

ACT UP zaps Circle K

*Corporation's employee medical plan excluded
"lifestyle decision illnesses"*

BY HAROLD MOORE

Carl Eller, president of Circle K, the country's second largest convenience food-store chain, announced that Circle K was "suspending indefinitely" its controversial Karechoice employee medical plan. The plan, in effect since January of this year, excluded from coverage employees who have "lifestyle decision illnesses — illnesses that result from alcohol or drug abuse, self-inflicted wounds or AIDS."

Eller attributed the "suspension" to "a general misunderstanding... we are concerned with costs." He suggested that with "clarification of language and explanation of some exclusions," Circle K will be able to quiet the

unfortunate uproar Karechoice has caused and put the plan into effect.

Since the media revelations about Karechoice, the company has received "hundreds of calls, dozens every day," according to a non-executive employee of the company in its Phoenix office.

ACT UP (AIDS Coalition To Unleash Power), a New York City-based AIDS activist group, reacted immediately to Circle K's move to exclude AIDS and other "lifestyle decision" illnesses from its health coverage.

Leslie Fienberg of ACT UP coordinated the group's response in New York and nationally. "Circle K was saying that employees could actually choose to get one of the excluded conditions," said Fienberg, "and that if you were

unfortunate enough to do that, the company would no longer foot the bill.

"Nationally, we decided to make them hate the day they ever proposed this form of discrimination.

"In New York City we found out that the Reice Corporation had opened up the first Circle K store in the city in Penn Station two weeks ago. So about 20 of us paid them a visit. Along with our signs and photographers we brought leaflets to explain what we were doing. We set up a picket line outside the store and in about a minute the store was empty. People in Penn Station wouldn't cross our line and the store was immobilized.

"This action did not take place in a New York vacuum. Last week in Atlanta, where Circle K has 10 stores, people did a phone blitz that tied up the company's phone lines so no business could transpire. On the same day, 100 people demonstrated at Circle K headquarters in Phoenix, 100 people protested in Albuquerque, 50 people in Salt Lake City, and 80 people took action in Denver and then formed a new chapter of ACT UP. In Houston, an undetermined

number of people made their presence known at Circle K in the Montrose District.

"We now have two weeks to prepare a national response to Circle K's rethought Karechoice policy. As it is now, it still discriminates against workers with AIDS, gay men, those who are suffering from addiction, and unmarried women. When they respond to our pressure in two weeks, we'll either have a national celebration or we'll give 'em hell.

"Circle K is the first national corporation to attempt to institutionalize this type of discrimination against its workers, and the trend has to be stopped here and now. The tide of public attention is on our side, and we will not take this crap from Circle K sitting down."

For more information about ACT UP, the Circle K action or other ACT UP actions, contact ACT UP, Suite G4, 496-A Hudson St., New York, NY 10014, (212) 533-8888.

(Editor's note: Circle K operates several stores in the Portland metropolitan area — one each in Tigard, Aloha and Gladstone, and two in southeast Portland.)

Involuntary test results in harsh sentence

The Steven Farmer case has great importance to the gay and lesbian community vis-à-vis the civil rights of all Americans

BY HAROLD MOORE

Steven Farmer is faced with a seven-and-a-half year prison sentence in the state of Washington, the result of an involuntary HIV test administered by court order and the court's belief that Farmer knew of his HIV infection before becoming involved with two teenage male prostitutes.

Farmer was charged in spring 1987 with patronizing juvenile prostitutes and with sexual exploitation of a juvenile. The case centered around photographs Farmer allegedly took of the prostitutes.

Before Steven Farmer could be sentenced to a reduced charge as the result of a plea bargain, KING-TV aired a report charging that Farmer was infected with the HIV virus and that he had knowledge of this infection prior to his alleged contact with the two teenagers.

According to Farmer's attorney, Robert Gombiner, the case then took on all the hysteria that the AIDS issue often brings to the surface. "The prosecutor in this case, Rebecca Roe, took a very hard line. After the media caught the scent of a story, Farmer became a symbol and was treated very unfairly.

Prosecutor Roe, using unsubstantiated information that Farmer knew he was HIV-antibody positive, successfully moved to have him retested. That test was positive. Even though the retest could not prove how long he might

have been positive, Roe moved that Farmer be sentenced under the state's "exceptional sentence" statute. Instead of the normal minor sanction, Roe asked for a 10-year sentence. Judge Charles V. Johnson, in handing down the seven-and-a-half-year prison term, used Roe's threads of half-truths and innuendo to conclude that Farmer had knowingly and recklessly endangered the people of Washington.

There has been widespread reaction to the Farmer case. Sean Garret, a candidate for the Washington State Legislature, stated, "The Farmer case is only the tip of the iceberg. He has been the subject of gross homophobia, but in this country we are all faced with overt racism, sexism and classism.

"It is very important for us to realize that we are not the worthless people that the system wants us to be. The struggle around the Farmer case is the embodiment of this shift from worthlessness to taking charge and stopping the system in its exploitation and discrimination. This case has great importance to the gay and lesbian community vis-à-vis the civil rights of all Americans, more important even than Hardwick [the landmark affirmation of Georgia's sodomy statutes]. This case is outrageous. It screams for justice. The entire episode is the result of the sexuality of the defendant and the court's outright disregard for that defendant's rights under the Constitution because he is gay."

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