

Stalling Threatens AIDS Bill

Speakers for both factions at Lt. Gov. Jim Gardner's unprecedented hearings on the proposed AIDS anti-discrimination bill on Wednesday, April 26 addressed the issue of civil rights for AIDS-affected people. Those supporting the bill graphed a direct relationship between protection and the fear of being tested; opponents said that civil rights legislation without mandatory testing will aid to the problem of "controlling" the disease.

The result was a stalemate that left the bill — technically, a change in the state's Communicable Disease Law — struggling for life in the torn committee, and an AIDS support movement frustrated with behind-the-scenes political maneuvering.

"The timetable is running out," Rep. Sharon A. Thompson (D-Durham), a sponsor of the bill, told the *Raleigh News and Observer* (4/27/89). "The opponents have managed to stall it. It's very unfortunate that the lieutenant governor chose to come meddling in... after so much work had been done."

The N.C. AIDS Service Coalition is still determined to do everything possible to bring the bill to the floor to the Senate before the deadline for action passes, said the leaders. A vote in the Human Resources Committee is scheduled for Wed., May 3; the committee must pass the bill then or it will be dead until 1991.

Many aspects of the hearing violated standard General Assembly procedure:

- The Lieutenant Governor of the state has never before called for a public hearing on any issue.

- Instead of presenting speakers for and against the bill together, opponents both began and ended the testimony, with one additional opponent sandwiched in the middle.

- The only senators in attendance were those already committed to voting against the bill.

- A list of witnesses was not available to the public as late as 48 hours before the hearing.

- Despite the opponents' control of the whole event, no known groups hostile to anti-

discrimination were represented in the audience.

- Despite the media-event trappings, the only newspapers represented were the *Raleigh News and Observer*, the *Gastonia* newspaper, and *The Front Page*. No television reporters attended.

About 80 AIDS volunteers and professionals, gay people and feminist supporters were present at the hearing, called by Human Resources chair Ollie Harris at the request of Lt. Gov. Gardner. Gardner said he asked for the hearing at the request of Dr. James Fulghum, a Wake County surgeon who has been actively lobbying to defeat the bill.

Fulghum, whose testimony opened the hearings after a short introduction by Gardner, held a pair of bloody surgical gloves above his head, saying that the gloves' condition was similar after every operation, including those performed on HIV-positive and AIDS patients.

"This is the only pair in the last few months that has not been torn during the surgical procedure," he said. His point was to illustrate how vulnerable surgeons and health care workers are to blood-

borne infections like AIDS, he said.

He criticized his peers who say that universal precautions against AIDS are sufficient, and that knowledge of a patient's HIV status is not necessary. He said that the N.C. Medical Society, which supports anonymous testing and the anti-discrimination bill, does not represent a majority of the state's physicians who are concerned about the risk to health professionals and the general public that is posed by inadequate information about who is and is not infected.

Fulghum said that mandatory testing of hospital admissions and specific employee groups is essential to control the spread of the virus.

Testimony in favor of the bill was highlighted by two exceptional speakers: Dr. Charles van der Horst, director of the AIDS Clinical Trial unit at UNC-Chapel Hill, and Deborah McKeithan of the Governor's Advocacy Council for the Handicapped.

"If we tested all the people Dr. Fulghum would like to — health care workers, food service workers, brides and grooms, all hospital admissions and all prisoners — this would be 600,000 people at a cost of \$20 million at a cut-rate price," van der Horst said. "If this measure would stop the spread of AIDS it would be worth it. But it won't."

Van der Horst offered an impassioned analysis of the ways in which discrimination against AIDS-affected people complicates the medical treatment of his patients.

"I have a 14-year-old patient who's a hemophiliac who has to sneak out of class in order to take his medicine. I have patients who drive 200 miles each week to get to Chapel Hill for treatment, either because their physician refuses to take care

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ACT-UP Comes To North Carolina...

Four New York City ACT-UP members barricaded themselves at the Research Triangle Park headquarters of Burroughs Wellcome — manufacturers of AZT — on Tuesday, April 25. The demonstrators said their goal was to force the company to lower prices for the AIDS drug.

Many North Carolina activists, involved in a major attempt to salvage the state's proposed AIDS anti-discrimination law, felt that the ACT-UP protest endangered a year's worth of work in the General Assembly. Peter Staley, one of the demonstrators, countered that North Carolina gay men and lesbians in general seemed to support the ACT-UP demonstration.

