

National unity aim of Lesbian/Gay Pride conference

Beginning with an inspiring welcome by Harry Hay, co-founder of the Mattachine Society, and ending with the adoption of a national theme for Lesbian and Gay Pride 1984, *Unity and More in '84*, the Second Annual Pride Coordinators National Conference held in San Diego on October 8-9 was an exercise in unity in diversity.

Fifty-three gay men and lesbians, representing LGP coordinators from eighteen cities spent two days in workshops and discussions sharing information and ideas on community involvement across the nation.

According to Daniel Dallabrida, a member of the Portland Lesbian and Gay Pride steering committee who attended the conference, LGP activities range from the mainly celebratory Gay Pride Festival in Los Angeles to the clearly political march and rally held annually in Boston. Dallabrida said that those which are celebratory have very little political participation and those that are political have minimal business participation. Some, like New York City and Minneapolis have successfully managed to combine both poli-

tics and business. The consensus of the conference participants was that "each community needs to decide for itself. Lesbian and Gay Pride reflects each city. It reflects the people who work on LGP in that city," Dallabrida said.

A major concern of the conference is the impact Lesbian and Gay Pride will have in the summer of 1984. San Francisco is the site of the Democratic Party's national convention commencing two weeks after LGP week and the International Olympic Games will be held the same time as the LGP festival in Los Angeles. "[We will] court the media to get as much mileage as possible," Dallabrida said.

A very important factor which elicited general agreement among the conference participants is registration of eligible voters pursuant to the national elections in 1984. National unity and the use of LGP will have a major impact in 1984. Lesbians and gay men have clout and need to use it, we need to participate in electoral politics and we need to work together. *Unity and More in '84*.

Supreme Court to rule on anti-gay law

Early this month the U.S. Supreme Court agreed to decide whether a New York law used to prevent gay people from gathering in public places is unconstitutional.

The court will hear an appeal by prosecutors in Buffalo, N.Y., from a ruling by the New York Court of Appeals striking down the law. The justices will hear arguments next year, probably early next spring, and will announce their decision by next July.

The provision under review by the court prohibited loitering for the purpose of engaging in sodomy. The New York court voided the law because it had previously ruled that the state may not prohibit sexual behavior conducted in private between consenting adults.

During the past two decades, the Supreme Court has ruled that a right to privacy implicit in the U.S. Constitution protects the right of an individual to use birth control devices, to keep obscene material at home or to have an

abortion in the early months of pregnancy. The justices, however, have repeatedly resisted all suggestions that they review whether state sodomy laws violated the right to privacy. The New York case will be the first time the court will review the question.

The New York prosecutors who urged the court to hear the case argued that even if states may not prohibit acts of sodomy in private they may still make it illegal to meet in public and arrange to engage in sodomy. The court may rule only on the validity of a "loitering" law without deciding whether gay people are protected by a right to privacy.

The New York Court of Appeals ruled "the object of the loitering statute is to punish conduct anticipatory to the act of consensual sodomy." Because the state court had previously ruled that bans on sodomy are unconstitutional, it reasoned that the loitering law is also unconstitutional.

Gay Eagle Scout wins appeal

An appeals court in Los Angeles ruled, on Oct. 3, that "using the status of homosexuality as a basis of expulsion is substantively arbitrary" and that the Boy Scouts of America must show "a rational connection between homosexual conduct and any significant danger of harm to the association" before they can expel a gay member.

The court decision allows Timothy Curran, 21, of Berkeley, California, expelled from the Boy Scouts in 1980, to pursue his \$330,000 lawsuit against the Boy Scouts in Los Angeles Superior Court. Curran, who made no secret of his sexual preference, was a member of the Boy Scouts for five years. "It'd be difficult for the Scouts to prove I'm immoral," Curran said. "They made me an Eagle Scout, gave me the Order of the Arrow. They've gone to great lengths to prove how moral I am."

In November, 1980, Curran asked to attend a summer jamboree, but Quentin Alexander, executive of the Mount Diablo Council of Boy Scouts, told him that he could no longer be a Boy Scout because he was gay. "We said we cannot accept an application if this is someone's lifestyle," Alexander said last week.

Curran, whose Scoutmaster called him an exemplary "all-American boy," was featured in local newspaper articles describing, among other things, the night he took a male date to his senior prom, during his tenure in the Boy Scouts.

