



the rest of our world.....

Canadian equality

TORONTO — Canada's federal government has decided to stop fighting a losing battle and start extending equal rights to same-sex couples.

In mid-January, the *Globe and Mail* reported that Ottawa will proceed with amendments treating homosexual couples the same as heterosexuals in matters from pensions to bankruptcy.

Insiders say the legislative changes are being sparked by increasing numbers of lawsuits charging that discriminatory federal laws violate the Canadian Charter of Rights and Freedoms.

One lawsuit brought against the government by a GLBT rights organization demands changes to 58 statutes.

Public service

BEVERLY HILLS, Calif. — George Michael has performed his public service for public sex.

Michael was sentenced to 80 hours of community service as part of his no-contest plea to lewd conduct in a park restroom.

Municipal Court Judge Charles Rubin warned the singer's attorney during a hearing Monday that Michael is under a court order to stay out of Will Rogers Park for the duration of his probation, about 17 more months.

"Make sure he is reformed of that," Rubin said after Brad Barnholtz gave the judge proof that Michael completed his community service with a youth leadership program and paid \$910 in fines. He also participated in five, one-hour counseling sessions.

Michael, 35, was arrested April 7 by an undercover police officer in a restroom at the park across from the Beverly Hills Hotel. He acknowledged he was gay after the incident.

Sodomy in Texas

HOUSTON — Two Texas men have taken another step in their crusade to overturn the state's anti-sodomy laws.

A judge denied their motions to quash charges against them that they engaged in sodomy. That sends their case to a state appeals court, where they hope to overturn the state's 119-year-old law making gay sex a crime.

John Geddes Lawrence, 55, and Tyrone Garner, 31, were arrested Sept. 17 in Lawrence's apartment and charged with engaging in homosexual conduct, a misdemeanor.

Both pleaded no contest last month, but appealed to the next court with a motion to quash the charges.

Under an agreement reached with prosecutors, Lawrence and Garner again pleaded no contest. The judge fined them \$200 each and allowed the immediate filing of their new appeals.

Names reporting

ATLANTA — The federal government has reached what might otherwise be an obvious conclusion: Some gay men are avoiding AIDS tests in part because they don't want their names reported to the feds.

The Centers for Disease Control and Prevention said the survey underscores the need to continue government funding for anonymous HIV testing, even as the agency asks states to start keeping names of people who get treated for the virus that causes AIDS.

Last month, the CDC published new recommendations in which it asked all states to begin reporting HIV cases either with the person's name or an identifying code.

The CDC says the information will help health officials track HIV cases before they become full-blown AIDS. But some AIDS activists believe privacy concerns will steer some people away from being tested at all.

Despite the controversy over reporting of names, the CDC's survey found the most common reason for not getting tested was that people were afraid of learning they were HIV-positive.

Matthew's attackers

LARAMIE, Wyo. — There have been a number of developments in the case against the men accused of attacking and killing Matthew Shepard.

The 21-year-old University of Wyoming student has become a symbol of the demand for national hate crimes legislation because of the savage way he was killed, in large part because he was gay.

Prosecutors have notified lawyers for Aaron James McKinney and Russell Arthur Henderson, both 21, that they intend to seek the death penalty if the men are convicted.

They're accused of luring Shepard out of a bar. Police say the two robbed and pistol-whipped the 105-pound freshman, tied him to a log fence and beat him into unconsciousness. Shepard died five days later, on Oct. 12, 1998.

Wyoming, whose motto is the Equality State, is one of nine states with no hate-crime law.

Less than a week before the prosecutors' announcement, Henderson's girlfriend, Chasity Vera Pasley, 20, pleaded guilty to being an accessory after the fact to first-degree murder.

Attorneys said Pasley did not plead guilty as part of a plea bargain, and she will be called as a witness if the case against the other defendants goes to trial.

Pasley and Kristen LeAnn Price, 19 are accused of helping McKinney and Henderson dispose of bloody clothing Henderson wore during the attack.

Price, McKinney's girlfriend, also was charged with being an accessory after the fact to first-degree murder. No date was set for her trial.

AIDS and dentistry

BOSTON — A federal appeals court has ruled against a Maine dentist for refusing to treat an HIV-positive patient.

The US Court of Appeals found that Dr. Randon Bragdon of Bangor, Maine, violated the Americans With Disabilities Act by refusing to treat Sidney Abbott in his office in 1994 for fear of contracting the virus that causes AIDS.

The case has had a long history, including one appearance before the U.S. Supreme Court, which ruled that the disabilities act protects people with HIV unless they pose "a direct threat" to the health and safety of others.

Abbott was referred to Bragdon's office by the Eastern Maine AIDS Network after Bragdon allegedly told another patient that he would not treat patients with infectious diseases. Bragdon's lawyer said the group targeted his client because they wanted to use the incident as a test case.

