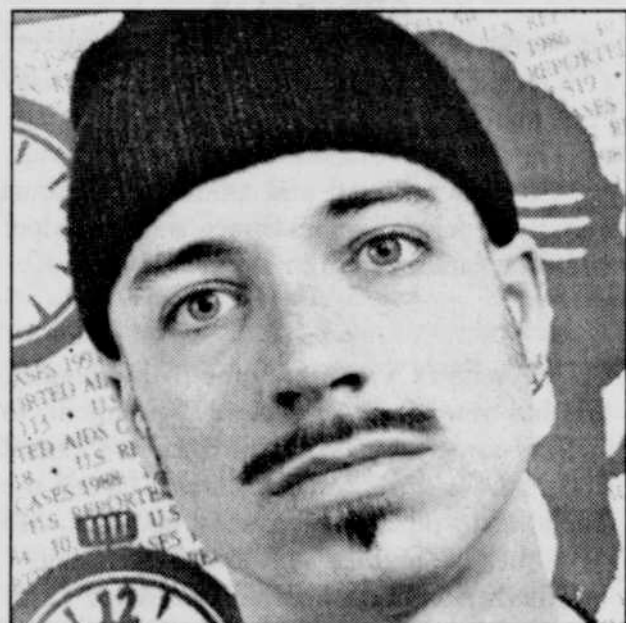


Continued from Page 20

director of San Francisco's STD Prevention Unit, and warned that it is a frightening measure to invade gay men's privacy online and undermine the community's self-esteem and safety. To counter the proposal, activists demanded the immediate resignation of "the gay community's public enemy No. 1."

"Where is the evidence of this alleged syphilis increase and the proof that, if it exists at all, gay chat rooms are to blame?" ACT UP member David Pasquarelli said. "Klausner stammers on endlessly about gay sex spreading disease and death without any verifiable numbers published in peer-reviewed studies. It's called sexual scapegoating, and San Francisco's gay male community has had enough."

According to ACT UP, in 1999 the San Francisco Department of Public Health broadcast alarmist full-page advertisements in the gay press featuring pictures of ticking time bombs and scary headlines about an out-of-control syphilis outbreak. However, upon investigation, activists discovered that the statistics showed the disease at its lowest rates ever, with steep declines in the number of positive results per tests administered.



David Pasquarelli

ACT UP members accused the health department of playing a deceptive game by concealing that it drastically increased syphilis screening and targeted gay men to cook up higher numbers for STD and AIDS funding purposes. They said the bogus scare resulted in skyrocketing homophobic harassment of gay AOL chat rooms.

ARKANSAS

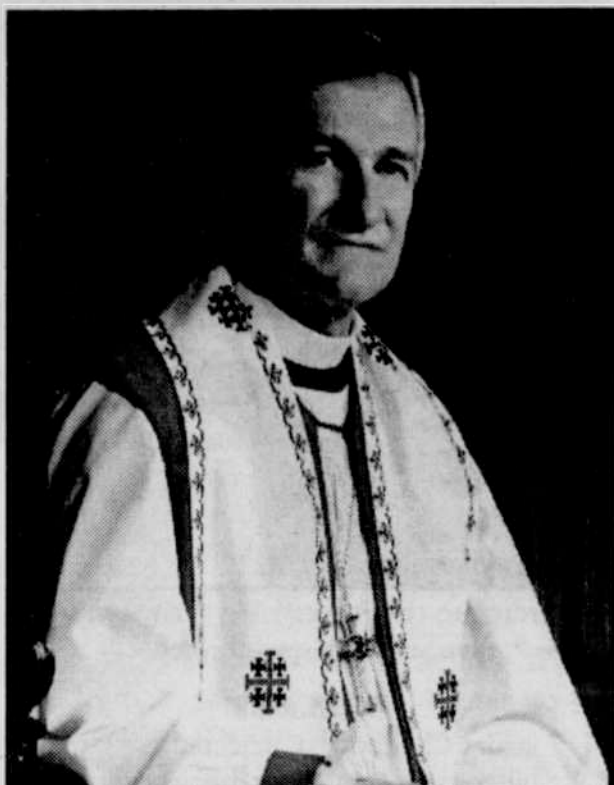
Seven lesbians and gay men are urging the Arkansas Supreme Court to strike down the state's archaic ban on intimate relations between consenting adults of the same sex. In a brief filed Oct. 29, Lambda Legal Defense and Education Fund argues the government cannot single out gay people with a criminal law it does not apply to nongay people and dictate personal relationships.

