

### \$5 Million gay class action suit OK'd

A San Francisco Superior Court Judge recently ruled that a lawsuit filed against Pacific Bell by lesbians and gay men will proceed to trial as a class action. The trial is expected to last several months. The case, originally known as *Gay Law Students V. Pacific Telephone & Telegraph*, was filed in June, 1975 by rejected applicants and employees of the phone company and two gay organizations. The plaintiffs are being represented by the San Francisco law office of Heller, Ehrman, White & McAuliffe and National Gay Right Advocates, a public interest law firm.

Charles N. Freiberg, a partner with Heller, Ehrman, hailed the court's ruling as "a major step forward in this years-long battle against discrimination by California's third largest employer. Certification of the suit as a class action has greatly enhanced our position going into trial next week."

The ruling came on the heels of new evidence uncovered just days ago. Pacific Bell and its lawyers had concealed this incriminating evidence for years, waiting to turn it over until just days before trial.

One such document shows that Pacific Bell had a written policy in the 1970s, approved by its highest level management, forbidding the employment of "manifest homosexuals." In another long-hidden document, an interviewer's notes show that gay job applicants were labelled "CODE 48 — HOMOSEXUAL," and rejected without further consideration. The interviewer wrote that she and her supervisor explained to the applicant "the company's policy of not hiring homosexuals knowingly." Although Pacific Bell "cleaned up" its written policy after 1979, plaintiffs intend to prove at trial that discriminating practices still persist.

Vowing not to allow this type of bias, Leonard Graff, NGRA Legal Director, said, "We are putting employers on notice in this state. If they discriminate against lesbians and gay men or other minorities, it's going to hurt them on the bottom line." Graff estimated that the claims against Pacific Bell will far exceed \$5 million.

When the suit was first filed, the plaintiffs

alleged that Pacific Bell had a written policy prohibiting the hiring of gay men and women. Pacific argued, all the way to the California Supreme Court, that they had no such policy, but in any event the law did not prevent them from discriminating.

They lost. In a landmark decision, the Court held in 1979 that no employer in California could discriminate against openly gay people in employment opportunities.

### And now, from the same people who brought you the mandatory HTLV-3 test

A U.S. Navy officer is currently serving a year at hard labor in a federal prison for having engaged in homosexual acts with two different seamen at separate times in his off-base apartment. Navy lieutenant, Daniel Miller, was convicted of charges of "behavior unbecoming an officer and a gentleman" brought by the Naval Investigative Services, and subsequently court-martialed, given a dishonorable discharge, and sentenced to isolation and hard labor.

The action against Miller resulted from investigations aboard the U.S.S. San Jose, in which a seaman, while being interrogated, reported the names of other personnel he had heard were gay. When Miller heard he was under investigation, he confessed because he was given the impression he wouldn't get a dishonorable discharge.

"The only reason I was convicted," claims Miller, "was that I was an officer. There was no harm done to the Navy or the Command. There is nothing to be gained in putting me away. I've already been dishonorably discharged and have lost all pay, awards, and services. Now I'm to be confined to hard labor. No one was injured. It was purely consensual and occurred off base. The conviction may have been based on the judge's own opinions. It may be because the other men were black and I am white."

Currently, Miller is allowed as reading material only a Bible, a copy of the rules and regulations of the brig, and a copy of *Stars and Stripes*, a military newspaper.

### Brief filed in Supreme Court sodomy case

National Gay Rights Advocates filed a brief recently with the United States Supreme Court in the most important case of the century for gay men and women. The Court is expected to rule this spring in the case of *Bowers v. Hardwick* as to whether a state may criminalize private adult sexual conduct.

Laurence Tribe, the widely respected Harvard Law School professor and constitutional scholar is representing Michael Hardwick. Hardwick was arrested in his own bedroom in Atlanta, Georgia and charged with sodomy, a felony carrying a maximum penalty of 20 years in prison.

Leonard Graff, NGRA Legal Director, said, "The state of Georgia exceeds its inherent

police power when it criminalizes private sexual conduct by adults. The constitution does not permit such far reaching regulation of American citizens' lives." Graff noted that the statute makes virtually all sexual conduct illegal whether the participants are gay, heterosexual, married or single.

