

Former lawyer, ACLU appeal decision on disbarment

by RANDY WICKER
 NEW YORK CITY—The Appellate Division of the New York State Supreme Court voted 3 to 2 in early January against admitting 47-year-old Harris Kimball to the New York Bar because he had been disbarred in Florida in 1957 after being arrested on a sodomy charge.

The Westchester branch of the American Civil Liberties Union is contesting the decision and the New York Court of Appeals, a seven-judge panel, will hear the case before it recesses in early June or when it reconvenes in September.

Kimball expected difficulty in getting re-admitted to the bar. His fight started in early 1971, and he vows to continue until he wins.

He asked to take the New York Bar examination in July 1971 and was notified in November 1971 that he had passed it.

After receiving his certificate for passing the exam, Kimball went before the New York Bar's Committee on Character and Fitness, made an application to them to become a practicing attorney, and submitted the record of his disbarment in Florida.

The committee told Kimball that an attorney who had been disbarred in another state could not be admitted to the New York Bar. At that point, the ACLU, whom Kimball had contacted before commencing the procedure in early 1971, entered the case and asked for a hearing.

Kimball was granted a hearing on May 31, 1972, before a subcommittee of the Committee on Character and Fitness. This panel unanimously found Kimball had the requisite qualities to be an attorney at law. This was reported to the full committee which unanimously adopted the sub-

committee report and unanimously reported to the Appellate Division that they felt Kimball was qualified. The committee withheld actual recommendation, however, on the grounds that a court had held in a 1927 case, *In re Peters*, that if one is disbarred in another state, he cannot become an attorney in New York.

In the *Peters* case, a lawyer disbarred in Alabama was denied admission to the New York Bar.

After waiting several months for the Appellate Division to render a decision on admitting Kimball, Kimball's ACLU counsel brought suit Nov. 28, 1972, to force them to give an opinion. They then handed down their 3-to-2 decision against him.

Hearings by an Ohio Committee on the suitability of an applicant for admission to the Ohio bar had outraged some civil libertarians because the committee reportedly delved into the explicit sex habits of the applicant with such questions as, "Where is your mouth in relation to your lover's sexual organs when he reaches orgasm?"

"If they'd tried something like that with me," Kimball declared, "I assure you I would have made quite a stink. They seemed concerned with three areas: the Florida disbarment; my employment or lack thereof (I told them I was unemployed and received support money from a friend); and what I was presently doing."

"In my application, I said I lived alone, which is true. At an informal, off-the-record hearing, they asked if I was engaged in a lot of homosexual activities. I replied, 'Are you asking if I am a homosexual?' They said, 'Yes we are.' And I told them, 'Yes, I am.'"

"Then at the hearing itself, the information was volunteered by my attorney that Mr. Kimball is a homosexual and has had sex with adult males." There were no questions asked on that in any way, shape or form.

The report of the Character Committee, Kimball said, was that he was qualified "notwithstanding the admission of the applicant to being a homosexual and having engaged in homosexual acts. We do not consider such facts an indication of unfitness. . . . However, this committee submits that the decision in the *Peters* case clearly states that an applicant disbarred in another state cannot be admitted, notwithstanding the finding of good moral character."

The court then said the *Peters* case didn't apply, "that isn't what the law is," Kimball continues. "But they went behind the disbarment, saying it wasn't entitled to full faith and credit, so they said, 'Let's look at the facts of the case. Let's look behind it.' So they went back and looked at the transcript of the disbarment."

Kimball says his arrest in Orlando was "a frame-up" and that the police had tried unsuccessfully to entrap him before actually succeeding.

"I had been asked to join the White Citizens Council by one of the judges down there," Kimball explains. "I refused. I represented Blacks in court and called them by their proper names, Mr., Mrs., Miss, whatever it might be. I was warned never to call them that way, to call them by their first names, John, Mary, boy, girl."

"I was only 28-years-old and terribly naive. One night I got a phone call from a mother who told me her son was in a hospital unconscious and that he had problems. So I went to the hospital. He didn't regain consciousness for over 24 hours. When he came to, he told me what happened and what is alleged is this. The word is 'alleged.' He was a client."

"He was severely beaten. Every one of the bones in his face was broken. Just prior to this assault on him, the week before, he had gone to a doctor and had all his sinuses scraped because he had difficulty hearing. This undid all that surgery."

"The allegation was that he had picked up an Air Force man. There was an Air Force base in Orlando. He picked up this enlisted man, and there was sex. At the end of this sex, the enlisted man did this assault and battery. Both were in their early twenties."

"They found this Air Force enlisted man back at the base covered with blood. He was charged by the state with 'simple assault,' a little misdemeanor. And I was asked to represent his victim."

"At the preliminary hearing of the enlisted man for this assault, I recommended it be changed to a higher charge, a felony, either attempted murder or mayhem. The charge was changed to mayhem, which carried a 20-year penalty."

"Within two weeks I was out of Orlando because the conflict there was too much for them to take. At that time, sodomy, or 'crime against nature,' as it was called, carried a 20-year penalty."

"Here was this northern boy from Illinois, who won't call the Blacks by their 'girl, boy, son,' who won't join the White Citizens Council, who is now representing an alleged homosexual. So, they figured, 'He must be queer too.'"

"They tried within a week to entrap me. An Air Force man came in saying he wanted to go out and discuss the case while he kept giving me the knee under the table. I didn't bring this up at the disbarment hearing because I didn't believe the state would do this, or these people would do anything like this. It is very clear to me now. I did bring it up to the Character and Fitness Committee here in the State of New York."

"I went to this bar one night, a straight bar, with a woman client. This guy I wouldn't ordinarily talk to kept hanging around. Then he asked me to take him home because he was too drunk. When we got into the car, he wanted to go swimming."

"We went out to this deserted lake. Technically it was within the city limits, but there was no one

around within miles. He became aggressive. I was turned off by him. But the police were there. Here in this completely isolated place, the police were there."

"So, they made up this beautiful story. They were just passing by. We were out at the end of the dock. The dock was 200 feet long. There was no moon, and it was midnight, but the trooper said he could see 200 feet out in the dark to the end of this pier. And the fellow testified that I was blowing him."

Kimball brands his accuser an ignorant Redneck with a criminal record. He suspects the police had something on the man and had put him up to entrapping Kimball. Orlando had a population of only 40,000 to 50,000 in those days, and everyone concerned knew one another. The two policemen who arrested him were brothers.

"I immediately raised hell and yelled 'frame up.' The records are replete with it. I don't know what happened in the papers because I left within eight hours. I went to the courthouse and immediately had bail bond set."

"I thought I would be charged with 'disorderly conduct' for swimming in the nude. But they made it 'lewd or indecent conduct' with a \$300 bail bond. It was understood that in the plea bargaining they would reduce that from 'lewd or indecent behavior' to 'disorderly conduct.' But they didn't do it. The trial was that very morning, May 13, 1955, at 8AM. I was out of Orlando at 7AM."

