campus?

JD: Is it the Bishop House?

SI: The Bishop House is right in the middle, yes.

JD: It was an administrative thing.

SI: Now, it is in a different building, but yes.

JD: Okay.

SI: Bishop House is that Italianate mansion in the middle.

JD: Yes. Who are the people that oversaw the RAs [resident advisors]?

SI: I think it is residence life or student life.

JD: Residence life or student life.

SI: Yes.

JD: I think I was perceived as an activist to many of them. I was making waves. I had a strong voice. A friend of mine, Raleigh Green, and Ron Nieberding as well. I'm not sure what Ron's position at Rutgers at the time; the *In Every Classroom* report was something he worked on. Raleigh Green was an RA and a graduate student. He was in…what was the all-male dorm there?

SI: There is Brett, Tinsley. There are also ones in the back like Pell and Hegeman.

JD: He was the RA in one of those.

SI: Okay, yes.

JD: He had to work with the system as an employee of the university. We were friends. I think they appreciated that I could just say and do whatever I wanted. I was a student, not an employee. I believe Jim Anderson liked that sometimes I could call the administration out on their stuff, and I didn't have to worry about it as a student.

SI: Yes.

JD: Yes, I would say Ron Nieberding and Raleigh Green. Raleigh was a student, but he seemed much older at the time. I'm sure there are other people I'm overlooking, and I have to think a little bit more about it.

SI: Did you have much interaction with more community-based groups beyond Rutgers, like in New Brunswick or surrounding communities or across the state?

JD: The New Jersey Lesbian and Gay Coalition. Somebody there—I forget who it was—turned me onto [finding an attorney]. When I wanted a lawyer to take my case, the ACLU was forefront, as was Lambda Legal Defense, but I didn't know anybody in these organizations. People in the New Jersey Lesbian and Gay Coalition helped me navigate whom to contact, whom to meet about this case, and how to find the right people. Morris County Gay Activist Alliance was another group. I used to go to meetings. It was different then. Everything was smaller, so people helped each other more. Now, there's this LGBT industrial complex, these huge groups and staff, which is terrific. At the time, it felt more community, people pulling together, not that people wouldn't help now. I'm sure they would.

I had two jobs in college. I almost feel like I got these jobs because I was openly gay. One was at a florist in town, which wasn't my dream job. It was all carnations, all this stuff for parades and proms. Not beautiful flowers but the ones dipped in dye. I just felt a sense of community, which is what I'm trying to say, that people looked out for me. People knew I was an activist. They knew I was outspoken and living out. That job at the florist was one of those jobs where I was like, "Do they need me here?" That was nice to think that they were trying to help and be supportive of me. I also went to the Woodbridge Mall; I'm not sure if I was in college or if it was over the summer, and I also got a job there. I remember the gallery director was a lesbian. Again, I feel like people at that time took me under their wing and wanted me to be successful and wanted me to find my way and be able to be a vocal activist. I hadn't thought about that before. It was nice. Jim Anderson and Cheryl Clarke were examples of that as well.

SI: Going into your academic career, do any professors stand out in your memory as being influential and important or you just liked their course?

JD: I did have a modern dance instructor, Gale Ormiston. That was an elective course. I wasn't a good dancer. I took him for two classes and got A's both times. He said that I wasn't necessarily the best dancer or the most coordinated, but I had the enthusiasm to make up for it. [laughter] He was gay as well. That was one of those examples. I loved taking theater courses. I'm trying to think of other instructors that jump into my mind. I almost feel like I majored in gay, to be honest with you. Gay and concerts. Those were the things to where I dedicated so much of my time.

SI: Did you do any extracurricular activities related to theater?

JD: No, I took two acting classes that were double classes for two semesters. I was a theater minor, and I took theater history and things like that. Some of the types were big. Many of my classes, especially first year, were 300 people in Scott Hall or something. They weren't intimate experiences. Later on, when I was doing more communications, I had a couple of smaller classes, like 30 or 40 people. I think I got most of the one-on-one attention doing the LGBT stuff and some of the concert stuff.

SI: At that point, what were you envisioning for your future?

JD: I don't know if I had a [plan]. My partner has had a career path since undergraduate, graduate, and one job ever since. That has not been my life experience. For my first job out of college, I worked at an AIDS organization. I volunteered and did charity work. Then, I did all sorts of communication things. I'd probably say the career I've spent the most time in is advertising. I did publishing for a long time. Again, the publishing company I worked at produced a magazine about HIV and AIDS called *POZ*. I feel like what gets me up in the morning has been my passion, whether it is AIDS activism or LGBT stuff. Those are the things that have made me feel alive. Sometimes, I struggle with that. What do I want to do when I grow up? In my life, I've had such intense fulfillment and challenges with the things I'm passionate about. You don't always get that in a job. Most recently, I worked at an elder care facility. I care about that a lot, but it was hard to find as much of a connection when you're in a large institution, and you're in the marketing and communications department over here, not frontline engaging with patients. That's something I've struggled with.

Lately, I've been doing some writing. I'm thinking about what I want to do next. Few things in my life were as fulfilling as my time at Rutgers and the LGBT stuff I did then, and the Boy Scout stuff and speaking to that, speaking for a decade around that and advocating. Then, probably I'd say another decade after that, not as intense, but encouraging and advocating for the Boy Scouts to change their policy; for organizations, like the United Way, to stop funding them; for speaking at universities and sharing my experience, self-empowerment and self-motivation about being true to yourself and your passions. Nothing in my life has brought as much fulfillment as those things—motivating or empowering somebody else or speaking to somebody and seeing the lightbulb go off in their head. I don't think the moment is the same as it was then. Now, it's much less of an issue, which is what I fought for and so many other people fought for. Then, to have such an impact on a small scale at Rutgers and then on a larger scale with the case, it's been very fulfilling, but also, it's hard to get that experience again. It's hard to find some way to have that same level of impact.