The four men arrived at Burroughs Wellcome in an unmarked van. Wearing dark business suits and carrying briefcases, they entered the company's headquarters about 10 a.m. and dashed into a waiting elevator, according to a report in the *Raleigh News & Observer* (4/26/89). Once on the third floor, they took over an unoccupied office and barricaded themselves inside using power tools hidden in their briefcases.

The protesters brought enough supplies — including food and medicine — to last three days, as well as cellular telephones, walkie talkies and a portable television with backup batteries.

After bolting steel plates to the doors, their plan was to unfurl a black banner that read, "AZT: Pay or Die," in the office window, which faced Interstate 40. But the window turned out to be tinted, so they tried to knock it out.

"We gave it a lot — drills and chairs," one of the protesters said, "Nothing worked."

The four men then handcuffed themselves to a chain attached to the window frame and waited. Within an hour, Durham County deputies had broken through an office wall to remove them. Arrested and charged with causing injury to real property and first-degree trespassing were: Staley, 24, a former Wall Street bond trader; Lee Arsenault, 41, a New York clothing importer; James McGrath, 32, owner of a small business in Provincetown, R.I.; and Blane Mosely, 24, a New

York interior designer. All were later released on bonds of \$5,000 each, after signing \$20,000 worth of travelers checks which they had brought with them.

Staley, who has AIDS-Related Complex and is medicated with AZT, said at a press conference "either they knock down the cost or they knock down their own wall to get us out." The company's \$8,000 to \$10,000-per-year price for AZT reflects an 80 percent profit for Burroughs Wellcome, ACT-UP spokespersons said, although the drug "was discovered by the U.S. government" and financed with taxpayers' funds.

North Carolina activists were first notified about the upcoming demonstration on Friday morning, April 21 by ACT-UP volunteers in New York who refused to divulge any details about what kind of action was planned or where it would take place. The local activists had only just heard, a few hours earlier, about a "surprise" hearing scheduled for Wednesday, April 26, called by Lt. Gov. Jim Gardner in an attempt to derail the AIDS anti-discrimination bill currently before the N.C. legislature (see related story this issue).

Also that morning, in South Carolina, ACT-UP members from Atlanta were attempting to "take control of the capitol" in Columbia. North Carolina activists were very concerned that a similar action on Tuesday would have a very negative effect on the hearing scheduled for Wednesday. Numerous attempts were made to contact ACT-UP in New York, to persuade them to hold off on their demonstration for a week, or even a few days.

Several individuals here spent most of Friday afternoon on the phone to New York City. A seemingly endless series of referrals to various ACT-UP members turned up only people not involved with this particular protest. Messages left elicited no response. David Jones, spokesperson for the N.C. AIDS Service Coalition, finally called New York ACT-UP's headquarters and left a message saying that he would expose the planned demonstration in a press conference if the

protesters did call him back immediately. They did.

The plans to stage a civil disobedience in Research Triangle Park, and not in Raleigh, were reluctantly revealed.

Jones attempted to negotiate with ACT-UP during the weekend before the protest, arguing that the New York group should postpone their plans until after the hearing. Staley, one of the organizers of the ACT-UP protest, refused to reconsider the timing, saying that the company's location in a southern state meant that "the gay community leadership would never view it as being appropriately timed" because of the local leadership's "conservative" approach.

& South Carolina

Three busloads of ACT-UP members from cities throughout the eastern seaboard led members of South Carolina's gay community in the state's first AIDS march and civil disobedience demonstrations on Thursday, April 20 in the state's capital of Columbia.

Forty-one people, including two from South Carolina, blocked Gervais Street in one of the civil disobedience actions. They were arrested, released on \$118 bond apiece — and, in a little-used exercise of state law, were slapped with four points on their drivers' licenses for the "traffic violation" of sitting in the middle of an intersection.

The South Carolina residents interviewed by *The Front Page* were all exhilarated by the day's events.

"It was the March on Washington all over again on a smaller scale," said Robin Williams, president of Greenville's Piedmont Gay and Lesbian Association (PGLA) and a principal organizer for the event. "It felt good to stand up for something

we believed in."

Staley disagreed with Jones's contention that the local situation should take precedence, saying that "from the New York point of view, AZT is our local issue" because New York City is Burroughs Wellcome's largest source of AZT revenue.

"We had a long debate about whether to tell your community at all about [the action] beforehand," Staley said, because ACT-UP perceived the North Carolina gay and lesbian movements to be timid. Also, he said, the very nature of the action demanded the utmost secrecy.

Jones and other activists in the state were dissatisfied with the ACT-UP response. Maura Fallon, leader of the Guilford Alliance and a

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