"I left quickly because my attorney said it would be best for me to be out of town to avoid all the publicity and notoriety. But within six weeks, they had started disbarment proceedings, and I went back to fight them. So, we have a very long and complicated record."

Kimball, who works as an unpaid volunteer in the law office of his ACLU attorney, Jeremiah Gutman, says that his suit challenges the constitutionality of the New York decision.

"Recent rulings on Constitutional law make me optimistic," he says. Recent decisions on invasion of privacy, equal protection of the law, the establishment of religion, have been favorable.

"Besides fighting to be an attorney, I'm also challenging the constitutionality of the New York sodomy statutes. We're making a very strong plea to have Section 130.38, a class B misdemeanor which carries a three-month imprisonment penalty, declared unconstitutional."

"We're challenging that on the basis of the establishment of religion, tracing the doctrine all the way back to Genesis. We're also challenging it on the basis of invasion of privacy. We have all these new cases concerning the invasion of privacy, the most recent being the abortion statute. And finally, we challenge it under the equal protection of the law doctrine. The New York law applies only to single and married people who commit these acts with someone other than their spouse."

Kimball says the New York Gay Activists Alliance has entered an *amicus curiae* brief in his behalf but that he is not part of the other ACLU class-action constitutional challenge to the sodomy law.

"I can't estimate how much this disbarment has cost me," Kimball says. "Orlando has grown enormously with Cape Kennedy and Disneyland. I would have made \$100,000 a year if this hadn't happened to me. I don't even allow myself to think about it."

"For 10 years I was an assistant corporate secretary for a hardware manufacturer. Since 1965, I have been supported by a friend."

High schools allowing gay organizations

NEW YORK CITY—At least two New York public high schools now have officially recognized gay student groups—George Washington High School in Manhattan's Washington Heights and the nationally famous Bronx High School of Science.

The groups resulted from appearances by spokesmen from the Gay Activists Alliance's Agripop Committee before classes and assemblies in both schools. Both groups have male and female members and reportedly include some heterosexual members.

The groups operate under a recently expanded sex education program in New York City schools. The Board of Education has instituted a policy, according to the *New York Post*, which allows students to "help their fellow classmates with sexual problems."

The program "is to be under the direction of a staff member in the school and is to be organized after consultation with parents, members of the community, and health organizations," the newspaper said.

The George Washington High School group is reportedly about 60 per cent female. Its faculty adviser is a Mr. Levy. When contacted by phone, Levy verified that the group existed but said he believed they "didn't want any kind of publicity."

"I'm in a strange position here," Levy said. "The newspapers in Rockland already ran a story on it. I'm in a very ticklish situation. This school has had racial clashes. We have a miserable reputation as it is. We're having enough of a rough time without the getting publicity."

The gay group at the Bronx High School of Science, an institution considered to have one of the brightest student bodies in the country, is said to be more amenable to publicity. However, efforts to contact spokesmen for both groups have not been successful.

Women senators help defeat amendment for women's rights

INDIANAPOLIS—The Indiana Senate has overwhelmingly rejected the proposed women's equal rights amendment to the U. S. Constitution. Two of the three women senators were among the 34 upper house members who voted "no." There were 16 "yes" votes.

Indiana is the home state of Democratic U. S. Sen. Birch Bayh, one of the co-sponsors of the legislation in Washington.

Backers here said they would make a new try next year. They pointed to the 53-45 favorable vote in the state house Feb. 14 and looked to shifting social trend to help the amendment in 1974.

The state Senate vote made Indiana the 10th state where the

amendment is considered dead this year.

Opponents of the bill raised such issues as the possibility of women being subject to the draft, integration of public restrooms, and a breakdown in the family structure. Not specifically mentioned here but raised elsewhere are the possibilities that the amendment would legalize gay marriage and undercut state laws against "deviate" sexual relations.

Sen. Marie T. Lauck (D-Indianapolis), the only woman senator to favor the amendment, said many of the arguments raised against it were the same sort used against women's suffrage.

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Aiming to change the law
...disbarred Harris Kimball fights for reinstatement

Once-framed lawyer fights to free gays

Homosexuals in Westchester

One of a series
By BILL MCGHEE
HEN SHAW Writer

"What happened? He picked me up at a bar, that's what happened. We started drinking and after a while, he said he wanted to go swimming in another place. Somehow, I got suspicious. He didn't seem that drunk to me."

Harris Kimball, an attorney whose efforts in the state's highest courts may benefit gay people all over New York, passed and started quickly at his single, a characteristically man rising from the glass-top table in front of him. He was reclining, an event that happened more than 11 years ago, and about the trial of events that finally led him to ask the help of the Rochester Civil Liberties Union.

"I was suspicious," Kimball continued, "but I went along with it. He walked to the end of the 300-foot pier that stretched out into Lake Lota-dome in Otisville, Pa. We took our clothes off, and then he tried to get them inside me."

"TWGAY, BUT I don't like the whole setup. The guy was big, a real brawn," he stated me, so I jumped into the lake and swam for shore."

But Kimball still had to get his clothing back, and when he returned to the end of the pier, he says the man attacked him again. However, the man and Kimball were not alone. The police were on the scene.

Kimball was arrested and charged with criminal sodomy. The other man, who claimed it was he who was being attacked, was set free. As a result of his arrest and conviction on the sodomy charge, Kimball was disbarred by the state of Florida.

Kimball says he was framed by the "state power structure." He says he was framed by those who didn't appreciate his defending out-gay blacks and homosexuals.

KIMBALL SAYS he believes he was framed because the police who arrested him claimed to recall that they saw him committing acts of sodomy from a distance of 30 feet on a moonless night. He also says that the lake is a rural area with no one living in the vicinity to call two patrol cars that arrived at such an opportune time.

It has been a long time since Kimball had his feet and only scrape with the police, and although the general response of the public to accused gays has shifted somewhat since he was arrested, still can't practice law out in New York, not in Florida, and nowhere.

After Kimball's disbarment in Florida because that, he moved to New York and resigned himself to living with-out his closest profession. He worked as a bill collector, an insurance agent, as an officer of a small hardware corporation.

Kimball, however, never got used to the life of the "work-ing still." The jobs, many of which he lost, when his general climate in New York had players learned of his past, barred him. Slowly, life began to lose its substance.

FINALLY, EARLY in 1971, Kimball decided to try to change things. He decided to take the New York State Bar examination, one of the toughest in the country. For many aspiring attorneys, passing the exam is the biggest hurdle. For Kimball, however, the exam, which he completed with relative ease, but passing the New York State Bar's Committee on Character and Fitness.

In order to practice law in New York, an attorney must gain the approval of such a committee. Generally speaking, a false conviction means automatic rejection.

But in Kimball's case, the New York Fitness Committee, after hearing his story at a hearing in Yonkers on May 21, 1972, decided he "does possess the requisite character and fitness for an attorney at law."

The finding is made notwithstanding the admission of the applicant to being homosexual and having engaged in homosexual acts. We do not consider such facts as an indication of unfitness."

