

# the front page

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The News & Entertainment Paper for N.C.'s Gay Community

## The Year In Review A Gay Perspective

By Cindy Stein, *Gay Community News*

The final year of the seventies signified the end of a decade of struggle in the contemporary lesbian and gay rights movement and was jam packed with significant events. Since what each of us individually might see as "historical" varies with our perspectives, priorities, and politics, it is difficult for any article on the subject to do anything but point out a sampling of what many might call "important."

I concluded, after leafing through the fifty 1979 issues of *Gay Community News*, that lesbian and gay people experience, each year, two histories—one which evolves within our own movement and from our own growth, and the other which is established by the larger society. The latter consists of the way we are affected by the straight world's evolving responses to us—in the courts, the government, the family, on the street, in the media. Of course, both of these "histories" affect each other. The posture of the outside world will shape the way we organize and set goals, while our efforts slowly transform society.

### All Our Trials. . .

If lawyers representing gays in 1979 did not get rich, they certainly kept busy. Our entrance into courtrooms in America, Canada and throughout the world cannot go unnoticed.

Jeremy Thorpe, once a powerful politician in England's Liberal Party, went on trial and was eventually acquitted of charges that he conspired to kill Norman Scott, allegedly Thorpe's ex-lover. The trial ruined Thorpe politically. He lost a re-election bid for his old Parliamentary seat.

The collective which publishes Toronto's gay newspaper, the *Body Politic*, was subjected to a lengthy and costly court battle defending itself against government charges of obscenity after printing an article on man-boy love. The paper eventually won its fight with a favorable judicial opinion indicating that the evidence was insufficient. However, the government is seeking to appeal.

Gay parents fared well in their quests for child custody, with many gains and few losses. However, in the latter category, Kathryn Stover of Denver lost her two children when the judge found for the father in a case where he declared that "lesbianism was not an issue." The Tennessee Court of Appeals, choosing to rely on "common sense" instead of the testimony of a psychologist, deemed homosexuality a valid reason for denying custody to gay parents. And, in western Massachusetts, Bunny King was refused custody of her two children by a state Probate Court in a case where the issue of lesbianism was raised, not by the parties, but by the judge. That case is being appealed.

On the positive side, the Michigan Supreme Court ruled that a parent's sexual preference cannot be used as the sole reason for denying her/him custody of a child. A lower New York State court awarded custody to MCC Rev. Johannes Kuiper, the adoptive father of a thirteen year old boy. Madeleine Isaacson and Sandy Schuster, two fundamental Christian lesbians, won their much-publicized fight to retain custody of their six children and love together as lovers. A gay man in Kansas was allowed to keep his two children. And two gay men, an MCC pastor and a pediatrician, were permitted to adopt a two year old boy after a favorable ruling by the Los Angeles Superior Court.

In the area of civil rights, the courts began to inch toward a saner stance. Six women police officers accused of homosexual activity by the Boise, Idaho police department, were awarded over \$100,000 in damages for their illegal dismissal. They were not reinstated. The California Supreme Court ruled that the Pacific Tel. & Tel. Co. could not discriminate against openly gay applicants, but that the California Fair Employment Practices Commission could not hear complaints about discrimination on the basis of sexual discrimination on the basis of sexual orientation. That same court struck down an anti-solicitation statute as unconstitutional. In Washington DC, a federal district court allowed the Gay Activists Alliance to advertise on the city's Metro transportation system.

Three men were convicted of attacks made on gay men in 1978 in the "Rambles," a well-known cruising section of New York's Central Park. A police officer was convicted of assault against a lesbian at a woman's bar in San Francisco. The conviction of two police officers and their suspension from the Boston police force was upheld by the state Civil Service Commission which reviewed complaints that the officers had beaten two gay youths in 1977.