After expulsion Curran took his case to the American Civil Liberties Union, which sued the Mount Diablo Council. The suit, which claimed that the Boy Scouts is a "business establishment," argued that Curran's rights under both the U.S. Constitution and the Unruh Civil Rights Act, which extends civil rights to private businesses, had been infringed.

Jim Tarr, chief scout executive for Boy Scouts of America, intends to appeal the Los Angeles court ruling. "We just don't think parents want homosexuals in the troops," Tarr said. Homosexuality is "ethically and morally a wrong example for young people," and predicted that churches of "all denominations" would cease sponsoring troops that admitted overt gays. And, in the meantime, the Scouts will continue to exclude gays.

Studded wristbands confiscated

On September 9th in Boston, Massachusetts, a young man riding on his motorcycle was stopped by a state police trooper. After examining Keith Nordin's license and registration papers, officer Robert Krom confiscated his studded leather watchband, read him his rights and booked him on possession of a dangerous weapon.

The controversial bill making studded leather wristbands illegal was filed by Massachusetts State Representative Michael Flaherty, an outspoken opponent of gay rights legislation. When asked Flaherty could not remember filing the bill, and believed he had done so at the request of law enforcement lobbyists.

In Canada, a similar law caused custom officials to confiscate a wristband belonging to singer Grace Jones; she was not, however, arrested.

Acceptable conduct queried in California

In a trial scheduled next year in Los Angeles, issues concerning "public romance" will be debated. The proceedings, resulting from a recent sex discrimination suit, will explore the fine line between what is socially acceptable beyond what is actually lawful.

In a pretrial proceeding, Superior Court Judge Bruce Geenaert stated that although two women had indeed been refused service in a "couples only" restaurant, "society generally has different modes of acceptable conduct for homosexuals in public." He went on to add, "Homosexuals choose their lifestyle; they are not born with it." Geenaert thought that although blacks were granted rights in the 1960s, he sees no parallel between their group and gay people.

Body Politic wins case

Six years ago *The Body Politic*, Canada's gay magazine, was prevented by the Attorney General from publishing an article on gay male pedophilia.

On September 14th, after having spent more than \$100,000, the *Body Politic* won the case lodged against them. The proceedings resulted from an article, "Men Loving Boys Loving Men," published in 1977.

Attorney General Roy McMurtry declined to appeal the case, but said that he only feared the possible toleration by law of sexual abuse of children. County Court Judge Patricia R. German ruled that the article was "not beyond the tolerance of the community." Later McMurtry denied that his government was harassing the gay publication.

Quaalude restriction reviewed

In response to a recent challenge concerning the medical drug methaqualone (commonly known as quaalude), Federal officials stated they saw no need to restrict its market use.

Representative Henry A. Waxman, California Democrat, Chairman of the House Commerce Committee's Subcommittee on Health, argued that he felt the abuse potential of methaqualone outweighed its therapeutic value.

Federal officials then responded by saying they would not oppose the legislation which would remove the drug from the legitimate market, that is if Congress did not advise them to.

U.S. court rules gays "psychopathic personalities"

The 5th U.S. Circuit Court of Appeals in New Orleans ruled on September 28, that gay people have psychopathic personalities and may be denied U.S. citizenship even if immigration officials do not obtain medical certificates specifying sexual deviation. The ruling was in apparent contradiction to a ruling earlier in the month by a different appeals court.

The court's opinion that a man living in Dallas, Texas cannot become a naturalized citizen seems to conflict with a ruling by the 9th Circuit Court of Appeals in San Francisco which stated that such Public Health Service certificates must be obtained before gay immigrants could be denied citizenship.

In a 2-1 split, the three judge panel of the New Orleans court held that Richard Longstaff was unlawfully admitted as a permanent resident in 1965 when he wrote "No" when asked if he had "ever been afflicted with psychopathic personality, epilepsy, mental

defect, fits, fainting spells, convulsions or a mental breakdown."

The court's opinion said that Congress intended the term "psychopathic personality" to include homosexuality and since Longstaff was unlawfully admitted, he cannot become a naturalized citizen.

Since 1979, the Public Health Service has refused to examine incoming aliens in regard to homosexuality, contending that it is not a medical condition that can be diagnosed.

In 1979, the surgeon general announced that the service would no longer consider homosexuality a mental disease or defect because medical standards classify homosexuality as simply a form of sexual behavior, not by itself a psychotic disorder.

Following the New Orleans court ruling, the National Gay Rights Advocates, a San Francisco-based public interest law firm that specializes in gay rights cases, said it may appeal the decision to the Supreme Court.