Bragdon had offered to fill the woman's cavity in a hospital, which he argued would allow him to take additional precautions against being infected.

Abbott refused the offer, which would have required her to pay \$185 for a procedure that would cost only \$35 at the office. She eventually had the cavity filled by another dentist.

Bragdon has long argued that performing an invasive procedure on Abbott without special precautions would put him at risk for infection.

Another appeal to the Supreme Court is considered likely.

Jersey Scouts

TRENTON, N.J. — New Jersey's Supreme Court is considering whether the Boy Scouts can legally prohibit gays from being group leaders.

The Boy Scouts of America want the high court to overturn a 1998 appeals court decision saying dismissal of assistant scoutmaster James Dale violated state anti-discrimination law.

Dale's attorneys told the court the Boy Scouts are not protected by First Amendment rights of expression because discriminating against gays is not the specific purpose for which the group was formed, citing such protected groups as the Ku Klux Klan.

George Davidson, an attorney for the Boy Scouts, said the group has a right to pick its own leaders without interference from "an all powerful state."

"An essential part of the Boy Scout message is to be morally

straight," Davidson said. "The view that homosexual conduct is an acceptable way of conducting oneself is not morally straight."

Evan Wolfson, representing Dale for the Lambda Legal Defense & Education Fund, said the state's laws against discrimination "are simply too compelling" to overturn the appeals court ruling.

"The Boy Scouts' hierarchy has a policy of discrimination, but it is not a specific purpose of the organization, the reason that brought members together," said Wolfson. She said there is no mention of a policy excluding homosexuals in thousands of pages of Boy Scout literature.

Gay cop

PHILADELPHIA — The first openly gay recruit to the Philadelphia Police Department, who was signed up through an outreach campaign to the gay and lesbian community, committed suicide in a park near Independence Hall.

Thomas Kalt Jr., 26, shot himself with his service revolver just a month after reaching his goal of joining the force. He reportedly was distraught after breaking up with his boyfriend.

Some in the gay community fear the suicide could brand homosexual officers as unstable.

"This is not about the ability of gay officers to serve, it is about the personal tragedy of one man," Andrew S. Park, executive director of the Center for Lesbian and Gay Civil Rights, said Thursday. "Many lesbians and gay men are serving with distinction in the police force in Philadelphia and across the country."

Georgia Holocaust

ATLANTA — Controversy erupted in Georgia over literature discussing gays who were victims of the Nazi Holocaust.

Two paragraphs describing the Nazis' persecution of homosexuals, were deleted from the 92-page guide on advice of the Georgia Commission on the Holocaust.

The deletion angered gay leaders, who urged the commission to reconsider.

Though the state agency did change its decision, it was too late to reprint the 6,000 guides. Instead, it agreed to send the excised words in a separate letter to all teachers who ordered the guide.

The Holocaust commission initially recommended the language for deletion out of concern it was too sexually graphic for young students.

Providing the missing paragraphs separately will allow teachers to present the material "in an age-appropriate manner," said Harry Knox, director of the Georgia Equality Project, a gay advocacy group.

Here's what the paragraphs that offended say:

"German male homosexuals were targeted and arrested because they would not breed the master race: they were an affront to the Nazi macho image."

"The doors of the third (cattle) car open and the homosexuals spill forth, males only, because as Himmler concluded, 'lesbians can give birth.' The taunting jeers, and blows of the guards stun the men. They will stay a night and then be rerouted to Sachsenhausen and Buchenwald to be with their kind. The pink triangle they will soon wear is a result of a judgment that they have broken Article 175A, by sexual act, by kissing, by embracing, by fantasy and thought. Some will be given an opportunity to recant by successfully completing sexual activity with a woman in the camp brothel. Most others will find themselves tormented from all sides as they struggle to avoid being assaulted, raped, worked and beaten to death."

Don't appeal

WASHINGTON — The U.S. Supreme Court justices message on the military's "don't ask, don't tell" policy is a simple one: Don't appeal to us.

The court again has refused to consider a case appealing the policy governing gays and lesbians in the military.

The court, without comment, turned away arguments by two servicemen that the policy is based on prejudice against homosexuals and violates their free-speech rights.

The action was not a definitive ruling, but it marked the fifth time in recent years that the highest court has rejected efforts to invalidate the policy.

It prohibits inquiries into a service member's sexual orientation but allows discharge for homosexual conduct or for a "propensity" to engage in homosexual conduct. A service member's statement that he or she is gay is considered evidence of a propensity to engage in such acts.

Every federal appeals court that has considered the issue has upheld the policy.

Not giving up

WASHINGTON — President Clinton is not giving up in his determination to appoint an openly gay San Francisco philanthropist an ambassador.

The president has sent the nomination of James Hormel to the Senate for confirmation as ambassador to Luxembourg. The White House said it hopes "fairness will prevail" in the new Congress so he can be approved for the job.

The Senate last year refused to vote on the nomination of