

FRANK: The officer testified that I had looked at the front and the back of the magazine. And the district attorney said that that was enough, and looking around the room and the magazines that were on the shelf, that was enough to convict me.

BUDDY: Is it just gay bookstores that they go into? There's no such thing as a gay or straight bookstore, right?

FRANK: No, not-- Well--

BUDDY: Because I see a lot of these guys that go in there, and they have wedding rings, and--

FRANK: Oh, sure.

BUDDY: --pictures of their kids fall out of the wallet onto the floor, and--

FRANK: There are all kinds that come in. It's-- Studs primarily has gay material, but for the most part--

BUDDY: But the clientele is--

FRANK: For the most part, the clientele is very mixed. We've had couples, men and women go in the back at Studs, and that really blows our mind. The guys just part the waves there, and they don't know what to do.

BUDDY: I was down at the ballpark one time, and hookers came in, and I was like, Jesus, what are these girls-- you're in the wrong neighborhood. This is my block. I couldn't even give it away. I don't know what they were doing there.

[LAUGHING]

Anyway, it just freaks me out that everybody wants to act like nobody knows what's going on. Do you know what I mean? If it's such a bad deal, why is the place still open? This isn't a question for you. It's a question for the state and everybody else. If it's such a bad deal, why is the place still open?

INTERVIEWER: And why did they license it?

BUDDY: Why did they license it through the state? Why, when you're arrested, do the vice cops wait for you to call relief, right?

FRANK: Exactly, then they give us--

BUDDY: Relief comes down-- this is what kills me. They come in, and they say-- listen to this. They come in, and they say, you're arrested, right?

FRANK: Right.

BUDDY: So you call whoever you call and say, I've been arrested, and somebody needs to come down and relieve me.

FRANK: Exactly.

BUDDY: So--

FRANK: Then they--

BUDDY: --while they're slapping the cuffs on you and taking your name and number, your relief comes down in the very same building, right?

FRANK: Exactly.

BUDDY: Takes over the register-- does he count out the register? You know what I mean? To check your till or whatever?

FRANK: Well, usually, we count it down before the relief gets there. That's when they let us.

BUDDY: So here comes the relief, and they take over. And in the meantime, they put the cuffs on you, and you're carted off to jail.

FRANK: That's right.

BUDDY: And the other guy is standing there, running the store. Something's not right. Wait a minute. We've also got a guy running for president that traded guns for hostages, that did the drug deals with Noriega, and something just isn't right. Does anybody have any idea what the hell's going on? These are all adults, right? Do you ever let kids in the back?

FRANK: No. We card and card pretty heavily. The company would not back us, for instance, if a minor were to be let in. It's our responsibility.

The ironic situation is, as you said, they'll stand there and wait 15, 20, sometimes 30 minutes for your relief to come in, or depending on what kind of day they had, they may padlock the door and take us out of there.

BUDDY: And lock it up altogether?

FRANK: And lock it up altogether. Sometimes, as I said, they might let us out the back and sometimes not.

BUDDY: But my point is that sooner or later, somebody's going to come and open it up.

FRANK: Oh, sure.

INTERVIEWER: Why do they go after the hired help and not the owners?

FRANK: Well-- [CLEAR THROAT] excuse me. That's a question I'd like to know. As far as permits, as far as being licensed, they continually ask us who the owners are, what they do, how things are done. I don't know anything about that.

BUDDY: You're just there working, right?

FRANK: I'm just there working.

BUDDY: It's like a guy at McDonald's. Who the hell knows who owns the place? I mean, if you're flipping burgers, or you're selling clothes off the rack at Foley's, or you're selling tickets at a movie theater, or you're passing tokens over the counter, who the hell knows who's in charge? The way this country is, IBM probably owns the whole damn place anyway or Frontier. Some big conglomerate probably owns everything. They own everything with this radio station. Anyway, it just kills me. Do you think that the fact that it was a gay magazine had anything to do with it? No?

FRANK: I think--

BUDDY: Because they busted them for straight porn, too, right?

FRANK: There have been a number of cases, and our company, as well, has had, I think, at least half a dozen. And they all haven't necessarily been just gay, although I'm the only case that's going to jail.

BUDDY: Out of how many stores?

FRANK: There are presently, I believe, 39 stores, adult bookstores.

BUDDY: 39 stores running 24 hours a day, and that's however many clerks. Out of all those people, you're going to jail?

FRANK: I'm the only one that's going to jail.

BUDDY: Doesn't make any sense.

FRANK: Somewhere along the line-- [CLEAR THROAT] excuse me. They've seen that the material, or they're saying the material is-- I've seen-- it's been seized in a prior bookstore seizure.

BUDDY: They've done that before, though, right?

FRANK: Oh, sure.

BUDDY: I mean, came in and cleaned out the whole place, boxed everything up.

FRANK: Right. It hasn't happened to us, but I do recall it happening a couple of times here in town. And--

BUDDY: Usually, the judge makes them take all the stuff back.

FRANK: Right. In this particular case, the magazine was already ruled obscene in a former seizure. I had no idea knowing what the content and character of the magazine was. It was a big surprise to me when he came in and arrested me and had a probable cause warrant, which was executed, I think, it was a week and a half later.