SI: I want to go back to some of your other activities at Rutgers. You mentioned the pro-choice group. How did you get involved in that?

JD: I don't know how I got involved. This was when I wasn't yet identifying as gay. But I related to the issue. It was about your body, and just like people were saying, "You can't have sex with another man; you can't be intimate or be affectionate," it made perfect sense to me. I know many other gay people may not have gotten it, but it's like, "Don't tell me what to do with my body." I connected with the issue—a woman's right to choose. I don't remember specifically what catalyst got me to go to my first meeting, though. It was probably a conversation with someone.

Again, I tended to be a bit more conservative from what I've been told. My father was in the military. I went to a military high school. I was in the Boy Scouts. I wasn't progressive in my teenage years. My parents were Republicans. They were never homophobic or anti-this or that, but they weren't progressive either. In the sixties, they weren't hippies. My dad was on active duty in California. They missed that whole movement. I didn't get it from them. Your question was about how I got involved in the Pro-Choice Task Force.

SI: Yes.

JD: I don't know. I'm a Democrat now. I remember thinking, "Oh, I would vote for Ronald Reagan, and I would vote for George Bush." I thought I was a Republican when I was a teenager. Then, going to college, it was almost like a light switch. It's like when I could say to myself that I was gay, then I could say it to other people. I guess my politics just started aligning [with] more progressive issues.

SI: Did you continue with that, or did it kind of fade away when you became interested in these other groups?

JD: You're saying post-graduation?

SI: No, later on in your Rutgers career.

JD: I probably faded away a little bit. I was in Amnesty International, PETA [People for the Ethical Treatment of Animals]. As I said, I joined more groups than one could sustain. I was trying everything and seeing what was out there. Ultimately, at Rutgers College, my interests were the concert committee and the LGBT group, and I poured a lot more energy into those things.

SI: Obviously not in exact numbers, but roughly how large of a group was RULGA?

JD: When I got there, maybe it was 10-15 people showing up each week. The size was probably more about the level of engagement. When I was running it, maybe 30 people. You have a dance, and you could have like 200 people come to it. You have a rally on the steps of Brower Commons, and you would have 150 people. I think it was more about commitment and passion. As I said, it wasn't really what I needed when I first got there. I felt it was a little cliquish. It was more of a social group. Over time, I steered it in more of a political direction. Instead of just showing up and chit-chatting, it became more of an activist-focused group with, "What are we doing? How are we getting out there? What are we going to do about this?" It became more structured in terms of what I thought was important in the community.

SI: Were your activities ever met with counterprotests or violence, anything like that, any kind of opposition?

JD: They were. The dance where the guy threw a box.

SI: Yes.

JD: It wasn't directed at me. I produced the dance, and the guy came in and did that. There was definitely name-calling sometimes, not as much as you would think. The way that I thought this through—I was so out and visible that it kind of made me, I don't want to say untouchable, but if you picked a fight with me, I knew Leslie Scoville, the University Vice President for Public Safety. I knew the system. I wasn't afraid. I want to think that I was smart about things, too.

Not at Rutgers, but when the lawsuit was going on, I moved to New York City, a big anonymous city. I kept my phone number unpublished. That used to be a thing. I never put my name on a buzzer at the door outside. I tried to be discrete.
At Rutgers, you're calling yourself queer or fag on your shirt. I wore shirts like that. I wore shirts that I got in New York City. I'm not saying there wasn't antigay stuff, but because I wore my sexuality like a badge of honor, it disempowered them. I'd sometimes go to frat parties wearing a Queer Nation or ACT UP t-shirt, and it threw people off. Also, I'm a big guy. I'm six-foot-one. That probably helped too.

If I had activist stuff on my door, things would be ripped down. Homophobic slurs would be written on posters I'd put up. Posters would be ripped down for dances and events. There would be homophobic things written in the newspapers; I wouldn't say about myself but about the issues. That *Daily Targum* photo I mentioned earlier, where I was kissing my boyfriend at the time, there was a back and forth in the newspaper comment section about that. Thankfully, I didn't have any significant antigay incidents. But other people did, so it's not like it wasn't happening. It wasn't happening to me, but I was also the one saying, "I'm gay." So much of the power is in their accusing you of being something. They have that power. When you take that away from them, it's much more powerful for me or much more disarming of them. In addition to all that, I was a sexual health advocate in my first one or two years, led by Kathy Charlton--was that her name?

SI: I am not sure.

JD: Yes, Kathy Charlton. She led the sexual health advocates at Rutgers. We were a bunch of students, gay and non-gay. There weren't that many gay people. This is a teacher who had a significant impact on me. We would teach kids about sexual health, STDs, AIDS, and homosexuality. We would lead workshops at a frat, in a dorm on Busch Campus, or something. It was very activist, in your face. I think that was a class I had for two semesters. It was more of a labor of love than a class per se, but some credits were attached to it.

You would go out and [say], "I'm gay. Ask me any question you want." It wasn't always so strident and militant. There was that. Then, there was also the, "No question is a dumb question. Ask me any question you want." I put myself out there for that and taught kids. Even when we did the ones about STDs, I'd always get the gay angle in somehow because I thought it was important to put out there about what I cared about. That was something that I did as well that I liked a lot in college. That served me well when I did the Boy Scout speaking stuff. I was putting myself out there and being open to letting people ask stupid questions or questions that might be offensive in the suitable form and setting.

I'm sure there were a bazillion people at Rutgers for whom I was the first openly gay person they ever met. I think that was good for me. It felt good to share my life experience. My brother, who is also gay, came out several years after I did very publicly. People had assumed he was gay, but he didn't say it. This is the example I told you about in college when you don't own it. I think my brother was frustrated that I could take this negative and turn it into a positive and turn the gay thing, instead of a liability, into an asset, and get all this positive attention from

something that he had been hiding or I had been hiding. I'm not sure how I went down that pathway. Was your question about negative responses?

