DEBORAH BURKS

Staff Writer

In addition to documenting discrimination and violence against gay men and lesbians in Tennessee, the hotline established by the American Civil Liberties Union (ACLU) has also collected information on AIDS-related discrimination. A year-end summary of hotline calls reveals that 13 such incidents have been reported to the hotline since its creation last March.

The reported incidents, occurring mainly in Nashville, Memphis, and Chattanooga, include employment termination, refusal of housing, denial of health or life insurance, and discriminatory treatment by courtroom personnel—all based on the individual's real or suspected HIV antibody status.

Julie Berbiglia, ACLU administrative assistant, notes that in addition to the hotline calls the group receives from people concerned about testing and discrimination, ACLU has also seen an emergence of revisions in employee handbooks regarding these issues.

"Many people call because they're concerned about HIV antibody testing," said Berbiglia. "Some companies are requiring these before employment is given and people should look closely at the employment contracts they are signing. If an employer is asked to take the HIV antibody test, they should report this to us (ACLU) and consider an attorney.

In most states, firing or other adverse employment action against a person with AIDS is prohibited by laws protecting those with handicaps or disabilities. However, according to ACLU of Tennessee executive director Hedy Weinberg, Tennessee's handicap employment act no longer offers such coverage to people living with AIDS.

"Two years ago changes to the state law dealing with employment of people with handicaps were being made," explained Weinberg. "Senator Rochelle introduced an amendment to exclude people with infectious and contagious diseases, with the primary purpose of excluding from protection people with AIDS or positive HIV antibody status."

Weinberg says that a primary focus of ACLU for the 1989 legislative session will be to amend the handicap employment law so that continued on page 3

ACLU Hotline Tolls TN AIDS Discrimination

By DEBORAH BURKS

Staff Writer

By JEFF ELLIS

Managing Editor

A Texas judge's admission that he gave a convicted killer a lighter sentence because his victims were gay men has resulted in harsh criticism from lesbian and gay leaders throughout the country.

In Dallas, activists Monday staged a protest that attracted more than 300 people and a previously scheduled AIDS action Tuesday night turned into an indictment of Judge Jack Hampton's statements to a Dallas newspaper reporter.

"I put prostitutes and gays at about the same level, and I'd have to give somebody life for killing a prostitute," the judge said.

Hampton's comments were reported in last Friday's editions of the Dallas Times Herald. Hampton gave murderer Richard Bednarski, 18, a 30-year sentence instead of the life sentence sought by prosecutors in the case.

Bednarski was convicted in the shooting deaths of Tommy Lee Trimble, 34, and Lloyd Griffin, 27.

"I didn't much care for queers cruising the streets picking up teen-age boys. I've got a teenage boy," Hampton told the paper.

Hampton further indicated he would have given Bednarski a harsher sentence if his victims had been "a couple of housewives out shopping, not hurting anybody."

After Hampton's Nov. 28 decision to give Bednarski a lighter sentence than was sought by prosecutors in the case, a complaint was filed with the Texas Commission on Judicial Conduct by the Texas Human Rights Foundation (THRF).

John Thomas, spokesperson for the Dallas Gay Alliance, said Tuesday that Hampton's published remarks have resulted in "an outpouring of outrage, not only in the lesbian and gay community, but among all minorities."

"Many people who have read the story have probably said, 'The Dallas crazies are at it again,'" Thomas said, adding that the phone lines into the Gay Community Center in Dallas have been flooded with phone calls about the incident.

"A number of people are calling to ask what they can do about this. We hope that we will be able to sustain the level of outrage to remove Judge Hampton from the bench when he's up for re-election in 1990," Thomas said.

A protest at noon Monday attracted more than 300 people to voice their anger at Hampton's actions. An action already set for Tuesday night to commemorate the more than 1,100 dead from AIDS in Dallas County also provided a forum to voice opposition to the judge's remarks.

Thomas discounted the theory that Hampton's remarks were attributable to AIDS hysteria.

"I think he would have made those same comments ten years ago," Thomas said. "The scary thing is that he thought he could say it and get no reaction. He should go back into the closet with others like him and be a closeted redneck."