The Committee did not, however, recommend that Kimball be admitted to the bar. Instead, they cited *Peters Case*, a New York decision which established the precedent precluding the possibility of admission to the bar for an attorney who had been disbarred in another state.

THE APPELLATE Division of the Supreme Court, which makes the final decision on matters that come before the Fitness Committee, chose to disregard the precedent set in the *Peters Case*. Instead, the majority decision of the court denied Kimball admission to the bar on the grounds that if he had been a member of the New York bar in 1956 (the year of his voluntary resignation) would have been automatic.

The minority opinion of the five-man tribunal, however, agreed with Kimball's contention that the public view of homosexuality, has changed since 1956. "While the majority avoids the issue of homosexuality and homosexual acts as a purported badge of infamy to practice law, we prefer to meet the issue squarely. To us it seems clear that the moral climate in New York has probably changed throughout the Westchester County. The fact that two members of the Appellate Division recommended that Kimball be admitted to the bar, doesn't change the fact that there are still laws in New York State against homosexual acts."

Section 103.28 of the Penal Law makes criminal sodomy a misdemeanor in New York, and provides a three-month sentence for anyone found guilty of such an act.

The law does not, however, make homosexuality itself illegal, only the acts that are customarily associated with being gay.

IF, FOR INSTANCE, a man and a woman were caught committing acts of sodomy in the privacy of their home they would be subject to the same punishment as a homosexual couple.

When Harris Kimball filed his brief with the Court of Appeals last month, he will not only be fighting for the right to practice his profession, he will be opposing the constitutionality of the state's sodomy law.

His brief will point out that homosexual couples who are married are allowed to commit acts of sodomy. Citing the constitution's guarantee of equal protection of the laws, personal privacy and freedom of religion, Kimball will ask that the court strike down the sodomy law and give him the right to become a practicing attorney.

Kimball is certainly not alone in his efforts. The Gay Activists' Alliance, a New York City organization, will file a supportive suit in its capacity as a "friend of the court." The GAA, of course, hopes the Court of Appeals will take up the constitutional issues of the case, but this is by no means guaranteed.

NEXT: Violence in gay relationships.

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tomcoleman
Sat, Feb 19, 2022



**Gay man
finds law
liberating**

By [unreadable]

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HARRIS KIMBALL AT HIS HOME ON THE HUDSON RIVER

N. Y. lawyer striking back at old Florida disbarment

NEW YORK—Harris L. Kimball, disbarred in Florida 17 years ago for an immoral conduct arrest involving another male, is now back in practice here and is taking his legal ax back to the Florida Bar.

Kimball is suing in the Southern District Federal Court in Ft. Lauderdale to have his original disbarment reversed and the statutes involving good moral conduct which were used to oust him declared unconstitutional.

The moral codes of the Florida Bar and those of other states are often used to exclude Gays and other "undesirables" from the legal profession.

Kimball charges that these codes and related statutes regulating admission to the bar violate rights to privacy and due process and are unconstitutionally vague in that they do not define immoral acts.

Judge Norman C. Roepfger of the Southern District court ordered Kimball to file suit in state court asking to be reinstated to the Florida Bar.

If Kimball won reinstatement in this manner then the constitutionality of the codes and statutes would not be tested. So if Judge Roepfger continues to refuse to hear Kimball's case, he plans to appeal to the Fifth Circuit Court of Appeals.

Before taking on the Florida Bar, Kimball fought for two years for the right to practice law in New York. He passed that state's bar examination and went on to be considered by the Bar's Committee on Character and Fitness. The Committee, although it declared that Kimball was fit to practice law, did not recommend him for acceptance because of his Florida disbarment.

Kimball's application was then turned over to the Appellate Division

of the State Supreme Court for review. The Appellate Division turned Kimball down.

He next took his case to the highest court in the state, the State Court of Appeals, which ruled that although Kimball's "status and past conduct" may violate accepted norms, they are not the controlling factor in determining his fitness to practice law. The Appeals Court told the Appellate Division to reconsider Kimball's application.

The Appellate Division then backed off and gave Kimball its approval to practice law in New York.

Kimball's problems as a gay attorney began in 1955 when, after representing unpopular gay and black clients in Orlando, Fla., he was arrested with another man on a Florida beach. Kimball says the arrest was a set-up, that he was framed.

He was charged with lewd and indecent conduct with another male in public and "within 10 days of the incident they made a deal with me. If I would leave town, they said, they would reduce the charges against me to disorderly conduct." Kimball left town.

His arrest record followed him, and he was unable to find another position practicing law. Soon after, the Florida Bar disbarred him.

After 16 years of working at jobs outside of his profession, Kimball decided to fight back.

He came out of the closet as an open Gay to win in New York, and now he is taking the case back to Florida where he is being represented by the American Civil Liberties Union.

Kimball practices law with the firm of Levy, Gurman, Goldberg, and Kaplan. He serves as the attorney for the Westchester Gay Liberation Front.

Custody defense fund launched

SEATTLE—The Lesbian Mothers' National Defense Fund has been launched here by Karne Burr, Geraldine Cole, and other local lesbians.

The group hopes to serve as a resource and support center for lesbian mothers throughout the nation who are fighting court cases for custody of their children.

The women hope to provide good legal assistance to women in rural areas who have little or no access to resources and to women at or below the poverty level who previously have had to rely on public defenders.

According to fund's leaders, they hope to:

- Make possible the printing and distribution of guidelines on what lesbians must do to prepare for custody cases.
- Distribute previous, relevant

court cases, attorney's briefs, and transcripts.

- Help to insure lesbian mothers from all parts of the country fair representation in court.

Membership in the organization is \$5 per year, which entitles a member to access to all legal materials on hand, assistance with legal prob-

lems, and a subscription to their monthly newsletter, *Mom's Apple Pie*.

The group hopes to raise funds by donations and benefits.

People interested in helping or being helped can contact the group by writing to: Lesbian Mothers' National Defense Fund, 1941 Division, Enumclaw, Wash. 98002.

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The lake, The Bar, the gay crusader

ORLANDO — There was never anything in the papers about it, nothing at all.

Considering all the conventional vice and scandal it provided, the *crisis* is a *crisis* and the good practitioners of the Orange County Bar Association and their wives at the time — and it was plenty, those things being as heinous and intrinsically and little understood as they were — they'd think some memory of their night would have its percolate on, at least in the minds of those involved.

But no, not there either. Can hardly remember anything about it at all, so what they say here.

TRIBEK'S NO record, of course, in the criminal file of the county court. Those in municipal court either, because it never truly went to trial. Indeed, all that is left is a reference card in the records section of the Orlando Police Department. "Kinball, Harris L.," it says. "Indolent exposure, May 13, 1965. Head arrested."

The record of a charge that far back ought to be an infraction by now, if the record has been kept at all. The reference card suggests it has. But the reference card has no identification number. The reference card refers to others.

It is simply 1/2 long says. It is 19 years since Officer J. H. Tribek turned off Church Street about 1 in the morning, pulled his cruiser into the city park around Lake Loma Dome and turned the steering wheel until his headlights swept across the narrow beach and down the dock and up against the bars, wet, white skin of Harris Kinball.