SI: Yes, if you had any kind of opposition. You were talking about the sexual advocates and how people would have more ignorant than hateful views.

JD: Usually, the two aren't that dissimilar. We had many people come to Rutgers to learn and be open. It's not like a small conservative college in the South. I think people are often homophobic because they're ignorant. These aren't absolutes, and these are just conversations. I don't remember a tremendous amount of [negative treatment], other than the comments. The biggest antigay thing that's happened to me in my life was getting kicked out of the Boy Scouts. That's without a doubt.

SI: Back to the lawsuit against the Boy Scouts, the first stage is obviously on the local level.

JD: You're talking about the expulsion now.

SI: No, when you found legal representation and took it court. What was your role in that? Was it mostly the lawyers doing the work? How were you working with them or not?

JD: At first, my role was trying to sell attorneys on the importance of my case, considering there was no law that said you couldn't do this, basically what I was told. It was about selling the story and generating interest amongst the attorneys. But the work, on a day-to-day level, was the attorneys. It was also about appealing to different co-counsels to support my case. I've always seen that my major role was sharing the story and my experience because I'm not an attorney. It's very much to that example at Rutgers when I was a sexual advocate and in "Homosexuality 101," or whatever the lecture that I did was called at the time, allowing my life to be a bit of an open book to engage people and to win over the hearts and minds of not just the gay people—those are the easy ones, you would think—but, at the time, we called them soccer moms and people who generally believe in [equality]. So many people had never spoken out on an LGBT issue before my case. Maybe it wasn't the specific issue that they cared that much about until there was a connection.

I wasn't going to win over the homophobes. So, I don't know, say, 30 percent already in your camp—the PFLAG moms and gay people, that's 30 percent of the people over there. It's about fighting for that 40 percent in the middle and trying to tell a compelling narrative as to why they should care—convincing those people that this is something worth fighting for. Many people said, "I don't care about the Boy Scouts. It's a militaristic organization." Or, "Well, you're a 25-year-old man, and you want to be a Boy Scout again. Grow up." I'd get a lot of that. Even my brother, after he had come out, which was probably in the mid-to-late '90s, didn't see the value in this fight. He asked, "Why do you want to be a Boy Scout again? Who cares? Grow up. Move on. It's not worth the fight." I had to get my brother to understand why this was a worthwhile fight, that it was bigger than my story, and it was bigger than me. It was bigger than the Boy Scouts. The same thing with my parents, getting them to care. I've always seen that as my role—to win the hearts and minds, tell a compelling narrative, and get people to care about this issue even though they might not care about the Boy Scouts or know any gay people.

Painting a picture for the soccer mom of the world that she wants her son or daughter to grow up in and an organization that she would let her child associate with, and putting it into those terms and doing it through the personal narrative of my experience with this organization.

This goes back to it's very easy to go to the anger or the hatred or, "This is wrong with the Boy Scouts." I fought and struggled for a decade to not paint them as the villain, to focus on the positive benefits and then the damage they're doing to the organization. Some thought, "They're militaristic," but to find what's worth fighting for in Scouting and to relay that to the greater public. In my other example, to not get in my way and try not to speak to every issue. Talking about women's and animal rights and this and that wasn't productive in a 30-second sound bite. My grandmother didn't know who I was when she saw me with earrings. She started to go senile at the time. She got very aggressive towards me: "Why are you wearing earrings? Who are you?" And she was my nicer grandmother! When I saw that I wasn't connecting with my grandmother or a woman calling into a TV show, I had to present the story and myself in the best possible way. It's no different than you would in a job interview or when you're trying to make a first impression with somebody.

SI: When did you start making media appearances or talks?

JD: The first ones were at Rutgers before this issue even came up. That's when I learned how to work with the media. In terms of the Boy Scouts, I would say right when the case was filed. When the lawsuit was filed, I was living in San Francisco. It was the summer between my senior year and my last semester, my super-senior year. That's when I started to work with the media. I think there was a *New York Times* story. I thought, "Oh, my God, it's in *The New York Times*." *The New York Times* stood for something reputable and sound. There was a little bit when I first got kicked out, but the press was primarily when we filed suit, and I was living in San Francisco for the summer between semesters.

SI: What would you do during the summers while you were at Rutgers?

JD: I had jobs. The summer between my first year and sophomore year, I worked at the amusement park Great Adventure. In my second year, I worked at Circle Art Gallery at the Woodbridge Mall. Ultimately, I wound up living more and more in New Brunswick. Another time, I did a summer in San Francisco. For me, San Francisco had always been where there's queer acceptance and equality. It's also a beautiful place. I always romanticized it. I lived there for one summer.

SI: I am curious, in general, what kind of social options were there for the LGBT community at that time in Rutgers and in the area, outside of the dances that your group was throwing?

JD: Rutgers was that it was very close to Philly and New York City. Therefore people didn't have to be out at Rutgers to have a gay social life. They could go out and meet gay people in New York City, an hour away, and then come back to school and not have difficult conversations with people. People went to those cities. There was a bar called The Den that we used to go to close by Rutgers. There was The Frog and the Peach, a restaurant that had a gay night or something. I don't know if that's still there. There was the Melody and the Roxy. Those were

more alternative bars. Gay and progressive people went there. These were all, of course, when I was old enough to go out drinking. I remember being with a group of kids from Rutgers, and one of them had a sports car. We would look at a map and see all the gay bars in the vicinity, "Oh, we're going to go to this one in West Orange, New Jersey, or this one down in Neptune, New Jersey." We would make road trips. [Editor's Note: The Den was a bar and nightclub located at 700 Hamilton Street in Somerset. In 2016, The Den closed, though the sign still stands. The remaining establishment is Sophie's Bistro, a restaurant owned by Peter Mack. The Den was founded by Peter Mack's grandfather Emmanuel as Manny's Den, a bar and restaurant originally located at 111 Albany Street in New Brunswick. Manny's Den, run by Manny's son Richard Mack, became involved in the landmark New Jersey Supreme Court ruling that legalized gay bars in the state in 1967. Between 1980 and 1988, The Den was located on Hiram Street.]