"At a time when people in our country seek to strengthen national unity, Arkansas should not have a law that stigmatizes any group as second-class citizens and intrudes on their intimate lives for no good reason," said supervising attorney Susan Sommer, who successfully argued the case Picado v. Jegley before a state circuit court. "We hope that the Supreme Court puts an end to this biased law once and for all."

The lower court struck down the law in March. The state is appealing that decision.

The plaintiffs include a teacher and mother, Elena Picado, as well as a minister, a small-business owner and a nurse. They object to being branded as criminals and say the ban fuels anti-gay prejudice.

The law prohibits a wide range of physical intimacy between same-sex couples, with punishment of up to one year in jail and a fine of



The Right Rev. Larry E. Maze

\$1,000. Under the ban originally enacted in 1838, sexual relations similarly were restricted for all couples, gay and nongay, but that law was repealed in 1975. Then, in 1977, the Legislature turned around and enacted the current law targeting only same-sex couples.

The American Psychological Association and the National Association of Social Workers filed a brief noting that the ban criminalizes sexual intimacy that "is a normal part of the intimate relationships of Americans and is engaged in by opposite-sex as well same-sex couples.... By banning such sexual intimacy by persons of the same sex [the state's law] directly impinges on these fundamental intimate relationships."

A group of religious leaders filed a brief stating "private, consensual sexual conduct is a matter of individual, personal conscience and not a matter for state prohibition through the criminal laws." Among the clergy included is the Right Rev. Larry E. Maze, the Episcopal bishop of the Diocese of Arkansas.

In other states, including Georgia, Kentucky, Montana, and Tennessee, state courts have struck down so-called sodomy laws. Until the 1960s, all states criminalized oral and anal sex. Now just three—Kansas, Oklahoma and Texas—have anti-gay laws like that of Arkansas, while 10 others criminalize private oral and anal sex for both gay and nongay consenting adults.

PENNSYLVANIA

A federal jury Nov. 8 cleared three small-town police officers of allegations that they violated a teen's constitutional right to privacy four years ago by threatening to disclose that he was gay, causing him to commit suicide. Attorneys representing his mother, Madonna Sterling, in the federal lawsuit called the verdict a "heartbreaking injustice."

"Public officials have a duty to protect and serve everyone, including lesbians and gay men," said James Esseks, American Civil Liberties Union Lesbian and Gay Rights Project litigation director. "Rather than 'first do no harm,' these officers directly contributed to a young man's death."

Marcus Wayman, 18, was in a parked car with a 17-year-old male when Minersville police questioned the two, found condoms and arrested them for underage drinking. Officers later lectured the high school football player about the Bible's condemnation of homosexuality and threatened to tell his grandfather that he was gay.

After Wayman was released from police custody around midnight, he returned home and shot himself in the face with a revolver sometime before 6 a.m. His suicide note said, "I'm sorry, Grandpa, I found my future...I won't let everyone's life be ruined by mine." □

Compiled by News Editor JIM RADOSTA, who can be reached at jim@justout.com.



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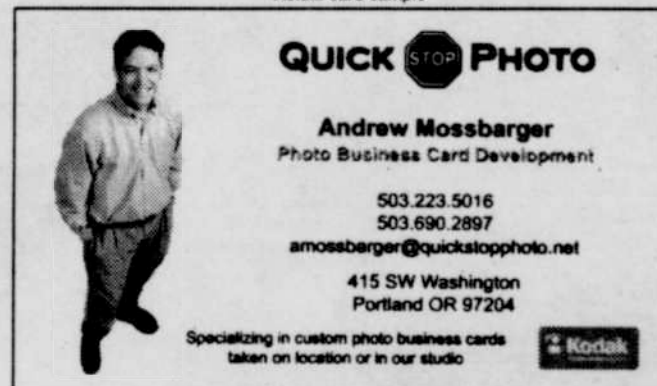
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