Perhaps the most publicized trial of the year was that of Dan White, convicted murderer in the 1978 slayings of San Francisco Mayor George Moscone and gay City Supervisor Harvey Milk. After a jury found White guilty of the lesser charge of manslaughter (as opposed to premeditated murder), the city's gay community erupted violently in a fit of anger which manifested itself in the form of the May 21st Riots. White was sentenced to seven years, eight months in prison, the maximum sentence for his conviction.

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## Gays Popular On ABC

While the American Broadcasting Company is apparently willing to commit prime air time to the subject of homosexuality, it is difficult to discern if this willingness on their part is in the best interest of the gay community. ABC is the network responsible for the controversial special "Homosexuals," concerning which NGTF recently reported ". . . the overwhelming reaction that we have received has been negative." At the same time, word is out that ABC is considering a new prime-time comedy series with homosexuals as leading characters.

The ABC News Closeup special "The Homosexuals," aired Dec. 18, made no money for the network but scored well in the ratings. Overnight Nielsen ratings, reported in Philadelphia's *Gay News*, showed ABC beating both competing networks by substantial margins in New York, Chicago, and Los Angeles.

"News programs per se do not get these types of numbers," ABC press spokesperson Jeff Tolvin told *Gay News*. "But don't take these numbers as representative of the nation. These are urban areas counties, where the interest in the subject is much higher."

ABC was unable to find sponsors for the program, which instead included six minutes of public service announcements and network promos. Tolvin commented that each of the Closeup specials is sold separately, so "there is no way to tell in advance if such a program will do well."

About 15 ABC stations refused to carry the program, mostly in the South and Southwest. The only market in the top 50 which did not carry the show was Birmingham, Alabama's WBRC.

### NGTF protests program

The National Gay Task Force issued a statement expressing dissatisfaction with the program and stated, based on their own dealings with ABC, "Until we can win assurances that agreements will be kept by ABC, the lesbian and gay community should exercise extreme caution in all contacts with ABC News."

The producer apparently agreed, in exchange for assistance with making contacts in the community, to allow representatives of NGTF to preview the program before it was aired. Then, despite several requests by NGTF, ABC refused to keep its part of the agreement.

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## Traveler Detained at Border Decides To Sue

San Francisco (IGNA)—A Mexican dress designer detained as a suspected homosexual by Immigration officials was released with permission to spend the rest of his vacation with his San Francisco friends.

But by being "paroled," Jaime Chavez now has a permanent record that could prevent further entries. A multi-million lawsuit for damages has been filed in Chavez' behalf by the San Francisco based legal firm, Gay Rights Advocates.

David Ilchert, district director for the U.S. Immigration and Naturalization Service, told reporters that Chavez had been detained at San Francisco International Airport on Dec. 29 when U.S. Immigration officials saw that "he had the remnants of make up on his face and he had two women's diamond engagement rings on his fingers." Customs inspectors had also discovered dresses in Chavez's suitcase. The clothes had been designed for his hostess, Patricia Volti.

Ilchert said that Chavez "freely admitted he was a homosexual when we asked him."

INS officials ordered Mexicana Airlines to detain Chavez in a hotel room overnight and to hire security guards to watch him. On Monday, Dec. 31, it was decided that he would be allowed to stay for the duration of his two-week vacation, following what Ilchert described as an "extension of the

examination at the airport."

Chavez's lawyer, Donald Knutson of Gay Rights Advocates, asked Ilchert about charges that Chavez had been ordered to

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## Army Private Held In Murder Case

A 21-year-old man discharged by the U.S. Army for being homosexual has been charged with first-degree murder in the shooting death of the man he lived with.

Roger Cutsinger was charged with the December 14th murder of Larry D. Duerksen, 29, an employee of the University of Washington library.

Cutsinger is in custody and bail has been set at \$250,000.

The Army gave Cutsinger an undesirable discharge in November, because it contends that homosexuality is "incompatible" with military service.

The upcoming trial should be of interest to the gay movement since a discussion of the pressures on Cutsinger arising from his discharge should be a part of the testimony, just as such pressures were used in the Dan White case, where a lenient sentence resulted.

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