I would say, at Rutgers, the Queer Studies section was a social opportunity. Cooper Dining Hall was probably the gayest place that I would go to. [laughter] We did go to bars and do things like that, but it wasn't like I had to. As I said, I would go to New York City some Monday nights and attend ACT UP meetings, which was AIDS activism. That was somewhat of a social thing; I'd go and have dinner or something with people afterward.

SI: When you were going through this process of finding support for filing the case, you mentioned your brother and parents.

JD: My brother, yes, that was consistent.

SI: Was anyone saying, "You really should not pursue this. This is a bad idea"?

JD: They were. I had a friend Katherine Kim, whom I met freshman year in Voorhees Dorm, and I'm still good friends with her. I remember telling her that I would sue the Boy Scouts of America. She was like, "Yes, good luck with that." She implied, "That's not going to go anywhere." She brings that story up to me today, saying that she underestimated it.

Did people tell me not to? Different LGBT organizations didn't think it was an appropriate case for the time. Even within Lambda Legal Defense, other staff attorneys didn't believe it was the right case. I think one of the exciting things about my case and the timing, so much of what had been the conversation before, was AIDS, sodomy laws, and employment non-discrimination. I would say, except for AIDS, many of these are more fundamental issues: "Don't discriminate against me."

The beauty of this case is that it was about morality, values and who we are as a society when the most American organization—the Boy Scouts of America—is saying that antigay discrimination is what they stand for. I think that was the beauty of this. It was the Boy Scouts of America. I don't think people today have as much appreciation for that as you or I might or people involved in Scouting or who grew up in the '80s or '70s, or even '50s. I think the Boy Scouts stood for so much. They stood for a very male society, of course, but they supposedly stood for everything good in leadership in young men. Even now, "he's a Boy Scout" or "he's an Eagle Scout" has many connotations of being something good and wholesome. I think fighting for that and elevating the conversation beyond just discrimination or elevating the conversation to something

so apple-pie American was important, the same way marriage equality was. The attorney who represented me in this case, Evan Wolfson, who is a friend of mine now, was also the principal architect behind marriage equality and the drive in the States. Now he's doing some work outside of the States—of why fighting for marriage is so much more than just the legalese of a marriage or the marriage certificate. It's really about what it represents in our society. I think the Boy Scouts fit into that. What did the Boy Scouts mean in our community? What does the institution of marriage represent in our society? So many people talk about, "Oh, you can have all these thousand benefits of marriage. We're just going to call it domestic partnership benefits." It's not the same. Or, "You can have your organization where gays are welcome, but it's not going to be the Boy Scouts." They tried it themselves. I forget what their Scouting organization was. Was it the Explorers? There was another organization they created to try to say that it was the same thing as the Boy Scouts, so they could retain the funds they were losing. But it's not the same. [Editor's Note: The Exploring program is a career education program within the Boy Scouts of America that began in 1949. During the 1960s, Exploring entailed activities, methods and recognitions that were similar to but separate from the Boy Scouting program. Women became eligible for Exploring in 1971. In 1998, the Boy Scouts turned Exploring into the Learning for Life program.]

The power of the Boy Scouts of America and the symbolism of that organization is essential. The fight was critical because of the unpacking and rethinking it made people do. I think this goes back to the soccer moms, "What does it mean if I let my son join an organization that discriminates against some people, gay people? What does it mean for me? If they were anti-Semitic or racist or something like that, would I let them join it?" I think getting people to struggle with that issue of, "Who do we associate with?" or, "Whom will we allow our children to associate with? What does it mean as a parent? What does it mean when my 11-year-old child calls me out on it? How do I feel as a parent that I let them join this discriminatory organization?" My parents were not pro-gay. But they weren't homophobic. Had they known the Boy Scouts discriminated against a group of people, they would not have let me join them. That is how the Boy Scouts defined themselves before the United States Supreme Court. They said, "We are an organization that members join because they agree with our values and antigay positions. If you allow a gay man in the Boy Scouts, you will change our message, an antigay message, to young people and America." Fighting for that, fighting for that very thing. Unfortunately, defining themselves as an antigay organization is what they did. Getting there and unpacking that toxic message and getting people to understand that was essential for me.

SI: In general, what are your memories like when it became a major news story, around the time that it was rejected on the parsonage level and then going up to appeals, and then the New Jersey Supreme Court and eventually the United States Supreme Court? I would imagine it would be the same cycle of becoming a big story. What stands out about that, in terms of did the approach of the media change? Would you go through a cycle of making appearances and talking to groups?

JD: Sure. It was similar each time, where it would consume my life for some time, a couple of days, a week, or a month. The first judge in the trial court, who took an unprecedented three-and-a-half years to hand down his ruling, called me a sodomite like 18 times. I wasn't the only one to sue the Boy Scouts of America and lose. I wasn't the first to sue the Boy Scouts of

America, with a homophobic judge in the ’90s. Public sentiment began to change as we waited for his verdict. You can’t pressure a judge to speed things up. You don’t want to upset them. But by him waiting so long, the conversation had evolved, and being so homophobic—quoting brimstone and fire, equating me to being a murderer and alcoholic—created tremendous attention and outrage. His bigotry added more interest and more attention to the case. Again, New Jersey wasn’t a homophobic state. Were they progressive? Maybe not. People didn’t pride themselves on being antigay like other states might have at the time. I think because the judge was so homophobic, the appellate-level court decision received tremendous attention, and I won. Nobody had won against the Boy Scouts before on the gay issue. [Editor’s Note: The New Jersey Law Against Discrimination prohibits discrimination in places of public accommodations based on protected characteristics including sexual orientation and gender identity and expression. In July 1992, Dale filed suit against the Boy Scouts of America and the Monmouth Council in Superior Court, claiming that the Boy Scouts had violated the Law Against Discrimination and common law by revoking his membership based on sexual orientation. In 1995, the New Jersey Superior Court’s Chancery Division ruled in favor of the Boy Scouts. The judge in the case was Superior Court Judge Patrick McGann in Monmouth County. In 1998, the New Jersey Superior Court’s Appellate Division reversed the decision of the lower court.]

