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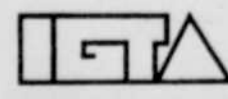

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national news

Lesbian fights for custody of her child

Arguments were heard in July by the Florida First District Court of Appeals in a case where a lesbian lost custody of her daughter because the judge said her lesbian relationship was detrimental to the child. According to a Reuter report, the judge awarded custody to the father, a convicted killer.

State circuit court Judge Joseph Tarbuck ruled in September 1995 that Mary Ward's relationship with another woman was harmful to her 10-year-old daughter. Tarbuck granted custody to Ward's ex-husband, John Ward, who was convicted 22 years ago of the murder of his first wife. He is now married to his fourth wife.

It is not known when the appeals court will issue a ruling in the case.

AIDS spreads among elderly

In contrast to popular belief, teenagers are not the group with the fastest growing rate of HIV infection in the United States. That distinction belongs to people age 50 and older, reports the *Chicago Tribune*.

According to the Centers for Disease Control and Prevention, there were nearly 6,000 new cases nationally among people 50 and older diagnosed in 1994, an 11 percent increase from 1993. Among people age 20 and younger the increase was 2 percent.

The problem is especially acute in Florida, where unprotected sex—most frequently heterosexual sex—is the most common form of transmission among those 65 and older, accounting for 24.6 percent of AIDS cases recorded since 1981.

While lots of resources have been poured into AIDS prevention education for younger people, says the *Tribune*, virtually nothing has been geared to older people. The assumption was that the elderly were asexual and not susceptible to AIDS. When they visited their doctors complaining of classic AIDS symptoms—weight loss, confusion, persistent cough—they were tested for everything but HIV.

Things are finally changing. The American Association of Retired Persons now has an HIV-awareness unit that provides brochures and a new video. The Senior Action in a Gay Environment chapter in Miami Beach and AARP have begun a joint program to train volunteer AIDS educators who go to senior centers. And in October 1995 the first national AIDS and Aging conference was held in New York City.

Democratic convention to include gay contingent

Attendees at the National Democratic Convention in Chicago, to be held Aug. 26-29, will include the largest contingent of openly lesbian



and gay Democrats to ever attend a national convention, says Brian Bond, director of Gay and Lesbian Outreach for the Democratic National Committee. The lesbian and gay participants

will include 102 delegates, 25 alternates and 19 standing committee members. "As it stands now, we have a 38 percent increase in the number of lesbian and gay convention participants from 1992. This is not about political rhetoric, this is an example of real fundamental empowerment within the political process of the Democratic Party," Bond said.

Oregon and Washington are among the 27

states sending lesbian and gay representatives to the convention.

Court rules gay youth can sue school

In a landmark case, the 7th U.S. Circuit Court of Appeals ruled July 31 that a young gay man can sue his former Wisconsin school for failing to

protect him from anti-gay assaults and harassment. The ruling reversed a lower court ruling throwing the case out, and sent the case to the federal district court in Madison, Wisc., for trial.



Jamie Nabozny, now 20, says he was subjected to cruel and brutal assaults during his four years in middle and high schools in Ashland, Wisc. He says one assault resulted in injuries requiring surgery; in another, students urinated on him; and in another, students pushed him to the floor and acted out a mock rape.

Nabozny and his parents repeatedly asked the schools to protect him from his attackers. School officials refused, telling Nabozny's parents that he had to learn to expect such abuse because he is gay.

In its ruling, the 7th Circuit Court said, "We are unable to garner any rational basis for permitting one student to assault another based on the victim's sexual orientation, and the defendants do not offer us one."

In its unanimous ruling the court concluded that the Constitution's equal protection clause prohibits discriminatory treatment based on a person's sexual orientation, adding that this should have been obvious to government officials even in 1988, when Nabozny first reported his abuse to school officials and when many courts were dismissive of equal protection claims for gay men and lesbians.

Witch hunt in Hawaii documented

Air Force investigators at Honolulu's Hickam Air Force Base may have conducted a witch hunt involving up to 17 service members, in violation of the military's "don't ask, don't tell, don't pursue" policy.

Servicemembers Legal Defense Network says it has obtained evidence that a pre-trial agreement was entered into by the Air Force and an airman facing court martial in January 1996. As part of the agreement, SLDN says, Airman Bryan Harris pleaded guilty and the Air Force agreed to reduce his sentence if he named other "military personnel... who have committed acts of sodomy."

According to SLDN, Harris named 17 service members in all branches of the service with whom he allegedly had consensual sex. One of those service members named was discharged July 2, two others face imminent discharge, and a fourth faces possible criminal charges.

"The one thing promised by 'don't ask, don't tell, don't pursue' is that the witch hunts would end," said Kirk Childress, SLDN staff attorney. "It is appalling to see the Air Force violate its own regulations and engage in McCarthy-like tactics against these dedicated service members."

Reportedly, neither Air Force nor Department of Defense officials have responded to requests for information from SLDN or Hawaii legislators.

Compiled by Kristine Chatwood