HARRIS KINBALL, bright and promising young lawyer, raised and sent and heading down on the dock towards in front of an equally naked and not particularly promising but rather muscular young man named Gerald Sweet. Gerald Sweet was standing.

There has been, for the last century and a half, a legal phrase to describe what Officer Tribek thought he saw in the moment before the two young men on the dock pulled apart. It is a phrase that grew out of the Protestant Reformation and not of Blackwell's Commission on the Laws of England. It is a part of the laws of most states. It says perhaps more about the society than says it thus about the category of sex. It attempts to describe, and it may help to explain the speed of events after that moment on the dock.

THE PHRASE is "the abominable and detestable crime against nature, committed with mankind or beast." The short-hand version is sodomy, and that is what Officer Tribek thought he saw in the first moment of illumination on the dock, in the last moment of Harris Kinball's promising law career.

It may or may not have been what they were doing. Gerald Sweet said it was, in a statement he made to the police later on that night and in testimony he gave to various arms of The Florida Bar during the next two years. But then Gerald Sweet was just a maintenance man for the school system. He didn't have anything to lose.

Harris Kinball said it was not. Sweet it was not. Blushered and abashed and ashamed, Kinball said it was not, and testified to that effect before various arms of The Florida Bar during the next two years. But then Harris Kinball was a promising young lawyer with a lot to lose.

BEFORE THE next two years both men changed their version of the story two or three times, the story of how they happened to meet at Pat Lew's bar that night, and how Gerald Sweet happened to get a title home on Harris Kinball's white Oldsmobile coupe.

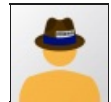
BYLINE



Dudley Clendinen



HARRIS L. KINBALL
... in early photo.



Clipped By:
tomcoleman
Sat, Feb 19, 2022

Byline

From I-B

vertible, and how they happened to go, not to Gerald Sweat's house, but to Lake Lorna Doone, to swim in the male, to climb on the dock, to . . .

Probably, sodomy is what they were doing. The Florida Bar decided it was, and the Florida Supreme Court decided it was, and Harris Kimball now freely admits to being gay.

But he could hardly be expected to admit to it then, as a promising young lawyer only several months into practice in Lake County and Orange County. They were burning crosses that year in front of the houses of "nigger-lovers" in Lake County.

THE VERY AFTERNOON of the night Harris Kimball ran into Gerald Sweat at Pat Lee's bar, Joe Jenkins, the Commander of the American Legion in Florida, had testified before the House Appropriations Committee up in Tallahassee and told them that there were 600 "known Communists" in the state. Joe Jenkins was trying to get the committee to appropriate some money to investigate them with.

This was 1955, the decade that saw the Charley Johns Committee go rooting and pawing its way through the state university system, looking for Communists and homosexuals. This was not an indulgent time, not a tolerant time in Florida and Orlando.

So the first thing Harris Kimball did was deny it. The second thing he did, from the jail, was to call the man he worked for, lawyer J. Russell Hornsby. J. Russell Hornsby, a man of ambition and action, called and woke up lawyer Frank Taylor, who went over to Hornsby's house and made some calls of his own. Hornsby and Taylor say they really don't remember much about that night, say they must not have been involved.

BUT WHAT THEY DID was to work out a deal with the city attorney or the state attorney or someone to have the charge reduced from lewd and indecent conduct with another male in a public place to something like simply disorderly conduct, in exchange for which Harris Kimball agreed to leave town.

J. Russell Hornsby heaved a sigh of relief, and then he and Frank Taylor went back to bed, and Harris Kimball went home to pack.

When J. Russell Hornsby and Frank Taylor got up later that morning and returned to the practice of law, to the business of acquiring reputations and diamond rings and large fine cars, Harris Kimball was gone.

HE WENT TO MIAMI, where he discovered that every application to a law firm met the same response. Initial enthusiasm and then a cold shoulder. The charge was still on the books. It had not been reduced and it never has been yet.

At age 28, after one year of practicing law, Harris Kimball became professionally unemployable. And when The Florida Bar heard about it, it began an investigation.

It did not matter so much that Harris Kimball had in effect pleaded no contest to a criminal charge by forfeiting his bond.

THE CHARGE was only the tipoff. The point was that he might actually have done what he was charged with. To practice law, you have to be a member of The Bar, and The Bar has its standards. One of them is that its members must not be

known to do anything "contrary to good morals." The Bar decides what "good morals" are, and The Bar decided that Harris Kimball had committed sodomy, and that sodomy was contrary to good morals.

In March of 1957, after considering Harris Kimball's two known offenses against society, a speeding ticket and a morals charge, The Florida Bar disbarred him.

He gave up and went to New York, where for 16 years he scrounged a succession of jobs that paid him considerably less than he was trained to earn.

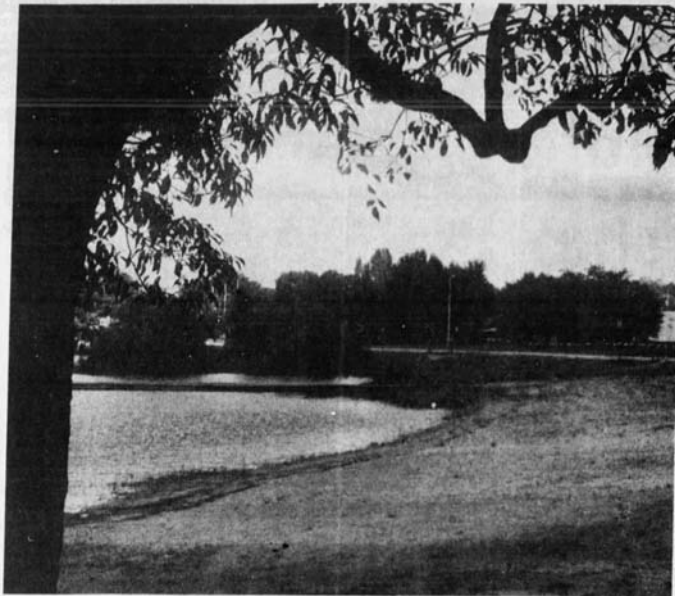
FINALLY, IN A PERIOD of unemployment, Harris Kimball decided that that was all a lot of crap. He studied the New York State Bar for admission. A lawyer named Jeremiah Gut-

man took the case for the American Civil Liberties Union, and after three years of fighting they made history. The New York Court of Appeals last year decided that a homosexual named Harris Kimball was still a good enough man to belong to the New York Bar, sodomist or not.

This, as I say, is the first time the story has been print in Florida, and this would seem to be the story's end. It isn't.

Because The Florida Bar has a new applicant, a 48-year-old member of the New York Bar named Harris Kimball. He is asking the Federal District Court in Fort Lauderdale to rule that being gay does not mean that a man cannot be a good and honest lawyer.

A gay lawyer. Big deal.



