

national news

ICA enlists aid of right-wing militia

Idaho Citizens Alliance leader Kelly Walton announced that the United States Militia Association has joined with the ICA to ensure that its anti-gay, anti-abortion and education initiatives appear on the 1996 Idaho ballot.

"We're proud to address them, to answer questions about the initiatives, and get petitions in their hands," Walton said, referring to a planned September meeting between the two groups. "We appreciate their interest in getting signatures for us."

Bill Tuttle, the USMA's state director and an ICA volunteer, confirmed that Walton would address the militia group's leadership meeting, according to the Associated Press. Tuttle did not comment on the militia's role in the initiative campaigns.

Kristine Chatwood

Will it play in Clearwater?

City commissioners in Clearwater, Fla., are concerned about the nudity, profanity and gay themes found in the Tony Award-winning play *Angels in America*. Interim City Commissioner Bill Justice believes Tony Kushner's play may violate Clearwater's "anti-nudity" ordinance, which is aimed mainly at adult nightclubs. If *Angels in America* is found to be in violation of the city's ordinance, it will not play.



PHOTO BY JOAN MARCUS

Robert Sella (left) and Reg Flowers of the *Angels in America* touring company

The ordinance contains provisions to allow artistic performance, reports the Associated Press. Jan Hickin, director of marketing and public relations at Clearwater's Ruth Eckerd Hall, where the play is scheduled for a December performance, said, "This is brilliant, brilliant theater. It ranges from Earth to heaven, from politics to sex and religion, from Washington, D.C., to the Kremlin. It's two plays in one monumental drama. It's eight hours of the most riveting drama you'll ever see."

An opinion on whether the performance would violate the "anti-nudity" ordinance is expected from City Attorney Pam Akin.

Kristine Chatwood

Sexual minority groups meet with Reno

Several national lesbian and gay organizations met with Attorney General Janet Reno and other Justice Department officials in mid-September. Topics discussed at the meeting included hate crimes; homophobic ballot measures; and pending and potential legislative attacks on lesbian, gay and bisexual people.

The meeting was held in response to a request by the groups to meet directly with Reno following her decision against filing an amicus brief in the pending Supreme Court case involving Amendment 2, Colorado's anti-gay and -lesbian

initiative. The Amendment 2 case is scheduled to be heard by the Supreme Court during the current session.

"We wanted to express our disappointment with the department's decision in the Colorado case, and explore opportunities for the Justice Department to weigh in on future civil rights issues related to gay citizens," said Helen Gonzales, public policy director of the National Gay and Lesbian Task Force. "By meeting directly with the attorney general, we can elevate the department's awareness of critical civil rights issues facing the gay community. The attorney general seemed genuinely moved when we discussed the issue of hate crimes and interested in using her office as a bully pulpit in condemning hate violence."

Organizations participating in the meeting with Reno included NGLTF; the Human Rights Campaign Fund; Lambda Legal Defense and Education Fund; the American Civil Liberties Union; the National Advocacy Coalition on Youth and Sexual Orientation; the National Latino/a Lesbian and Gay Organization; the Gay and Lesbian Victory Fund; the Servicemembers Legal Defense Network; Parents, Families and Friends of Lesbians and Gays; and People for the American Way.

Kristine Chatwood

"Don't ask, don't tell" in court again

Navy Lt. Paul G. Thomasson quietly slipped into the lead position of legally challenging the "new" policy of "don't ask, don't tell" in its likely course to the U.S. Supreme Court. The date was Sept. 12, the place a federal court house in Alexandria, Va., only a few miles from the Pentagon. His case was being heard by a three-member panel of the U.S. Court of Appeals for the 4th Circuit.

Thomasson began his challenge on March 2, 1994, when he delivered a letter stating "I am gay" to four rear admirals under whom he had directly served. The 10-year veteran aviator had received exemplary performance reviews from those men. Seven days after the letters were delivered, the Navy initiated discharge proceedings against Thomasson. He was separated from service on June 15, 1995. He had lost the initial round in court and was now appealing that decision.

The three-member panel includes J. Michael Luttig (a 1991 Bush appointee), M. Blane Michael (a 1993 Clinton appointee), and Diana G. Motz (a 1994 Clinton appointee). The judges' knowledgeable, penetrating questioning of both parties indicated skepticism of many arguments put forth but did little to reveal their likely verdict.

Allan B. Moore, Thomasson's attorney, argued that the policy violates his client's First Amendment right to free speech and Fifth Amendment right to equal protection under the law. He cited the ruling earlier this year in the 2nd Circuit, the *Able* case, which came to those conclusions in striking down the ban on gay men and lesbians openly serving in the military.

Able involves six plaintiffs across the country and was constructed as the principle test case of the "new" policy. The military seems to be dragging its feet on that case but not on Thomasson's. And the 4th Circuit—known as "the rocket docket" for the speed with which it dispatches cases—used its own initiative to schedule the hearing in September.

The court is likely to make its decision known later this fall, possibly as early as October. The 2nd Circuit will hear arguments on the *Able* case in New York at about the same time. Its decision is expected to come early next year. Both cases will presumably end up before the U.S. Supreme Court, possibly as early as the spring but likely in the fall of next year.

Bob Roehr

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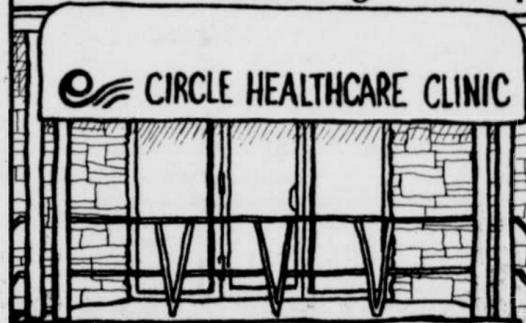
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