When the Supreme Court of New Jersey ruled in my case, or when it was taken, the stakes, each time, it’s building. It’s building. It’s greater. It’s taking over a little bit more and more of my life and attention and time. Winning before the New Jersey Supreme Court was amazing. A unanimous decision from a state supreme court on a gay rights issue hadn’t happened before. For a state court to rule that their Law Against Discrimination applied to the Boy Scouts of America was monumental. It was historic. The Boy Scouts said they would abide by any state law that said they could not discriminate. Essentially, the case should have been over at that time, before the New Jersey Supreme Court, and it was such a powerful decision that they handed it down. Deborah Poritz was the Supreme Court Chief Justice. I had the privilege of meeting her after the fact at a speaking engagement a few years ago. It was such a tremendous vindication of the discrimination the Boy Scouts inflicted on me for about eight or nine years. The tide in America was turning as well. That was in August of 1999. It was big. [Editor’s Note: On August 4, 1999, in the case *James Dale v. Boy Scouts of America, and Monmouth Council, Boy Scouts of America*, the New Jersey Supreme Court upheld the judgment of the Appellate Division, ruling that the Boy Scouts of America is a place of public accommodation and thus is subject to the provisions of New Jersey’s Law Against Discrimination and that application of the Law Against Discrimination to the Boy Scouts does not infringe on its First Amendment rights. Deborah Poritz served as the Chief Justice of the New Jersey Supreme Court from 1996 to 2006.]

I needed to prepare for how big, intense and invasive it would be when it went to the United States Supreme Court. The Boy Scouts had appealed, and the Supreme Court granted *cert* [*certiorari*] in January of 2000. My whole life from January to June was a bit blurred once the US Supreme Court agreed to hear my case. It was super intense. Earlier, I had felt like I could have a public and private life, and things were separate. Before the Supreme Court, everything just went up exponentially. I thought, “New Jersey Supreme Court, that’s huge.” But the United States Supreme Court was on a global scale. Papers from around the country were reaching out to me. People were stopping me on the street, recognizing me. I remember being on the cover

of a newspaper on a bus or a subway and seeing it across from me. It just got much bigger, more intense, and overwhelming.

To go before the United States Supreme Court on April 26, 2000, to be there, in many ways, was almost like a fly on the wall during my case. The case would have gone on with or without me at this point. I was just a guest of my attorney, even though it's *Boy Scouts of America versus Dale,* at this juncture. I had never been to the Supreme Court before. It was just very surreal and overwhelming. There's a whole story of getting into the court and fearing for my life, and I could tell you about it.

SI: Sure.

JD: I arrive at the court with my attorney. My friends are there. There are supporters. There are some protestors. To get into the court, you have to wait in line, be queued up, and go through a metal detector that goes into, basically, by the gift shop and the cafeteria, past the steps around to the left. I'm there with so many supporters and friends. And there's this one guy who looks almost comical, like an out-of-Hollywood homophobe. He was carrying a sign that said: "Letting a gay Scoutmaster in the Boy Scouts is like letting a fox in the hen house."

I'm in line with my attorney, friends and people from Lambda. This one guy, whom I guess was with that guy with the sign, starts screaming biblical verses at me. He has a Bible. He's right there in my face. My friend tried to get the marshals to have them stop him. "Well, he's allowed to, First Amendment. He's allowed to do whatever he wants." He's badgering me, while I'm forced to wait in this line before I could go inside. Then, maybe 10 people, 15 people in front of me, there's another person who's staring at me. These people just don't look right. They are wearing ill-fitting clothes. They seem out of place. I don't know how to describe it. They don't seem to fit in. This person that is 15 people in front of me, a younger guy, is wearing a baggy track suit and glasses and he's staring at me the whole time, while this other guy is thumping a Bible in front of me and screaming at me. Then, the other guy is over there. Again, this guy keeps staring back at me, staring back at me, while he's in line. For somebody to hold a stare that long is just not normal. But he's not staring at me—he's staring into me. Then, eventually, he's maybe 10 people away from me now. Then, the guards are like, "Sir, you have to go in. Please put all metal on the metal detector." He goes through the metal detector, and it beeps. I'm here. This guy is staring at me. My friends are around me, having conversations, trying to talk to me. I'm just seeing this guy staring at me, who, for whatever reason, cannot go through the metal detector. He's getting closer and closer to me. I fear, at this moment, for my life. I feel like this guy will take out a gun and pop me off here. Ultimately, that did not happen, and he finally passes through the metal detector.

My mother was always terrified for my safety, particularly when she knew where this case was going. She was always worried about me. It's not really something I spent a lot of time in college [worrying about]; here in New York City, I'm able to be more anonymous and protect myself. But that moment, I literally felt like time was going slow. I felt for my life in that moment. Thankfully, it wasn't that. I had never felt that alone, I guess is what I was trying to say. In that moment, surrounded by well-wishers, surrounded by loved ones, surrounded by friends, I felt utterly alone, terrified and unable to remove myself from the situation.

SI: I would imagine there is no other situation where you felt that kind of danger.