Nashville attorney Abby Rubenfeld, former legal director for the New York-based Lambda Legal Defense and Education Fund, termed Hampton's actions "the most serious transgression committed by a sitting judge."

Tennesseans On NGLTF Board

From STAFF REPORTS

Attorney Abby Rubenfeld and editorial assistant Gregory Tennon-Fisher have been elected to the board of directors of the National Gay and Lesbian Task Force (NGLTF), according to a statement released by the group.

Rubenfeld, former legal director of the New York-based Lambda Legal Defense and Education Fund, is now in private practice with the Nashville firm Cheatham & Palermo. She is regarded in legal circles as one of the nation's leading experts on AIDS and discrimination legal issues, and wrote the first U.S. legal guide to AIDS issues.

Fisher is a member of the steering committee of the Tennessee Gay & Lesbian Alliance (T-GALA), a volunteer buddy with Nashville CARES, and was a founder of the Tennessee Gay & Lesbian Task Force and ACT UP/Nashville in addition to having been actively involved in the Tennessee March on Washington Committee and the steering committee of Nashville Gay Pride Week 1988, according to the NGLTF statement.

The 13,000-member group elected eight new members, four women and four men, to its 24-member national board.

INSIDE

The best books of the year, sort of:
Book Editor Shere Dryden picks 'em, page 4.

Don't miss Queeroots, on the back page.
Monday, December 26

Benefit Comedy
Big Ed does standup for Nashville CARES, at Zanies Comedy Showplace, 2025 8th Ave South, Nashville, 8:30pm. $15. Info 615 385-1510.

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From and
Friends
...anti-gay judge

continued from page 1

The Texas incident should not prompt a question a judge can commit," Rubenfeld said.

“Such a judge does not have any direct implications in Tennessee because the judge is not a member of the judiciary here, but this incident does have a chilling effect on people in our community,” Rubenfeld continued. “We must be vigilant that nothing like this happens here.”

Sue Hyde of the National Gay and Lesbian Task Force (NGLTF), speaking from her Washington office said she was “disgusted” by Hampton’s remarks. “I hope the Dallas Gay Alliance will fight his re-election in 1990.”

William Wayborn, president of the Alliance, said Hampton’s remarks will encourage the public to work to remove him from the bench. “Judge Hampton said it himself: No one will fight his re-election in 1990.”

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The message has gone out that the lives of gay men and lesbians are not as valuable as lives of heterosexuals, Hyde said. “Sometimes it takes some plain and simple words to highlight what bigotry is.”

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Paula Ettelbrick, current director of Lambda, said the Texas incident should not prompt a lynching mob mentality, but rather should galvanize activists to bring about change in the judicial system nationwide.

“It’s not so much that the judge didn’t give a life sentence, but that he didn’t give a harsh sentence because he thought they (the victims) were somehow asking for it,” Ettelbrick said.

She said the “real horror” of the incident is how it exemplifies “the inequitable way in which justice is handed out” in this country. “What we have to remember is that not too long ago there wouldn’t have been a conviction in a case like this, so in some ways this can be viewed as a small victory that the killer was even convicted,” Ettelbrick said.

“I think it’s an outrageous example, but not an untypical example, of the homophobia that pervades the judicial system in this country,” said Lambda staff attorney Sandy Lowe. “I think the media coverage of the incident will help keep it before the public and let them see how truly outrageous this is.”

Ettelbrick said that Lambda would probably issue a memorandum in support of the complaint filed by the THRP.

Already editorials condemning Hampton’s remarks have appeared in papers throughout the country, including one in Tuesday’s editions of the Washington Post which said the judge was unqualified for the bench.

NGLTF’s Hyde said a case similar to the Bednarz case, currently pending in District of Columbia courts, will likely be effected by the Post editorial. “The Post editorial will not go unnoticed by judges in the District,” Hyde said.

...ACLU hotline

continued from page 1

it once again covers people with AIDS. Reports to the hotline of healthcare and housing discrimination emphasize the need for the introduction of general anti-discrimination legislation in this session, she said.

“Having coverage of AIDS restored to the state handicap law would make a difference in most of the calls we receive,” commented Berbiglia. “However, it’s important for AIDS-related incidents to be reported because this is new stuff and the ACLU is still investigating possible avenues of litigation,” she added.