BUDDY: Already typed out and ready to go, huh?

FRANK: Already typed out and ready to go.

BUDDY: How convenient. What was the name of the magazine?

FRANK: Boxed Lunch.

BUDDY: Do you have a copy of it?

FRANK: Sure don't.

[LAUGHING]

I'll tell you, though, I've had customers that know that ever since this has come about and that I am going to jail, they said that it must be one heck of a copy. We should probably keep some more.

BUDDY: In any case, I think the whole thing is absurd. And it just--

FRANK: What's frustrating about the whole--

BUDDY: It's just absurd. That's all it is.

FRANK: It's absurd, and this is 1988. I can't believe that I'm going to jail for \$8.99.

BUDDY: Don't worry, baby. George Bush said in the presidential election the last time that you can't legislate morality.

INTERVIEWER: In the debate, yeah.

BUDDY: And you mean they are not going to do that? Reagan hasn't done that for the last eight years. Apparently, he hasn't read the Meese porn patrol that was out in the bookstore on Hillcroft. I wasn't out there, but I have a friend that was working out there as a clerk when all that happened. And those people charged in, and they're going to - there's somebody somewhere that's going to tell you what you can look at and what you can read in the privacy of your own home. There are laws right now-- I can't remember the-- do you have it in Congress? The ordinance? You know which one we're talking about?

FRANK: Right. It's the Child Enforcement Act--

BUDDY: That basically says that anything they deem as harmful to children they can close down and get rid of, obscene magazines, video cassettes, *After Hours* radio programs, TWTs, *This Week in Texas*, *Montrose Voice*. You'll drive down Pacific Street, and all the bars are going to be boarded up if they have their way. You don't believe it's going to happen? Well, maybe not. 600,000 people died in Germany because it was the law. Hitler's law said that Jews would go to the death chamber. 600,000 gay men went because it was the law.

The law says that this guy is going to jail on Wednesday for selling a magazine. If I want to take it home and read it and look at the pictures, that's nobody's business but mine. And I get really insulted when I've got big daddy mama government and Uncle Sam trying to tell me what I can take and can't take in my bedroom.

FRANK: What aggravates me is the circumstantial evidence that convicted me. That was just-- the trial itself was unbelievable. And, of course, once the jury was passed the magazine, it was just a unanimous decision. I don't even think it took them 10 minutes to deliberate.

BUDDY: Oh, they already knew what they were going to do?

FRANK: They already knew what they were going to do.

BUDDY: Sure, they did.

FRANK: And I find the whole thing absurd. And I think that if we're serious about charging and looking at obscenity, we need to sit there and quit playing games, stop issuing permits, close the places down, and stop playing games.

BUDDY: Somebody said, will you be paid while you're in jail? Someone called.

FRANK: At this time, yes.

BUDDY: Someone else said, who is the judge?

FRANK: Judge [? Aldy ?] [? Elle. ?]

BUDDY: And is he up for re-election?

FRANK: He's up for re-election in 1990.

BUDDY: And the nice part about it was he was just recently endorsed by the Houston gay and lesbian political caucus.

FRANK: Yes.

BUDDY: We won't even touch on that because the caucus hates me already. But anyway, folks, we've got news and community bulletin boards, and Rob's got a book review for you coming up here in just a second. And then we're going to be back in a little bit with Frank to talk about this case and take some phone calls from you because we want to know what you think about this. 526-4000. Are you ready with the news in there? Or will they be?

BRUCE: I think we've got a song first.

BUDDY: Good. Let's hear that, then we'll have the news. This is After Hours on KPFT, Houston, 90.1 FM.

[MUSIC PLAYING]

BRUCE: And you're listening to *After Hours* on KPFT 90.1 FM. And here's Lloyd with the news.

LLOYD: Thanks, Bruce. Midland National Life Insurance Company's practice of using zip codes to determine which of its potential clients will be required to take AIDS blood tests will be reconsidered by the State Board of Insurance. The company's guidelines are that AIDS blood test should be required in any Texas community with a zip code beginning with 770, 71, 72, 73, 74, 75, 60, 61, 50, and 53. Those zip codes cover most of the Houston Galveston Area, including Huntsville, Belleville, Liberty, Angleton, Wharton, Sealy, Hempstead, Baytown, Channel View, Galveston, and all of Harris County.

Gay rights groups say the idea of zip code screening is unfair. Glenn Maxie the executive director of the lesbian, gay rights lobby, said the company's practice sets a dangerous precedent and fears other insurance companies might use zip codes to target specific areas like the Montrose Area, which has a large homosexual population. Tom Doyle of the Texas Human Rights Foundation said insurance companies are avoiding the fiscal responsibility for the AIDS crisis, shifting the responsibility to the public health care facilities. The basic health care insurance system has opted out, Doyle said. He said the insurance board's ruling on the AIDS insurance are too vague, and he's filed a complaint with the state insurance board against middle and national life.