St. Petersburg Times Photo by Dudley Clendinen

The dock (near bushes, far shore) on Lake Lorna Doone



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Sat, Feb 19, 2022

COVER CONTINUED

Gay Liberation

'Westchester is one big gay closet.... Even though I'm out of the closet I can't give my last name because I'd lose my job.'

SUNDAY, Magazine, Sunday, November 27, 1977

society which abhors male homosexuality. He adapted the way of life of many gay men. By contrast, lesbians tend to be less prone to such temporary relationships. They are often less sexually aggressive than gay men, and, because society is more tolerant of lesbianism than male homosexuality, lesbians are freer to develop long-term relationships.

Owen's cruising eventually led him to Gay Liberation of Westchester, a small social group. He reluctantly attended a meeting. "Until you go to a place that's exclusively gay you can always play the game that you're basically straight, but... It's a kind of self-deception," Owen explains. But the time for self-deception was over. As Owen continued to attend meetings, he confronted his sexuality and decided to write his wife a letter and tell her about it. It took him days to mail his confession and, even though he was still living with his wife, it took her days to acknowledge it. But she finally told Lear: "I got your letter and I've made up my mind. I don't want you for my husband anymore."

That declaration pushed Owen out of his home and into a new world. His own experience opened his eyes to the oppression and games gays encounter, and he decided to do something about it. He moved in with a gay friend in the same community where he lived as a married man, and became active in the local gay movement.

The gay movement in Westchester began five years ago when a group of gay men and women joined together to form Gay Liberation of Westchester, primarily a social group. But feminists splintered its membership, and the women, thinking the men chauvinists, broke from the group and formed the Lesbian Feminist Coalition, now defunct. The men formed the Westchester Gay Men's Association (WGMA).

Today, activities center around WGMA and the 36-month old Task Force on Sexuality and Liberation of the Southern Westchester National Organization for Women (NOW), an outgrowth of the Lesbian Coalition. The Task Force, in fact, is the only lesbian group in any of NOW's four Westchester chapters.

Four hundred men receive the WGMA newsletter, although only about 50 attend the group's weekly meetings. Similarly, several hundred women have attended Task Force meetings, though anywhere from 20 to 50 will attend a monthly gathering.

The memberships of both groups are diverse. There are few stereotypical "bitches" or "fairies," and members run the gamut from students to established professionals, from teenagers to senior citizens.

As any other organization, WGMA and the Task Force schedule programs, speakers and social events. But because they are the only gay groups in the area, they serve an important social and service function. In fact, WGMA has a Gay Hotline (949-002) operated by volunteers from 8-11 p.m. daily.

"The most common hotline request is, 'Where can we socialize?'" Gay men and lesbians complain that because Westchester is so suburban and "classy," it is practically impossible to meet other gays here.

One look at the regional *Gayville Pages*, an 86-page directory of gay services and activities in the New York metropolitan area, illustrates the Westchester gay's social dilemma. Surrounding counties show several listings for bars, but Westchester shows only one—the four-year-old Playroom at 596 Nepperhan Ave. in Yonkers.

The Playroom, which also welcomes straights, isn't the only bar that caters to gays in Westchester. There are a few others. But many owners and managers suffer the same hangups as their clientele. They refuse to be identified for fear of harassment from police, prankish children and nosy gay neighbors.

Yet, policies about gay bars are changing. Says State Liquor Authority Commissioner Lawrence Godda: "Years ago, we used to revoke licenses for places where there were congregations of homosexuals. But there's nothing in the law that says you can do that. Now the courts have said that if there are sex acts there, fine, but you can't just close a place down (because homosexuals frequent it.)"

No doubt, the new attitudes contributed to the recent conversion of Motel on the Mountain in Sullivan to a gay resort, and to the proliferation of gay bars in New York City. And ultimately, it is in New York City where Westchester gays seek their social life.

Danny, Owen's lover, often goes there because he can meet more people in New York than in Westchester. But Danny and Owen have learned that going to bars and parties is not all that occupies a gay couple's life. In fact, Owen infrequently accompanies Danny to the bars. Twenty-eight years Danny's senior, Owen tends to be less social, and, for that reason, the two have an "open marriage." Danny is free to meet and become sexually involved with other men. "Fidelity is a matter of trust and honesty," explains Owen.

Working out a social and sexual lifestyle is but one phase of Owen and Danny's and other gay couples' relationships. As any couple, gays must settle differences and learn to share and love one another. Says Owen: "I perceive Danny and I as any other couple. We're totally equal on every level. Male and female role-playing is basically a myth, although some couples are into that."

Gay life is similar to straight life except for the fact that lovers and friends are of the same sex, asserts Owen. Yet, he and Danny know only too well that others don't share their opinion. It has been difficult for Owen's family to acknowledge his homosexuality. Though he sees his children, his ex-wife and his mother occasionally, no one discusses his new lifestyle. Everyone is polite. In fact, Owen uses the pseudonym Owen Lear in all his homosexual activities; his son is a junior and carries Owen's real name, and Owen doesn't want to cause his son embarrassment.

By contrast, Danny, a hospital orderly, never talks to his family even though they live nearby. They disowned him when he came out of the closet two years ago.

It is that kind of rejection that keeps most gay people in the closet. Explains Anita Passler, a Westchester psychotherapist who treats gays and their families, and is gay herself: "Gays are afraid of ostracism. The public is still not ready to accept the homosexual lifestyle as a viable lifestyle as the heterosexual one."

Because of this, she explains, gays frequently experience self-oppression, isolation, fear and a distrust for their own feelings. A closeted gay's true identity is hidden from the world and the anger he or she feels often leads to depression. As an escape, gays often misuse alcohol, drugs, and sometimes, even commit suicide.

Psychological pressure is not all that keeps gays in the closet though. For many, there are some very real legal and professional hassles.

Harris Kimball, a 31-year-old White Plains attorney and one of the directors of the Westchester Civil Liberties Union, speaks of such pressures from first-hand experience. Twenty-two years ago, Orlando Florida police arrested Kimball, and the arrest haunted him for years—professionally and psychologically.

Kimball had met a man in a bar, went with him to Lake Loma Duse, a secluded lakeside area in Orlando, where suddenly the police arrived. The men were naked and the police arrested Kimball, stating he violated a local ordinance banning indecent or lewd acts in a public place, and let the other man go free.

Kimball believes he was framed because he was a homosexual lawyer who defended other homosexuals and blacks. Nevertheless, there was nothing he could do, so he plea bargained, forfeited \$200 bail and agreed to leave town if the charge was reduced to disorderly conduct. It never was.

Kimball left Orlando, but stayed in Florida. Within three weeks, disbarment proceedings were initiated against him on the grounds he'd committed sodomy, which was then a felony. Hearings dragged on for two years and in 1972 he was disbarred in Florida.

Kimball settled in New York City and became a tax manager for a hardware manufacturing company but when he tried to advance himself in 1963, he was stymied. "It was a very, very trying time," he recalls. He could never get a job because of his arrest record.