JD: No, not like that. If there was, I would have extracted myself from it. Normally, I would just get away. Again, I'm also here with the news media around. It wasn't a situation I could just remove myself from. My case was about to be heard by the Supreme Court in a few minutes. That was terrifying. It was terrifying to feel that alone in that moment.

Then, to go into the Supreme Court and feel like one person among many, the Supreme Court justices debating my case, debating my life experience, thinking of them initially as these grand imposing figures and then seeing [Chief Justice William] Rehnquist having to get up and adjust his back in the middle of our arguments because he had back issues, seeing, "Wow, these people aren't that much different from my grandparents in age, in physical elements." They're smart, don't get me wrong. I don't agree with the way they ruled in that case, of course. It was interesting to be there witnessing this 10-year legal battle and this 22-year life experience, to see all this presented before me, and almost be a spectator in my own [life]. This was the culmination. This was it. This was the high point. This was what all the fighting was for. There was no appeal after this. At least at the time I thought, that's the end. The Supreme Court, you're done. You can't appeal that. [Editor's Note: William Rehnquist served as Associate Justice of the Supreme Court from 1972 to 1986 and Chief Justice of the Supreme Court from 1986 until his death in 2005.]

When the decision was handed down during Gay Pride Month, the last Wednesday, I was devastated, and I didn't want to talk to anybody. I didn't want to put a spin on this, the positive of this or the good that came out of this, although that was what I needed to do. I was at my attorney's office. There was a conference room filled with people and news cameras that wanted to hear what I had to say after losing this 10-year battle. I didn't know what to say. I'm not even sure what I said. What I said that January, February, March, April, May, June, that five-and-a-half-month period, was a blur. It was, down to the final news conference when I lost. What I said then, I didn't believe at the time. I thought the Supreme Court was the final say, but really it was the American public and the American people. [Editor's Note: In *Boy Scouts of America v. Dale*, decided on June 28, 2000, the Supreme Court of the United States ruled in favor of the Boy Scouts, that "applying New Jersey's public accommodations law to require the Boy Scouts to admit Dale violates the Boy Scouts' First Amendment right of expressive association." Chief Justice Rehnquist wrote and delivered the 5-4 decision. ("Boy Scouts of America v. Dale." Oyez, www.oyez.org/cases/1999/99-699. Accessed 19 Mar. 2021)]

The beauty of this story, for me, I would have loved to have won in the Supreme Court. Nothing is quite the same as winning in the Supreme Court. History books write about the Supreme Court winners more than the Supreme Court losers. I cared about this organization. I cared about civil rights. I didn't feel all of the progress at that time. But the beauty is, in the [succeeding] year, years, months, up until now, I won. I won. It's not about me, but the things that I care about won. People abandoned the Boy Scouts because of their discrimination, individuals, one on one, corporations, public schools, churches, and that was the story for over a decade. Then, the Boy Scouts hemorrhaged a horrible loss because of this discrimination, because of their discrimination. Then, they started trying to unpack the bigotry, unpack their

antigay policies. Unfortunately, I believe they've done so much damage to the organization as a result of this that it's going to be hard to have a comeback, but they're trying. They're inclusive of girls now, they allow trans kids, which are all wonderful things.

That moment in 1990, when my case started, the Boy Scouts of America were so much more relevant in society. Their bigotry made the organization much less relevant. They've lost so much good will that no other organization really got—the good will, the freebies, the use of Fort A.P. Hill, Virginia, government bases, truck surplus, Army surplus. They squandered all of this stuff that they got that made them who they were.

The beauty of it is that the Supreme Court didn't have the final say. The Boy Scouts won the right to discriminate, but America said: "Discrimination isn't right." Looking back on the progress for LGBT issues over my life, my adult life, it's stunning how much progress has been made. No other civil rights issue could you make an analogy to how much has happened so fast. It seems to be lasting. It seems to resonate. It seems that other issues come and go, or other fights have been fought. *Roe v. Wade*, we're still fighting that issue. For whatever reason, the issue of equality, marriage equality, of equal rights, seems to be sticking. It's sticking in America. There are horrible things going on, don't get me wrong, but it seems that this issue is sticking. I am honored that my story and my case and the discrimination against me had some benefit to it or was part of the conversation or maybe advanced something somewhere. I am humbled by that. While I didn't win in the Supreme Court, I won in history, which is wonderful.

SI: Before the decision came down, did your legal team have any indication or did they try to prepare you for the idea that you might lose?

JD: Yes. Just the mere fact when the Supreme Court granted *cert*, I'm not a lawyer, but I'm like, "Oh, the Supreme Court is going to take it? That's wonderful." If the Supreme Court takes it, that's not good. The Supreme Court should let the unanimous state court decision stand. They definitely prepared me for it. Feeling and knowing, the mind or the emotion are not always in sync. I'm like, "Oh, my God. The Supreme Court is taking [the case]. This is really big. This is super big," which felt good at the time. Yes, it wasn't good that they took it. It was a conservative court. I lost by one vote in the Supreme Court. It was five to four against me, the same five to four as Al Gore. Kennedy wasn't yet a progressive voice for LGBT issues at the time. Sandra Day O'Connor, they thought would be a swing issue. She wasn't. She swung the other way. Yes, they definitely prepared me for it. That didn't really sink in emotionally. I think had it really sunk in emotionally, maybe the devastation wouldn't have been so bad. I don't know. It was devastating to lose. It was absolutely devastating, heart wrenching. Everything that I believed in seemed to just go up in a poof of smoke, or at least I felt that way at the time. [Editor's Note: In *Boy Scouts of America v. Dale* (2000), the Supreme Court ruled in favor of the Boy Scouts in a 5-4 decision, with the majority opinion written by Chief Justice William Rehnquist and joined by Sandra Day O'Connor, Antonin Scalia, Anthony Kennedy and Clarence Thomas. *Bush v. Gore* was a 2000 Supreme Court decision involving the Florida ballot recount controversy during the presidential election of 2000. On December 11, 2000, in *Bush v. Gore*, the Supreme Court ruled 7-2 that the Florida Supreme Court's plan for recounting ballots was unconstitutional and, in a 5-4 decision, with the justices voting the same way as in the Dale decision, that a constitutional recount was not possible.]