Jean O'Leary, NGRA Executive Director said, "The Court's decision in this case will affect the future of the gay rights movement well into the next century. It is fundamental to our system of limited government that the State not be allowed to impose its concept of morality on people in their own homes. The Georgia attorney general has stated that the sodomy law is necessary to promote the "traditional moral values of society."

Joining with NGRA in this *amicus curiae* brief are the Bay Area Lawyers for Individual Freedom, Los Angeles Lawyers for Human Rights, and California Lawyers for Individual Freedom.

### Woman in the Year 2000 calls for study groups

The 1985 Nairobi Conference concluded the United Nations' Decade for Women and marked the beginning of the Women in the Year 2000 project. This is a unique, statewide project designed to identify and study the future relative to issues important to women. Twenty-seven sponsoring organizations have joined to provide the training, structure and resources necessary to conduct a study.

The project's goals are to focus attention on community concerns, increase understanding and support among organizations, and share information and skills to construct the future.

Issues to be investigated could include: How will today's court decisions shape the future?; Will minority women receive adequate Social Security benefits to support the cost of living?; Will the business success formula include the needs of the family unit?; How will social services budget cuts affect the needy in the future?; Does woman-authored literature provide alternative visions, and if so, how will it affect the future?; How will women's issues command balanced reporting in the news media?

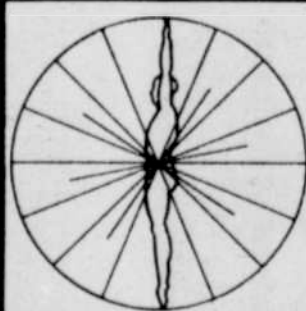
WY2000 is calling for organizations and groups of individuals to support the project by developing a study. Groups will present their study at the Women in the Year 2000 conference, in Portland, September 19, 20, 21, 1986. Contact the project and become involved with your future. Write Women in the Year 2000, P.O. Box 14936, Portland, OR 97214.

### Amazonian Indians found with HTLV antibody

American and Venezuelan scientists have found 4 percent of 224 aboriginal Indians in the Amazon rainforest test positive to the antibody of the HTLV-III virus, according to

*Philadelphia Gay News*. Of the nine positive results, five were women, and all appeared to be healthy. Writing in *The Lancet*, a British medical journal, the researchers speculate the results might be from a virus that is cross-reactive with HTLV-II, a "non-pathogenic ancestor" of the virus, or the HTLV-III infections are "benign until influenced by co-factors."

*Windy City Times*



### ANCINA CLINIC

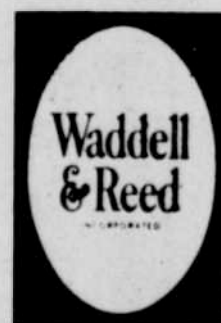
Chiropractic and Naturopatic Healthcare

Bruce D. Chaser, D.C.  
D.K. Won, N.D., D.C.

40 YEARS IN PRACTICE

A non-pressure healing environment in which the patient is encouraged to participate in the restoration and maintenance of their health. We treat children, geriatric patients, and people of any lifestyle or persuasion.

3343 S.E. Hawthorne  
Portland, OR 235-5484



### Financial Services

TAX SHELTERS • MONEY MARKET FUNDS • OIL/GAS INVESTMENT PROGRAMS • MONEY ACCUMULATION PLANS • COMPUTERIZED FINANCIAL PLANNING • COMMON STOCK FUNDS • MUNICIPAL BOND INVESTMENTS • KEOGH/IRA PLANS • REAL ESTATE INVESTMENT PROGRAMS • LIFE INSURANCE • PENSION PLANS

David Malcolm

5319 S.W. Westgate Dr. # 162 • (503) 297-5651  
Portland, OR 97221

*Genoa*

★★★★

NORTHERN ITALIAN CUISINE  
SEVEN-COURSE DINNERS

2832 S.E. BELMONT • 238-1464