After years of temporary jobs, Kimball decided in 1971 to take the New York Bar exam. He passed, and was recommended for admission by the Bar's Character and Fitness Committee. But the Appellate Division of the Supreme Court, which reviews all applications, turned him down on grounds that his homosexual lifestyle violated the state's sodomy law. The New York Civil Liberties Union took Kimball's case to court, won and in 1972, Kimball was admitted to the Bar. After 16 years, Harris Kimball could once again practice law.

Stories like Kimball's are not uncommon. In fact, the American Civil Liberties Union notes in its 206-page paperback, *The Rights of Gay Peo-*



Clipped By:
tomcoleman
Sat, Feb 19, 2022

COVER CONTINUED

'The struggle with admitting to yourself that you're gay is the struggle of finding where you're going to fit into society. You don't belong anymore. You don't have the protection of being in a sanctioned relationship.'

...and she learned to love. Though Mary is out of the closet in lesbian circles, she's more reserved in the straight world. For that reason, she refuses to have her real name published. She bears her career with a major Westchester corporation would suffer if her employers knew she was a lesbian. She's afraid people will think of her and say, "Oh, yeah, she's dyke" and let their preconceived notions interfere with dealing with her on the job. Even her innocent camaraderie on her company sports team would be misconstrued as a lesbian action.

Fear also keeps her from telling her family about her lesbianism. Says Mary, "Right now I can't imagine dealing with the hassle I'd get from them."

Whether Mary will expose lesbianism for life, she doesn't know. She would eventually like to settle down if she finds the right woman. Right now, she socializes mostly with gay people because they're sharing similar experiences and feelings. And, when she talks about herself loving another

woman, she says: "I know that when it happened it felt so right. It still feels right for me."

Mary is an attractive, intelligent woman. She rejects the myth that all lesbians are ugly and couldn't get men. "Lesbianism is a positive choice and a negative reaction to men. Except for the choice of a lover, it's very much the same as any other way of life. Homosexuals are living a coupled existence with the same problems as other couples. When the difference breaks down, it breaks down to who you socialize with," she asserts.

Mary lives alone in central Westchester and looks forward to having other relationships with women. Like Owen Adams and Denny, she is exploring a new lifestyle in a county whose norm is the family. And like them, she has made a realization: "The struggle with admitting to yourself that you're gay is the struggle of finding where you're going to fit into society. You don't belong anymore. You don't have the protection of being in a sanctioned relationship." □



Richard and Amy Ashworth of Bronxville

Parents unite to battle for childrens' gay rights

They call themselves Parents of Gays and Lesbians and they fight for their children's gay rights and help other parents understand their own children's homosexuality.

Richard and Amy Ashworth of Taneyville Avenue in Bronxville are members of Parents of Gays and Lesbians. Five years ago, they didn't even know the name of the group, much less imagine they'd ever be an active and vocal force in it.

But when their eldest son, Tucker, called them aside Memorial Day weekend, four years ago, and said "I'm gay" it introduced a new dimension in their lives.

"I remember that day so clearly. I thought, 'How could I ever tell my friends?' I didn't even want to shop for groceries," recalls Mrs. Ashworth. Her husband just asked Tucker if he was sure. And when he responded, "Yes," the Ashworths set about the delicate process of understanding and accepting the fact that the eldest of their three sons was gay.

"It seemed the whole world was upside down," remembers Mrs. Ashworth. She wondered if she had done anything to make Tucker gay. She felt guilty. And then she realized: "This is ridiculous. All you have is self-pity. Tucker is the same person he was before he told you. Will he be happy?"

Today, the Ashworths are helping other parents deal with the same self-doubts and stages of acceptance they experienced. And they're thankful that their son helped them understand his homosexuality by bringing them books about it and by introducing them to the Parents of Gays and Lesbians organization.

The Ashworth's reassure other parents at the group's meetings that the world doesn't fall apart just because an offspring is gay. Most people think, "It could never happen in our family." But the fact is, there are gay men and women in all walks of life and it just

happens. And when parents tell other people about it, the reaction isn't always as negative as they anticipate. "Almost everyone that we've told has reacted favorably," says Ashworth. He hasn't perceived any problem either on his job as a partner at Haight, Gardner, Poor and Havens or in his elective office as a Bronxville Village Trustee, nor has his wife in her work as a physical therapist at the King Street Nursing Home.

As many as 40 to 60 people attend monthly meetings at the Metropolitan Duane Methodist Church in New York City, the nearest of 36 chapters in the Parents of Gays and Lesbians national network.

They spend an hour discussing their problems with their children's homosexuality and then listen to guest speakers on anything from understanding the legal rights of gays to discussing psychological problems of gay people.

Participants' views cover a spectrum from total acceptance to total rejection of their children's homosexuality. Many have religious or social conflicts about homosexuality or express disappointment that their children won't fulfill their dreams, give them grandchildren, or carry on their names.

All the Ashworths how they've dealt with Tucker's homosexuality and they'll respond they've completely accepted it, as the rest of their family has. They don't know why Tucker is gay. He was just born that way, they believe.

But Tucker's homosexuality has opened the Ashworths' eyes to the world of homophobia—fear of homosexuality. They feel it is their job and the job of other parents to educate society so their children can live the way they want to live.

Says Ashworth: "There is so much prejudice against gays. We have to back our children. It's easier not to, but somebody has to. And if we (as parents) don't, who will?" □

—JOAN J. CIRIELLO

Gay units and services

The Westchester Gay Men's Association
Meets every Tuesday at 8 p.m.
The Task Force on Lesbianism and Sexuality of Southern Westchester National Organization for Women. Meets second Monday of the month at 8 p.m. (WGMA) and the Task Force meet at WESPAC Headquarters, 106 Mamaroneck Ave., Room 4, Second Floor, White Plains, New York. Phone: 348-6868.

Parents of Gays
c/o Metropolitan Duane Methodist Church, 301 West 12th St., at 7th Ave., New York, New York. Meets fourth Sunday of the month at 2 p.m. Phone: 337-5668 or 243-5478.

Services
Gay Hot Line 958-6222. Operated daily from 6-11 p.m. by WGMA.
Gayline Pages—directory of gay businessmen, services, churches, accommodations, social activities and organizations. The National Edition, \$5. The New York City/New Jersey (regional) Edition, \$1.50. Inquire at bookstores.

Counseling
Consult gay organizations for area therapists.
Institute for Human Identity (all gay counseling center), 600 West End Avenue, New York, New York. Phone: (212) 799-9422.

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Owen had to be promiscuous, pursuing one-night stands, not lasting relationships. It was the only way he could satisfy a sexual preference in a society that abhors male homosexuality.

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ple, that 300 occupations are governed by licensing boards and "gays have been excluded from a variety of (these) occupations on the grounds that their sexual orientation or activities are evidence of bad moral character."

The current battles over whether or not gay school teachers can instruct children illustrate the inbred bias against gays—psychiatrists say there is no evidence that a gay teacher will molest or influence children any more than a straight teacher will.

And although being a homosexual is not a crime, homosexuals are often harassed and arrested on charges such as sodomy, loitering, solicitation, and disorderly conduct.