SI: In those 10 years, between when the case started and when this happened, in terms of work and where you were living, how had your life changed?

JD: I was very fortunate, particularly when my case went before the Supreme Court, to work at *POZ* magazine, which is a magazine for people living with HIV. I was very fortunate to work there. It was for-profit, but it was essentially a community magazine. The people who worked there and the people who owned the company at the time believed in what I was doing. Other times, when I worked in advertising for large corporations, people might say, "Oh, that's a great thing you're doing," but at the end of the day, they're not going to let you take a day off from work because some news thing just dropped. I was very fortunate to find myself in a community business, family business, that valued what I was doing and gave me the latitude and the time as needed. Again, I couldn't control the timelines of these things. I was very fortunate to have that.

In terms of other impacts, it was not always easy on relationships. During the time, I was dating somebody. It was very hard for him to have me be so public, in terms of the attention that it got, how it could overshadow the relationship. As I alluded to before, when the case was before the Supreme Court, it was hard to find anonymity in New York City, which is one of the things I always valued about it, not total anonymity but a certain level so you could just go someplace and be in your own headspace or be on a date or something. I think that was very hard on some of the relationships, or one relationship in particular. I'm trying to remember what your question was.

SI: How was your life, outside of the case, moving along? When you were working for *POZ*, were you on the advertising and marketing side?

JD: I was. I started off doing event production for *POZ*, which is kind of what I did in college. Then, I was the associate publisher. I had relationships with advertisers and would develop marketing products. I also launched other publications, also similar to college in terms of the sexual advocacy that I did; it was about HIV education, hepatitis, sort of a whole portfolio of gay health or general health issues. That job at *POZ* perfectly aligned my passions and my career. Then from that, I was like, "I want to go work in big business. I want to go work in big advertising agencies." So I did that. It's different. It's hard to replicate the positive feelings. You don't always appreciate these times in your life sometimes, in the moment. Working at *POZ* was a great experience. The company had a mission I cared deeply about. I traveled to conferences and worked with advertisers. Again, they cared about what I cared about, so that was really wonderful. My other jobs were beneficial in other ways—the compensation was better, I learned how big businesses ran things, I worked with creative people in advertising agencies.

SI: How many years did you work for *POZ*?

JD: I worked for *POZ* for seven years. Then, I worked in traditional advertising agencies for 10, 11, 12 years, something in there, a variety of them, here in New York City and on the West Coast. You don't always appreciate and savor things in the moment.

SI: Did you become active in any groups, national or local?

JD: I've always stayed connected with the work that Lambda does. I always have a definite inclination or connection to them. I wouldn't say I've necessarily gotten involved in other organizations. I think in some ways, the case, I don't want to say it took away my activism, but I think had there not been a case, I would have probably been much more in the activism route of my life. I think the case made me kind of keep my activism in check. I was definitely an activist, but the court doesn't want to hear from an activist. They want to hear from a person who is living their life who had something happen or was discriminated against. If I was an activist, they would perceive that my motives were suspect and I was just trying to make a point. There definitely was some of that, but that wasn't how I framed it. This case changed my life. I don't know what my life would have been like if I had not had the case. I probably would have been more involved in community organizing and activism and things like that, but my engagement was more about telling my personal story versus rallying and organizing and getting people to submit forms or papers. My life and my career took a slightly different track.

I think also, while *POZ* was somewhat community organizing-ish, after 10 years of this emotional rollercoaster and the highs and lows that came with it and the challenges that came with it and the good work that came with it, I was exhausted. I was spent. I followed LGBT stuff so closely and was so involved in it for so long. That was my life. That was my public persona. I kind of just wanted to not do that. I miss it now. I definitely miss the passion that came with it, but I needed a break from it because I was burned out.

Right after I lost, fortunately, I had a work trip to South Africa for the World AIDS Conference. At the conference, there were a lot of people I knew. When it was over, I was in Cape Town by myself in the offseason and I remember being so thankful. It was really gloomy and cold and rainy. I remember being so thankful that I was so far away from the case and the conversation because everybody wanted to talk about it. When you lose, you don't always want to talk about it. You don't always want to stay in it all the time, regurgitate it, and talk about your feelings and all that. I wanted to put that on pause and look at other things.

Shortly after that, *POZ* got sold. Before that happened, I left to work in the for-profit world, did that for a while, and now I'm looking at non-profits again. So, it's interesting to be defined by something that happened so early in your life. Even when the case was going on, I remember somebody coming up to me at a fundraising event I was speaking at and saying, "You don't look like a Boy Scout." This was a gay guy. He was sincerely honest. He was so disappointed that I wasn't a 15-year-old kid, that I was a 25-year-old man. It's crazy. Yes, I needed a break from it.

SI: There seems like there is a lot of identity defining, too. There are so many headlines I saw that described you as the gay Boy Scout. That is your entire identity.

JD: Yes, I never wanted to be the gay Boy Scout. I chose to be a gay activist, but I didn't want to be the gay Boy Scout. As a young 20-year-old, trying to come into your own as an adult and as a man, to be constantly defined as the gay Boy Scout, it's hard. I'd like to be the gay plumber or something; that would be a lot easier than being the gay Boy Scout all the time.

