



Give the People Light and they will find their own way.

The Wisconsin Light

Longer Sentences For Hate Crimes Constitutional

[Washington, D.C.]— People who commit "hate crimes" motivated by bigotry may be given longer prison terms without violating rights to free speech or expression, the U.S. Supreme Court ruled Friday, June 11, 1993.

Ruling unanimously in the Wisconsin case (*Wisconsin v. Mitchell*) of an African American male convicted in the beating of a white youth, the High Court said government may combat such offenses with penalties tougher than those for crimes not motivated by bigotry.

The June 11th ruling reversed a Wisconsin Supreme Court ruling that struck down the state law, authored by former State Rep. David Clarenbach, as a violation of the First Amendment.

Writing for the High Court, Chief Justice William H. Rehnquist said that the U.S. Constitution's First Amendment which guarantees freedom of speech and expression "does not prohibit the evidentiary use of speech to establish the elements of a crime or to prove motive or intent."

Second Ruling

It was the High Court's second ruling since last year on the heavily debated hate-crime issue.

In June, 1992, the Supreme Court struck down a St. Paul, MN ordinance that banned cross-burnings, swastika displays and other expressions of racial bias. That ordinance violated the right to free speech because it sought to ban some viewpoints, the Court said.

Whereas the ordinance struck down in the *Minnesota* case was explicitly directed at expression... the statute in this case (*Wisconsin*) is aimed at conduct unprotected by the First Amendment," Rehnquist wrote.

The Wisconsin law allowed longer sentences for people convicted of violating existing laws — such as those against assault — if they chose their victim because of race, religion, disability or sexual orientation.

The FBI has said more than 4,500 hate-crime incidents were reported in 1991. Of those, 60 percent were attributed to racial bias.

NGLTF Hails Decision

The National Gay and Lesbian Task Force (NGLTF) hailed the Supreme Court's decision as "a critical victory for the Lesbian and Gay movement," according to Martin Hiraga, NGLTF Anti-Violence Project Director. "It vindicates our contention that because hate crimes are not simple assaults, but attacks against entire groups, they deserve tougher sentences," Hiraga said.

Ginsburg's Nomination to High Court: Cautiously Optimistic

[Milwaukee]— Reaction to President Bill Clinton's nomination of Ruth Badar Ginsburg to the U.S. Supreme Court ranged from the optimistic to one of caution.

In a press release, U.S. Senator Russ Feingold said he was "delighted" with the nomination. "President Clinton has done a good job in his choice," Feingold said.

Gay and Lesbian activists reacted as well. Tim McFeeley, Executive Director of the Human Rights Campaign Fund (HRCF), praised Ginsburg as "a respected jurist with a long record of leadership on discrimination and women's issues." McFeeley added, however, "We would like some clarification of Judge Ginsburg's position on the right to privacy" as well as Lesbian and Gay rights.

Ginsburg has a reputation as a centrist, although her record prior to her appointment to the Appeals Court was as an attorney who brought several landmark women's rights cases to the U.S. Supreme Court. While her record in support of women's rights is well known,

Clinton's \$502 Million AIDS Funding Increase Threatened In Senate



THOUSANDS CELEBRATE— An estimated 13,000 attended Milwaukee's PrideFest Celebration on June 12-13, 1993 including Country Supervisor Dorothy Dean (left), Cynthia Van Vreede and Sue Burke.

Reports Say Aspin Backs The 'Don't Ask, Don't Tell' Policy On Gays

[Milwaukee]— In a story carried by the *Washington Post* on June 23, 1993, Defense Secretary Les Aspin is reported as having thrown his support to a compromise proposal that would allow Gays and Lesbians to serve in the military as long as they keep their sexual orientation a secret.

The *New York Times* reported on June 23 that the proposal, dated June 17, had been circulated among the Joint Chiefs of Staff.

According to reports, the proposal would end the practices of questioning recruits about their sexual orientation, and "aggressively rooting out" Lesbians and Gays solely on the basis of sexual status.

At the same time, it would prohibit military personnel from "declaring" their homosexuality or engaging in homosexual conduct on or off base.

The proposal asserts that "homosexual conduct is inconsistent with high standards of combat effectiveness and unit cohesion."

A senior Pentagon official was quoted as saying that as a practical matter, the policy would mean that Gay men and Lesbians could still be investigated for homosexual conduct, but not if they were "outed" by a fellow service member.

her stand on Lesbian and Gay issues is less clear.

McFeeley made particular reference to the *Dronenburg* case (*Dronenburg v. Zech*) (D.C. Cir. 1984). This case, he said, "raises questions regarding her views."

In "*Dronenburg*," Ginsburg voted with the majority on a panel that refused to grant a rehearing to a sailor discharged for homosexual conduct.

McFeeley said that HRCF is preparing an "in-depth analysis" of Ginsburg's opinions on cases affecting Lesbian and Gay rights.

The Lambda Legal Defense and Education Fund in a press release, while praising Ginsburg for her stand on women's issues, also expressed "some concern" for the judge's record on equal rights for Gays and Lesbians.