The ACLU anti-discrimination hotline number is (615) 256-7028.

Nashvillian Ron Rush

Vanderbilt University Medical Center laboratory technician Ron Rush died Friday, December 9 in Nashville.

Rush died of liver failure as a result of complications arising from AIDS and hepatitis. He was originally from Gainsboro, Tennessee, and had lived in Los Angeles, New York City, and Atlanta. Rush had also worked as a lab technician at other area hospitals prior to his illness.

He was 35.

Survivors include 5 brothers and friends Jay Maupin, Bill Brackman and Eddie Hollis.

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Best of the B

A Burst of Light, Audre Lorde.
Audre Lorde, author of A Burst of Light - PHOTO JOAN
E. BREN (JE)
Books

of ’88:

it should be A Burst of Light.


Patrick Gale writes books in which characters have parallel lives that eventually intersect, sometimes surprisingly, sometimes tragically, sometimes romantically.

Kansas in August is like that — surprising and romantic, but not tragic. In fact, it has a wonderful happy ending that I won’t spoil by telling, but take my word you’ll like it. If you’re sentimental it will make you cry.

If this all sounds not very weighty and worthy of being called best, remember that books need to make us laugh and cry, too. Gale has written books in which characters that you fall in love with and want to meet. Some of them are gay.


Natalie Barney and Renee Vivien have long deserved more than the intriguing but voyeuristic biographies written about them, mostly by men. Although Jay’s book is a scholarly critical examination of Barney and Vivien’s works, and the relationship between their lives and works, The Amazon and the Page is accessible to readers who have a more casual interest in the two writers.


The fact that two large, mainstream publishers have issued collections of homoerotic poetry and poetry by gay and lesbian writers says something — I’m not sure what — about the movement for gay and lesbian rights. Mainstream publishers have had a long time recognizing a market for fiction (if we didn’t read them, novels would at least attract the prurient interests of heterosexuals) and self-help books.

The publication of the Norton Anthology of Literature by Women was hailed as a landmark by feminists and educators in women’s studies. It may be a long time before Gay and Lesbian Poetry in Our Time turns up on reading lists at colleges across the country, and I imagine that more copies of these books will be bought by libraries than by individuals.

Still, I’m pleased St. Martin’s (as well as Penguin) has recognized that the time for a serious anthology of lesbian and gay poetry has arrived. They’ve done a good job, too, with a nice balance between male and female writers, political and erotic subjects, and obvious and sub-text references to homosexuality.

Special recognition should go to the 15th anniversary edition of Rita Mae Brown’s Rubyfruit Jungle. Originally published in 1973, Rubyfruit has become a classic.

Unlike most “lesbian classics,” however, Rubyfruit Jungle is both well-written and convincing. Its impact on heterosexual society as well as on gay men and lesbians is impossible to measure. Brown’s decision to honor him with the special edition is official recognition of Rubyfruit Jungle’s importance.
Views

Getting By with Murder

DALLAS, TEXAS, JUDGE JACK HAMPTON has exposed himself. He is a bigot, and the most dangerous kind: He is a small bigot with a little power, and it has gone to his Neanderthal-sized brain.

This man has openly admitted that he thinks the lives of homosexual people are not valuable, that it is okay for heterosexual people to harm and even murder homosexuals!

The judge said, "I put prostitutes and gays at about the same level, and I'd be hard put to give somebody life for killing a prostitute."

Now, there are many in the lesbian and gay community who are going to be outraged by that statement, because, first, Hampton is saying that gay men (it is difficult to imagine a person like Hampton even acknowledging that women are important enough that he would include lesbians) are something less than human, and are thus entitled to something less than the full protection of the law. Second, there are those who will be offended by the judge's equation of homosexual people with prostitutes. And here is where we offer caution.

Prostitutes are human beings. No matter what one thinks of the idea of selling sexual services, the fact remains that many prostitutes are women with few other choices. The very nature of our society is such that the poor have few options. For many of these people, prostitution is the only thing that stands between them and starvation, or between their children and starvation.

Let us not forget that, we, too, are all outcomes. Tennessee, like Texas and many other states, criminalizes sexual conduct between people of the same sex. So Hampton's logic is not necessarily surprising.