One time at the New Jersey Supreme Court, I'm there with one of the pro bono lawyers I was working with, and we're walking. The shortest distance between where we were going, from the front door to where we had to go, was to cut across the lawn. Other people had done it. I remember saying to the lawyer, "No, we can't walk there. We've got to walk on the sidewalk because I'm a Boy Scout." Every shot was me walking along the sidewalk. It made me a little paranoid. I remember another shot I was in, I was laughing about something. One of the TV call-in guests was like, "What are you laughing about? I don't like your smirk." You become so aware. Being a Boy Scout is like a squeaky-clean image, and it's not always easy to come of age with that identity, let alone the gay Boy Scout. The other thing, too, is that I didn't want to screw it up. I didn't want to do something to tarnish this cause that I cared so much about. That definitely was a lot of pressure, primarily from myself.

SI: During this time, were you mostly operating out of New York or did you live anywhere else?

JD: During the case, well, it started at Rutgers in New Brunswick. When it was launched, I was in San Francisco for the summer. That was August, end of July, 1992. That was for just three months between senior year and the half semester after that. Otherwise, I've lived in New York City pretty much the entire time of the case since I graduated, since 1993. After the case, I moved to other places.

SI: As you moved to each place, did people come to know you for the case, or is that something that you did not talk about much in those years? You talked about how you used it to say something during that period, but how have you worked with the identity in the different places you have lived?

JD: It's still defining me in my life. It's something I reflect on a lot. With my close friends, it's not really something that comes up. Getting to know people, it's something [that comes up]. I still have people that will send me emails about it or Facebook friends who are professors who want me to speak to their classes or people at law firms who want me to speak there. It's still definitely there.

I would say I don't want to define myself by it, but I can't help it, if that makes any sense. I've written a number of op-eds about it after the fact. I still struggle with, "How do I find the passion that I once had?" I'm going to be 50 this year. How do I find something that fulfills me enough that in some ways is similar to those experiences I had? I don't want to relive that experience. People say, "Oh, you should go work with the Boy Scouts." I don't know if that's what I would want to do. Would I want to work with another youth organization? Maybe. It's defined so much of my life that I can't help but have it in part of how I represent or present myself to other people. It's not the same as it was in the 2000s, but it still comes up. I'll be at a party, somebody will come up to me and talk to me about it, unprompted. It still comes up. It's still there. I don't want to take it away. I'm proud of it. I'm happy with it. Did I think when I was 19 years old, I'd still be talking about this at 49? No, I didn't. I thought, "I'm right, they're wrong, and that's that." It was pretty black and white to me. These things aren't as quick or easy as you would hope or think they're going to be. It takes a long time, and it still plays out. Like I said, I can't help but think that the Boy Scouts embracing girls had something to do with

the damage that was inflicted by their antigay policies and their need to try to be relevant and increase their membership numbers.

SI: Do they now accept gay youth but not gay leaders?

JD: I believe that now they accept both gay youth and gay adult leaders. [Editor's Note: In 2013, the Boys Scouts of America ended membership restrictions based on sexual orientation. In 2015, the Boy Scouts lifted the ban on gay Scoutmasters. In 2017, the organization lifted its ban on transgender members. In 2018, the Boy Scouts began to allow young women to join.]

SI: All right.

JD: I'm pretty sure that's the policy. I think they're pretty much just totally inclusive across the board. I think the experience is probably still very different troop by troop. I don't know definitively. The most recent policy that I was advocating against was allowing the troop to decide if they want to discriminate or not, which was just wrong, because you either discriminate or you don't. You can't decide, "Oh, we can discriminate if they want to discriminate." I believe they allow anybody. We should probably fact check that.

SI: Yes, we will put it in a note in the transcript. Let's see, I was also curious, you mentioned the homophobic judge and everything he called you. When the lower court cases were being decided, did you have to be in the court to hear these?

JD: The trial court, I was at a job, and I was like, "Oh, I just started a new job. I can't take the time off to go for that," so I didn't. I didn't understand the magnitude of my case at the time. I wish I had been there for the trial court. I don't think it would have made any difference because that judge was totally homophobic. I was definitely there in the New Jersey Supreme Court and of course in the United States Supreme Court. I think it was more [that] even with jobs that were supportive, it's not always easy to take off and go to court. The bigger things were usually the decisions, when they came down.

SI: I was just curious if you had to sit there and listen to somebody say these things to you.

JD: I had to be deposed for this back in the beginning before it was summary judgment, the trial. No, I didn't go to every one of them.

SI: Is there anything else that you would like to say for this interview?

JD: [laughter] I think it was pretty thorough. We covered a lot of ground.

SI: Are there any other aspects of your life that you want to share?

JD: What else do I want to share?

SI: Again, when we do these interviews, there are things that are obviously of historical importance, but we do not want to reduce your identity.

JD: Exactly. I am in a relationship. I have a partner. We've been together for four-and-a-half years. I have a puppy that I love. I don't think my experience at Rutgers was typical, but I am so appreciative of my time at Rutgers and the fact that, in many ways, the community and the support I found at Rutgers empowered me to come out and empowered me to take on the Boy Scouts of America at a time that it seemed kind of David and Goliath and improbable that it would ever get off the ground. That was because of Rutgers. The people who I met at Rutgers, they really made a world of difference in where I was and how I approached life.

SI: I saw that you have been in the alumni publications and other Rutgers University publications. Have you had any other involvement with Rutgers?

JD: Not so much. I've been to some of the Cap and Skull things. Cap and Skull is sort of the Skull and Bone of [Rutgers]; you probably know that. So, I go to some of those. I'm a Cap and Skull member. I believe I was the first Cap and Skull member nominated or elected for LGBT work. I'm proud of that. There are other LGBT members, but I believe I was the first one for that. I go to those sometimes. I'm on a community board here in New York City. I've been on that for a couple of years. It's a volunteer position, overseeing land use, community and neighborhood issues, liaising with governments and elected officials and things like that. After the last election, I submitted an application for that and got nominated. That's probably all I've got for now, I think.

SI: Thank you very much. I really appreciate all your time.

----------END OF TRANSCRIPT----------

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