

## Supreme Court victory, loss

by Jay Brown

Saying the law was unclear, the Supreme Court in a 5-4 decision, declin-

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ed to hear review of a New York Court of Appeals ruling which struck down a Buffalo, N.Y., law used to prevent gay people from gathering in public places.

The vote left intact a New York Court of Appeals decision that the law was unconstitutional. Justices Lewis Powell, Harry Blackmun, John Paul Stevens, William J. Brennan Jr., and Marshall said that the lower court opinion was murky and that the justices had erred in accepting the case, *New York vs. Robert Uplinger and Susan Butler*. Nineteen other states have similar laws.

The provision denied 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.

In another action affecting gay and lesbian civil rights, the justice voted 8-1 to deny review to a 5th U.S. Circuit Court ruling 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.

The New Orleans court held that Richard Longstaff, a prominent Dallas, Tex., businessman 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.

According to Ron Ranum, National Gay Rights Advocates spokesman, the Immigration and Naturalization Service initiated, last week, deportation proceedings against Longstaff. "We're maneuvering to keep him in the country," Ranum said, in a telephone interview.

The National Gay Rights Advocates, a San Francisco-based public interest law firm that specializes in gay rights cases took the Longstaff appeal to the Supreme Court.

## Six nations urge N-freeze

Six prominent political leaders in Africa, Asia, Europe and Latin America, expressing the view that "the survival of mankind is in jeopardy," called on the United States and the Soviet Union, late last month, to halt the testing, production and deployment of nuclear weapons.

Prime Minister Indira Ghandi of India, President Miguel de la Madrid of Mexico, Prime Minister Olof Palme of Sweden, Premier Andreas Papandreu of Greece, President Julius Nyerere of Tanzania and Argentine President Raul Alfonsin simultaneously announced the initiative in their respective countries.

Olof Palme, at a news conference in Stockholm, said, "We want to show that leaders on four continents have the same attitude to peace and disarmament."

The declaration is a result of "the escalation of the nuclear arms race... the deployment in Europe of U.S. Pershing 2 and cruise missiles in response to the Soviets' SS-20 missiles, and the Soviets' deployment of SS-22 missiles as a response to the U.S. deployment," Palme said.

Palme said further, that a moratorium on nuclear weapons would favor both the Soviet Bloc and the West because taking all nuclear weapons into account, there is nuclear parity and the overkill capacity of both East and West is enough that a third of the arsenals could wipe out the human race.

The Reagan administration turned thumbs down on the proposal, "because a comprehensive freeze for all nuclear powers would not enhance stability or reduce risk of war."

The administration has used the same arguments against nuclear freeze proposals within the United States.

## ACLU suit links right-wing, LAPD

Western Goals Foundation, a private right-wing organization founded in 1979 by the late Congressman Larry McDonald, and the Los Angeles Police Department are targets of a suit by the ACLU of Southern California which alleges a conspiracy between officers of Western Goals and members of the LAPD including Detective Jay Paul.

Western Goals was founded with the purpose of combatting what it calls "communist" or "anti-American" expression of political beliefs by collecting and distributing to "interested individuals and organizations" through a computerized network of information obtained from local law enforcement individuals and agencies.

Through prior police litigation, it was learned that Officer Paul, with the knowledge of certain of his superiors had stored hundreds of boxes of LAPD data which had then been entered by him into the Western Goals computer.

The current suit represents the first litigation linking law enforcement agencies with the activities of ultra-right-wing groups.

## Hart co-sponsors S.430

Senator Gary Hart (D-Colorado), became, early last month, the ninth co-sponsor of S. 430, the Senate fair employment bill for lesbians and gay men.

Hart had been under considerable pressure from the gay and lesbian community around the nation to add his name to the bill. Hart had previously said he would support lesbian and gay civil rights but would not become a co-sponsor.

According to Gay Rights National Lobby (GRNL) Deputy Director Jerry Weller, Hart's sponsorship "is another sign of the growing awareness within the Democratic Party of the strength of the gay and lesbian vote, as well as another example of the commitment to the gay community from more and more Democratic Party candidates."

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