Exactly how many homosexuals are arrested on such charges in Westchester is uncertain. It is difficult to determine from records which arrests involved homosexuals. In 1976, 11 men and three women were arrested for vagrancy (loitering); 30 men and one woman were arrested for sex offenses, other than forcible rape and prostitution; nine men and 17 women were arrested for prostitution; and 1,412 persons were arrested for disorderly conduct.

Though it is impossible to tell from these figures how many suspects were gay, newspaper accounts and police observations indicate that homosexual-related arrests and crimes are not a problem in Westchester. Sodomy arrests are rarely made. And other charges are usually only filed as a result of sporadic "raids" on homosexual gathering places, such as the rest area on Interstate 86 where 25 suspects were arrested in 1973 on charges of "loitering for the purpose of deviate sexual activities." Similar arrests have been made at the Braxville and Chappaqua railroad stations, among others, where family and professional men are said to seek brief homosexual encounters.

Currently, New York City gay activists are making headlines for their protests of arrests of homosexuals on Court Street in White Plains, contending that police in an attempt to crack-down on robbers allegedly preying on homosexuals, are in fact, "entrapping" cruising homosexuals.

Whether or not charges are founded, they are rarely contested. Says Kimball, "People don't want any publicity and they don't want to get home and be rid of the whole thing."

And yet, in recent years, sex offense statutes have come under fire. The American Bar Association has urged the repeal of all laws criminalizing consensual sexual activity between adults in private. Sodomy laws, in particular, have been challenged and 19 states have repealed them and other laws governing adult consensual sex acts.

Even so, repeated attempts to repeal New York's consensual sodomy law have failed. The law bans "deviate sexual intercourse" between all male and female unmarried persons, deviate meaning oral or anal sex. Gay rights activists contend that the law has been inequitably enforced against gay men, even though it applies to all unmarried persons.

It is not surprising since sodomy laws, as they have come down through the ages, were intended to ban homosexuality. Sodomy statutes originated in pre-Christian times, and were incorporated into ecclesiastical law. Henry VIII inserted the ban against sodomy into civil law in the 16th century and "the crime against nature" was carried to this country with the Pilgrims.

In this state, as elsewhere, sodomy laws are viewed as statements of morality. Even though the law is infrequently enforced, legislators are reluctant to take it off the books.

Increasingly, though, gay men and women are challenging such laws and taboos against their lifestyle. They may have lost their recent battle in Dade County, Fla. against Miss Bryant, but it was only one loss in a growing campaign to secure legislation protecting gay men and women.

In the past four years alone, 42 municipalities have adopted legislation, similar to the gay rights amendment defeated in Florida. A National Gay Rights Bill, which would amend the Civil Rights Act and prohibit discrimination on the "basis of affectional or sexual preference," has commanded the support of dozens of congressmen among them Westchester Representative Richard Ottinger. Ottinger says he's supporting the bill because he's against discrimination on any grounds. Congressmen Bruce Caputo and Hamilton Fish, Westchester's other representatives, are withholding their decisions pending the outcome of current court cases involving homosexuality.

More and more corporations are joining on record opposing discrimination against gays. The National Gay Task Force, a national gay rights group, has received support statements from 12 major corporations, among them AT&T, IBM, Honeywell and McDonald's and 12 social, professional and religious organizations, such as the American Federation of Teachers, and the The Society of Friends.

Most significant, and the one gays point to most often, was the endorsement of the American Psychiatric Association which, in 1972, stated homosexuality is not a sickness, urged the adoption of civil rights legislation for gays and called for the repeal of all discriminatory policies against them.

The APA Nomenclature Committee members felt homosexuality could no longer be labeled an illness since the Committee's criteria for an illness is inability to function, and the presence of distress and anxiety. Many homosexuals, satisfied with their lifestyle, don't exhibit these symptoms and therefore shouldn't be considered sick, they reasoned.

Dr. Robert Spitzer, a Scarsdale resident and chairman of the APA Committee, recalls that the move sparked a heated debate in the APA. Although 52 per cent of APA membership supported the action, infection about homosexuality still permeates the psychiatric profession. Recent studies have shown many psychiatrists still consider homosexuality a disease, says Spitzer.

"I think we did the right thing, but homosexuality is a very complicated issue. There are some people who say it's just like left-handedness. I don't think it's a simple question of whether homosexuality is good or bad. Homosexuality is a fact. If you ask the question, "Is it good or bad?" it gets very complicated," says Dr. Spitzer, who says he, too, is unsettled about the issue.

In fact, he adds, the Nomenclature Committee is considering reinterpreting homosexuality as an illness when the homosexual is in conflict about his or her sexuality.

Nevertheless, says Dr. Spitzer and gay crusades are "excessive and unreasonable," and manifest the crusaders' fear of the unknown, of people who are different and, in some cases, of an innate tendency toward homosexuality. "Everybody agrees that we all have a built-in capacity for homo-

sexual arousal," notes Dr. Spitzer. Still, no one knows what causes homosexuality or why there are more male than female homosexuals.

Whatever the cause, homosexuality is an issue that more and more people are confronting and examining. Times have changed since Owen Lear and Harris Kimball were young. The sexual revolution, and the women's and gay rights movements have dramatically affected attitudes about the issue.

Observes Joy Raden, one of three psychotherapists practicing in the Feminist Psychotherapy Collective of White Plains and Hastings-on-Hudson: "I'm convinced that the women's movement has had a tremendous impact on women loving women. I see a tremendous trend toward this in Westchester. More and more, women are not afraid to explore their sexuality. Many suburban women develop friendships, as on the women court, which lead to lesbian relationships."

It is precisely this spirit of exploration and experimentation that led two women in the Southern Westchester NOW chapter to found the Lesbian Task Force. Each had discovered her own lesbian identity through the women's movement. Lesbianism, as there was another of the many options open to women. They suspected other women felt the same way and they wanted to reach out to them.

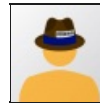
Eighteen women showed up for the first Task Force meeting last year and since then, an average of 30 have attended monthly gatherings. They range from middle-aged lesbian couples who have lived together "married" for years, to single, married women and mothers confronting their sexual identity.

"When I came out, I came alive," says Mary, a 33-year-old co-founder of the group. That was only two years ago when she met another woman at a NOW convention in Oudising, and had her first lesbian relationship, which lasted a year. Subsequently, she was involved with another woman for seven months.

Mary had never experienced a homosexual encounter as a child, and, in fact, had never anticipated having a lesbian relationship. But through psychotherapy and the women's movement, she explored her lesbianism.

Please turn to next page

Clipped By:
tomcoleman
Sat, Feb 19, 2022



Gay lawyer seeks to resume legal practice in state

TALLAHASSEE — (UPI) — Harris Kimball, disbarred in Florida in 1977 for a homosexual act, says the state Supreme Court should let him practice law again because such a disbarment never would take place today.

The Florida Bar has agreed that the moral character of Kimball, once an Orlando lawyer, no longer is in question, but it wants him required to pass the bar exam to prove that he still has the knowledge necessary to be a lawyer.