Like McFeeley, Lambda cited "*Dronenburg*" as their main cause for concern. However, they "remain hopeful" that Judge Ginsburg's approach to this case "is not one which she will follow as Associate Justice of the U.S. Supreme Court."

An addition to the proposal known as "Working Group Plus," would make a distinction between a soldier who discusses her/his sexuality with a comrade and one who does the same thing on a TV program.

At first, Defense Department officials denied that the proposal reflected Aspin's views, but since then have admitted that the proposal does reflect Aspin's views.

According to the *Post*, Aspin has worried in recent months that following through on Clinton's pledge to end the ban could cause an unacceptable rift with military leaders and has searched for a compromise the Joint Chiefs can support. This, with the addition of Working Group Plus, is the one he likes and will, reports say recommend to the President.

On June 22, Clinton told reporters that he had not changed his mind on lifting the ban, adding "The American people and the military are certainly ready for a resolution of it."

The *Post* reports that a senior administration official said on June 22 that Clinton had not yet seen the proposal and "wants to hear the Secretary explain the implementation, how this would work in the real world." The official added, however, that Clinton's pledge to lift the ban on Gays in the military was "not necessarily incompatible" with the language of the Defense Department's leaked proposal.

Aspin is tentatively scheduled to present the recommendation to the White House on Friday, June 25, the *Post* said, provided that negotiations over the shape of the budget bill do not interfere.

Reaction

Reaction among Gay/Lesbian activist groups and others in Washington was swift. Gregory King of the Human Rights Campaign Fund (HRCF) told *Light* that "We are seeing a trial balloon and we're making every effort to shoot it down. This is not what the President promised and it can't fly politically."

King agreed that this was Aspin's proposal and went on to say that it "opens the closet door, but puts a solid gate in front of it." He went on to explain that if you're a closeted, celibate Lesbian or Gay, under the proposal, there'd be nothing to worry about.

Calling the leaked proposal "the Aspin policy," the National Gay and Lesbian Task Force (NGLTF) condemned it utterly.

"It's just a re-packaging of the current policy. It's discrimination, with a new name," said Tanya Domi, Director of the

[Milwaukee]— President Bill Clinton has submitted to Congress the largest increase in Federal AIDS funding in the history of the epidemic, and AIDS activists throughout the country are rallying to protect Clinton's budget in the face of serious threats by Congress to cut the President's AIDS requests.

Doug Nelson, Executive Director of the AIDS Resource Center of Wisconsin (ARCW), parent organization of the Milwaukee AIDS Project (MAP), called the Congressional threat to AIDS funding "a serious threat to the country's ability to manage the HIV epidemic" and is joining with AIDS leaders to secure Congressional support for the Clinton budget.

Nelson is on the Board of Directors of the national AIDS Action Council (AAC) and chairs its public policy committee.

Recently returned from an AAC meeting in Washington, Nelson praised President Clinton's "courageous financial commitment to AIDS."

Nelson continued, saying "The President has made a world of difference in the Federal budget and appropriations process, he has catapulted AIDS to a priority position on the national health agenda, and is enabling the AIDS community to have a fighting chance to successfully lobby for an historic increase in national AIDS funding."

Nelson explained that Clinton and the AIDS community are calling for a "triple track" approach to AIDS funding with major increases in AIDS research, prevention and care.

The President's budget authorizes a \$502 million triple track increase which includes: a \$127 million in AIDS research, a \$45 million increase in prevention, and \$310 increase in the Ryan White Care Act.

Nelson said that the Clinton AIDS budget for research and prevention survived House Appropriation Committee cuts, but that the Ryan White Care Act was cut by \$110 million.

"Our mission is clear in the Senate," Nelson said. "There we must restore the \$110 million cut in care and protect the President's research and prevention budget. Ryan White funding has the most direct impact on Wisconsin where care and support services are delivered to dramatically increasing HIV case loads. We have a very realistic opportunity to restore the House cuts in the Senate and to gain Congressional approval of an historic increase in AIDS funding."

Nelson met Tuesday with Senator Herb Kohl (D- WI) while in Washington. Kohl sits on the powerful Senate Appropriations Committee and has a key vote on AIDS funding issues.

"I emphasized to Sen. Kohl that Wisconsin was still suffering from Reagan/Bush neglect of the AIDS epidemic and that support of President Clinton's budget priority for AIDS was

TURN TO AIDS, PAGE 11

Help Needed In Defending Abortion Clinics

[Milwaukee]— Pro-Choice groups have announced that the anti-Choice forces are once again out in force this summer, trying to stop a woman's right to have control over her procreative processes. The Milwaukee Clinic Protection Coalition needs your help to defend the clinics. Anti-Choice demonstrations are expected at the following locations:

On Saturday, June 26 at Affiliated Medical Services, 1428 N. Farwell Avenue at 7:00 a.m.; at Imperial Health Center, 6401 W. Capitol Drive at 8:00 a.m.; and at the Wisconsin Women's Health Center at 8634 W. Brown Deer Road at 6:00 p.m.

The Coalition asks that you please help if you can.

TURN TO MILITARY, PAGE 2