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Just news

ACLU challenges Helms Amendment

Several groups which provide AIDS-related health information to gay men have challenged the constitutionality of the Helms Amendment. The Helms Amendment forbids funding of materials which "promote or encourage homosexual activities."

The lawsuit, filed by the American Civil Liberties Union (ACLU) AIDS project and the Center for Constitutional Rights in New York City on October 13, alleges that the restrictions imposed by the Helms Amendment are unconstitutionally vague and violate First Amendment rights to free expression.

The complaint states that "the ability to promote and encourage healthy sexual alternatives" to practices which can spread the virus believed to cause AIDS is "essential to life-saving behavior change."

The plaintiffs in the case are Gay Men's Health Crisis, the Hetrick-Martin Institute and the Fund for Human Dignity, all of New York, Horizons Community Services in Chicago, and San Antonio Tavern Guild AIDS Foundation.

The vagueness of the Helms Amendment language causes groups to self-censor before materials are submitted to government review committees for approval, according to David Cole, attorney for the Center for Constitutional Rights. Providers "are forced to guess at the meaning of the law, and thus to curtail their efforts to avoid the defunding penalty," Cole said.

The suit seeks a declaration of unconstitutionality as to the Helms Amendment and as to federal agency guidelines which forbid language in AIDS materials that is "offensive" to persons outside the group targeted to receive the materials.

— Cruise Magazine

Helms anti-gay amendment scuttles Hate Crimes Act

The first positive federal legislation to address violence against lesbians, gay men, racial, ethnic, and religious minorities, stalled in the U.S. Senate because of Senator Jesse Helms (R-NC) who threatened to introduce sweeping anti-gay amendments.

The Hate Crimes Statistics Act which would require federal data collection on crimes motivated by prejudice against gay people and other minorities, was never brought to the Senate floor despite vigorous lobbying by a coalition of over 50 groups led by the National Gay and Lesbian Task Force (NGLTF).

Introduced by Rep. John Conyers (D-MI), the Hate Crimes Statistics Act made legislative history when it passed the U.S. House of Representatives in May of 1988. The bill marked the first time federal legislation, specifically addressing sexual orientation, was passed by either house of Congress. Attempts to delete the sexual orientation clause were repeatedly defeated while the bill was in committee and were also defeated on the House floor.

The Senate version of the bill was introduced

by Sen. Paul Simon (D-IL). The Senate bill achieved unanimous approval from the Senate Judiciary Committee in August. But efforts to bring the bill to the Senate floor crumbled as Helms told Senate Majority Leader Robert Byrd (D-WV) that he would fight the bill unless anti-gay measures were attached.

Helms planned to introduce a four-part amendment which stated the following:

"(1) The homosexual movement threatens the strength and the survival of the American family as the basic unit of society;

"(2) State laws prohibiting sodomy should be enforced;

"(3) The federal government should not provide discrimination protections on the basis of 'sexual orientation'; and

"(4) School curriculums should not condone homosexuality as an acceptable lifestyle in American society."

NGLTF lobbyist, Peri Jude Radecic termed the amendment "totally offensive and unacceptable. We will never tolerate codification of this kind of bigotry." Radecic noted that because of Helms' delaying tactics, the Hate Crimes measure must be re-introduced during the next Congressional session and will have to pass through committees and the full floor of both Houses again.

NGLTF Anti-Violence Project Director, Kevin Berill noted that while the bill stalled in Congress, acts of anti-gay violence continue to shatter the lives of gay men and lesbians across the country.

"This bill reflects our call to the federal government to take a firm stand against homophobic violence. We intend to press forward, add more supporting organizations to our coalition, and continue the grassroots constituent pressure that helped so much this year," Berill said.

Activists interested in generating support for the Hate Crimes Statistics Act in the next Congressional session are urged to contact Peri Jude Radecic at NGLTF, 1517 U Street NW, Washington, DC 20009.

— National Gay and Lesbian Task Force

Same sex "marriages" no longer uncommon

Gay and lesbian union and marriage ceremonies may be more widespread than commonly assumed. Despite the failure of states to legally recognize homosexual marriage, many couples are honoring their relationship with wedding rituals. The popularity of these ceremonies is suggested by early returns from a national survey of same-sex couples undertaken by *Partners: The Newsletter for Gay & Lesbian Couples*.

Of the first 136 surveys analyzed, twelve percent of respondents indicated that they had formalized their relationship with a ceremony, and four percent said they planned to do so. Another twelve percent relied on other traditional observances, such as celebrating anniversaries. Additionally, 43 percent of the respondents said they wear rings or other symbols of their relationship.

More than 700 completed surveys have been returned to *Partners* thus far, and the survey remains open to participants through January.

To participate in the survey, write to: *Partners*, Box 9685, Seattle, WA 98109. Enclose a self-addressed, stamped business size envelope. *Partners* will send two forms per request (enough for one couple); affix extra postage for additional forms.

— Partners

Health Center wins against anti-abortionists

In a recent federal court decision, the Portland Women's Feminist Health Center won "quite a victory," according to Jude Hanzo of the Center. Anti-abortionists have been picketing the Center regularly since 1984, obstructing access to the facility and conducting demonstrations with up to 150 people. When the demonstrations got to the point of actually denying women access to the clinic, the Center sued Advocates for Life in Federal Court. The Center accused the anti-abortionists of intention to inflict emotional distress and sought a permanent injunction against excessive demonstration.

The Center was granted a preliminary injunction which prohibits screaming, yelling, shouting, or other noise that interferes with patients receiving medical attention. Since that injunction was granted in 1986, picketers have been held in contempt of court.

In November 1987, Advocates for Life appealed the injunction on the grounds that it interfered with their freedom of speech, and that it was "too vague."

The recent decision upholding the Center's injunction is the first of its kind, and will help other clinics across the country to control the demonstrations against abortion.

— Sandra de Helen

Artists deplore passage of Measure 8

At the statewide Arts in Education Conference, held in Newport, November 10th to 12th, a breakfast roundtable meeting was held to discuss the effects on the arts in Oregon after the passage of Ballot Measure 8. About 40 people attended the meeting.

Arts administrators, educators, and artists attended the conference. The attendees work in the Arts in Education program, doing residences in schools all over the state. The roundtable discussion, chaired by Judith Barrington, examined two areas — first, the climate created by Ballot Measure 8, (in which creative work cannot flourish) and second, the specific difficulties faced by gay and lesbian artists working in the schools.

In addition to discussing how members of the group might get involved in future activities opposing the Measure, the group also drafted a statement which was taken to the larger meeting of artists and Artists in Education Coordinators. The group supported the statement overwhelmingly. It will now be discussed within each region by artists, teachers, and coordinators.

The statement currently reads: "The Oregon arts community welcomes and supports efforts by Governor Goldschmidt to protect the civil rights of gays and lesbians. We deplore the climate of bigotry expressed in the passage of Ballot Measure 8, and recognize that it is in direct conflict with the flourishing of artistic work in Oregon by all artists."

STEPHEN D. YEW,
D.M.D.

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