Kimball, who has an active New York law practice, asked the Supreme Court last Friday to order him re-admitted to the bar without having to pass the tough examination.

"Any attorney who's been away from law school for more than five years would

'The larger issue in this case, purely and simply is justice.'

Louis Jepeway,
Harris Kimball's attorney

have to put in an enormous amount of energy and effort in order to pass the Florida Bar exam," said Louis Jepeway of Miami, who is representing Kimball in his appeal.

"The question is not whether he could pass. The question is whether he should be required to do so," Jepeway said.

Kimball, who calls himself "this country's first lawyer to publicly acknowledge his gay orientation," tried unsuccessfully eight years ago to get a federal court to

order him readmitted to the Florida Bar. He is now seeking bar approval for his re-admission.

Kimball's moral character no longer is in question, bar officials say, because the courts have ruled that homosexuality between consenting adults is none of a bar's business.

But they say he should have to pass the bar exam because he probably has "minimal competency" on special Florida law

after being out of the state for so long.

The question of Kimball's legal knowledge really is irrelevant," Jepeway told the Supreme Court during oral arguments.

"The larger issue in this case, purely and simply is justice," he said. Kimball was disbarred for something that would not be grounds for disbarment today, so it isn't right or far that he be subjected to the arduous of the bar exam, he reasoned.

Jepeway likened Kimball's case to that

of Virgil Hawkins, a black who lost a legal fight in 1955 to win admission to the University of Florida law school. The state Supreme Court ruled in 1977 that Hawkins, who eventually earned a law degree, should not have to pass the bar exam to practice in Florida.

"You think you can compare this with Hawkins?" Justice Ben Overton said to Jepeway.

Chief Justice James Alderman also had problems with Jepeway's arguments.

"The bar recommended that he take the bar exam not because he's a homosexual, but because of the time he's been away from Florida practice," Alderman said.

The bar is trying to do its job and "protect the public," he said. "That's the only issue, so let's stick to that."



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JOHN NEWCOMBE'S TOURNAMENT PLAY,
LIKE HIS ROLEX, IS UNMISTAKABLE



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CENTRE COURT TIMING:
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apparently because she is heterosexual. Psychiatric experts who testified during the trial gave no support for the judge's assertion of hostile homosexual and heterosexual drives. And the judge himself conceded that Gottlieb, who has been with his lover for over two years, possessed "a high degree of stability."

Gottlieb, a 37-year-old producer of industrial films, declined comment while he considered an appeal. But the Gay Fathers Forum of Greater New York, to which Gottlieb belongs, issued a statement attacking the decision as "uninformed and based upon prejudice and bigotry."

Gay Fathers was critical of the restrictions the judge placed on Gottlieb's visits with his daughter. Gottlieb is allowed to have his daughter in his home on alternate weekends, but only if "his lover [judge's emphasis] or any other homosexuals" are barred from the house. The judge imposed a similar ban when permitting the daughter's month-long stay in July and forbade Gottlieb to take her anywhere where "known homosexuals are present."

Gay Fathers Director Stu Gross called the judge's decision "unbelievable in 1982." The decision is especially dangerous, he said, because of its potentially chilling effect on gay fathers who are considering coming out but are afraid of losing close contact with their children.

**San Francisco Mayor
Calls for \$293,000 in
Gay Health Funds**

San Francisco Mayor Dianne Feinstein has asked the board of supervisors to approve spending \$293,000 on assorted gay health projects. Feinstein's proposal was in response to a request from city Supervisors Harry Britt and Nancy Walker that \$375,000 in city funds be designated for gay health care (Issue 355).

If approved by the board of supervisors, the money will go to the arthritis diagnosis clinic of the Public Health Department, the Kaposi's Sarcoma Research and Education Foundation, Operation Concern's project for gay senior citizens, and the Shanti Project, a volunteer group that offers counseling for victims of the acquired immune deficiency syndrome (AIDS) and other life-threatening illnesses.

At a press conference, Feinstein told reporters that "a great deal of research, outreach and knowledge is necessary" to combat the previously rare cancer Kaposi's sarcoma (KS) and the immune system breakdown that can lead to KS and other serious illnesses.

**Lawyer Fights to Practice
in Florida 25 Years
After Homosexual Charge**

Attorney Harris Kimball, disbarred in Florida in 1957 after he was charged with having committed a homosexual act, is fighting to regain the right to practice law in the state—on his own terms.

Kimball, 56, has asked the state supreme court to order the Florida bar to readmit him without forcing him to take the bar exam. Kimball's attorney contends that under today's standards Kimball would not be subject to disbarment and thus should be readmitted. "The larger issue in this case, purely and sim-

ply, is justice," argued Miami attorney Louis Lepeway Jr.

The lawyers' organization agrees up to a point but contends Kimball should be required to take the test because it has been so long since he has dealt with Florida law. Kimball has practiced law in New York for the last nine years.

Under the bar's current rules on readmission, a court-appointed referee can require a lawyer to retake the test if he or she has been suspended or disbarred for more than three years. In Kimball's case, the referee has ruled that he can be readmitted if he passes the test.

Kimball was arrested in an Orlando city park in 1955 and charged with sodomy. Officials said Kimball posted bond and immediately left town. The bar conducted an inquiry in 1957 and disbarred him for conduct "contrary to good morals."

**L.A. Council OKs
Extra Gay Funds**

Intensive lobbying has increased city expenditures for Los Angeles public agencies that serve gay clients, but not to the total satisfaction of local activists.

The city council, under pressure from gay and other minority groups, agreed to dole out approximately \$55,000 to the Gay and Lesbian Community Services Center and \$26,000 to Crossroads, a Hollywood employment agency that serves many gay job-seekers. The sums were only about 10% of what the agencies had requested. The grants came from \$6.8-million in discretionary federal funds controlled by the city council.

But following protests over what one activist called the "pitiably small" amounts, the council approved an additional \$40,000 for the gay/lesbian center. Center Director Steve Schulle said he was pleased with the extra money but still had questions about how best to lobby for support in the future. "We're still not regarded as a constituency deserving a big chunk," he said. The extra funds were secured through the efforts of Councilmembers Joel Wachs, Peggy Stevenson and John Ferraro. Two other groups that work within the gay/lesbian community also received funds. Echo Park-Silverlake People's Child Care (\$40,000) and El Centro del Pueblo (\$22,000).

**Proposed Sculptures for
Greenwich Village Park
Clear Last Hurdle**

George Segal's sculpture "Gay Liberation," which the Mariposa Foundation first offered to New York City over two years ago as a memorial to the Stonewall riots, has overcome the last obstacle to its installation. Plans developed by the Parks Department for the comprehensive renovation of Christopher Park, which will include the new statue, were approved by Community Board 2 on Sept. 16 despite last-ditch efforts by some Village residents to turn the debate into a referendum on the sculpture itself. Technically, however, the only matter before the board was the proposed new landscaping, since the sculpture had been accepted in principle in October 1980, even opponents of the statue conceded that "the Christopher Park plan is a foregone conclusion." No date has been announced for commencement of construction.