The truly horrifying thing about what this man has said is the attitude it betrays: that some human beings are not fully human, are not worthy of the protection of society. We are using to being told that we are not worthy of protection from discrimination, that we are not worthy of having our relationships recognized, that we are not worthy to keep our own children. Hampton's remarks are notable only because of their intense inhumanity and viciousness.

This man has no business being a judge. He is not worthy to dispense justice. He should be removed from office and disbared.

Soapbox

Wait Until Midnight

"Truth is so great a thing that we must not disdain any medium that will lead us to it." — Montaigne

By CAROLE CUNNINGHAM

Although 62% of all reported AIDS cases are among gay and bisexual men, they are rarely the focus of television dramas about "the subject of AIDS. With few exceptions, TV's people with AIDS are either children or women, most of whom have been infected with the virus through transfusion.

So NBC's announcement that an episode of "Midnight Caller" would focus on a bisexual man with AIDS, might have been cause for celebration. Instead, it was cause for alarm.

The original script focused on a bisexual man named Mike Barnes who knowingly and maliciously spreads the virus to his sex partners, male and female. Jack Killian (Gary Cole), an ex-cop and late night radio talk show host, tracked down the killer to make the streets and bars of San Francisco safe. This first script ended with one of Barnes' female victims gunning him down in the street, his body carried away in a toxic waste bag.

AIDS activists were rightly alarmed by the show. In a city where education in the gay community and effective leadership from health officials have brought the rate of new HIV infections near zero, it's no wonder gay leaders and city officials took offense at "Midnight Caller's" premise that in 1988 San Francisco, a bisexual man could spread HIV so many unsuspecting "innocents."

ACT UP (AIDS Coalition to Unleash Power)/San Francisco took to the streets in protest in front of city hall. The demonstrations were accompanied by a billboard car with the message, "Save San Francisco."

ACT UP's action was supported by the San Francisco Community advisory board and the faculty of San Francisco General Hospital. The board's members included Dr. James M. Hudspeth, Dr. David R. Ho, and Dr. Robert L. Slavich.

AIDS activists were right to demand that the producers remove a scene in which a PWA, a bisexual, is gunned down in the streets — a scene that would undoubtedly be seen to condone violence against people with AIDS, gays, and bisexuals. Had activists not been in the streets and behind the scenes, the script would not have been changed. The producers and writers were educated (at least for one episode) to such a degree that they incorporated the activists' demands into the script.

"Midnight Caller" will never be a textbook film for AIDS education: it did not adequately emphasize the importance of safer sex, nor advocating abstinence and staying out of bars. Because safer sex was not discussed, the show implied that someone with AIDS can have no sex at all without endangering others. The show did emphasize the terror the illness holds for those who have been diagnosed with AIDS, and that the denial PWAs may experience should be treated through counseling, not incarceration. Killian gave misinformation on AIDS and on scanning the "-million PWAs may experience should be treated through counseling, not incarceration. Killian gave misinformation on AIDS and on scanning the "-'s about AIDS.

Still, activists protested the show. Montaigne called the inability to endure ways of thinking different from our own a "tyranny of illness" — and ironically, the tyranny of ideas often falls those who would most benefit from a differing view on the same issue. While "Midnight Caller" will probably be forgotten, we may still have some lessons to learn about what is often a tyranny of ideas about AIDS.

Monopolizing ideas, or ways of talking about an issue, very quickly reduces the number of people who may speak and the number of people who will listen. AIDS is a crisis of numbers and of time. Those fighting for legislative protection against discrimination, for adequate funding, and much more, cannot afford to lose one voice that might be raised in support. Too often in the interests of having a 1006 "politically correct" standard, we lose the ability to communicate with supportive viewpoints.

AIDS activists made "Midnight Caller's" episode about AIDS a better show with a more compassionate message. But the same zeal that made one message better might silence another — not because the message is misinformed or dangerous, but because it is not the exact mirror of ours. As AIDS itself cuts across barriers of age, race, sexual orientation, and gender, so should what is written and spoken about AIDS speak in many voices to many different listeners. The lives being lost are too precious to do anything less.
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