On the local level, the availability of low-cost anonymous AIDS testing in Houston may be in jeopardy because the Montrose clinic's request for funds to continue its testing program has fallen into a widening gap between state and City Health Officials. That standoff, which stems from the fact that each agency believes the other should apply for the grant, could jeopardize a program that ensures the safety of the local blood supply and gives Houstonians access to a safe, anonymous test for antibodies, the AIDS virus, health officials say.

The problems began with the city's new plan to apply directly to the federal centers for Disease Control for AIDS money. And with the state's response to that plan, Houston qualified to apply directly to CDC when the number of AIDS cases here top 2000. This year, clinic officials were told to apply to the state again, said Dr. Richard Grimes, chairman of the Montrose Planning Board. They submitted to the state a grant request for \$372,000, about half for AIDS antibody testing and the rest for venereal disease clinics.

However, state health officials feel that the city should have included the clinic funding in its grant request to the CDC. It is up to Dr. John E. Arredondo, Houston's health director, to solve the dilemma. Montrose clinic officials say they are caught in the middle of the impasse. Without the CDC funds, the clinic will have to start charging about \$50 for each test for antibodies to the Human Immunodeficiency Virus, which causes AIDS. And that's the news so far this week. Talk to you all next week.

[MUSIC PLAYING]

MAN: Hello. Do you know me? (LISPING AND NOT SAYING RS) I've appeared in hundreds of Warner Brother cartoons with that squirrelly rabbit who always does drag. Yet whenever I travel, homophobic troublemakers are always telling me that there's no rooms in their hotels, no available seats in their restaurants, and no cars to rent. It gets downright frustrating.

At first, I wanted to cry. What's my sexual orientation got to do with my being a good customer? Then I got a Gaymerican Express card. Now, I use it everywhere, from crepes in France, to tropical fruits in Honolulu, to picking up trucks in Australia. My Gaymerican Express card does it all.

[MACHINE RUNNING]

Gaymerican Express, don't be homo without it. Ha-ha-ha-ha.

KAY: Hi. This is Kay, and I've got the community calendar for this week. On Tuesday, October 25, there's a meeting about the Harvey Milk rally at 7:00 PM at Parkway Athletic Club. On Thursday, same place, same time is part week meeting, and Thursday, November 3 is an act of Houston meeting, also at the same time, same place. Parkway is a wonderful place to have meetings. And November 5, 6, 12, and 13, Switchboard will be having training, and if you have any questions about these or any other events going on in the community, call Switchboard at 5293211.

[MUSIC PLAYING]

MAN: [INAUDIBLE]

[MUSIC PLAYING]

(SINGING) There was a man who took a stand to try to shed some light. He said that sexual preference is a basic human right. The school board laid him off and said the budget was too tight. But it sounds suspiciously like homophobia to me.

A woman with a child of six could find no place to live. And finally, her lover said, why don't you just move in? The landlord made excuses and raised the rent again. Sounds suspiciously like homophobia to me. Oh, it happens every day. Homophobia. Ho-ho-homophobia. No matter what they say, it's just because you're gay. Homophobia. Homophobia.

It happens everywhere. Homophobia. You know it's out of fear. It's just because you're queers. Homophobia. Homophobia. Some liberals say that it's OK for people to be queer, as long as they don't flaunt it, but it seems to me, my dear, that we've seen straight folks flaunt their sexual--

REPORTER 1: And in the Homophobia Report, several things, the AIDS legislation has finally passed Congress with a minor catch inserted specifically for Mr. Jesse Helms. Actually, it was-- the thing was left out. Originally, the legislation was going to be passed to guarantee anonymous testing, and that guarantee was left out of the legislation. But we do finally have some money hopefully coming in to help fight this terrible disease.

Also, in San Francisco and California as a whole, companies are beginning to rally against the proposition on the California ballot, which will call for mandatory reporting of AIDS cases. Obviously, this is an issue that's not just important to the people in California, but to everyone everywhere because if it passes in California, it will pass everywhere else.

(SINGING) Because it's called a gay--

Further, Wisconsin Bell cuts off phone sex. Several gay phone sex lines utilizing the 900-number method of access are no longer doing business in Wisconsin after Wisconsin Bell refused to continue belling for the services. According to Bell spokesman Howard Hetzel, the content of the lines was found to be what was considered obscene or lewd. Hetzel said such lewdness is determined to Bell's reputation. And that's the homophobia of report for this week.

(SINGING) Ho-ho-homophobia. Ho-ho-homophobia.

[MUSIC PLAYING]

ROB: This is Rob Ditto Culture Vulture on *After Hours*. And today, we're going to review a book, *The Object Of My Affection*, by Stephen McCauley. And *The Object Of My Affection* was written last year by Stephen McCauley, and it recently became available in paperback. *The Object Of My Affection* is the story of George and Nina, a gay man and straight woman who lived together in Brooklyn. George, who's a kindergarten teacher, has just been dumped by his lover, and Nina's just about to dump her boyfriend, Howard.

And George and Nina are keeping a secret from Howard. What's the secret? Nina is pregnant with Howard's child. And why is it a secret? Because Nina has decided to raise the baby by herself, and she wants George to help out rather than Howard. Now, why would George, a happy, go-lucky gay man, free of society's straitjackets want to do that? Well, he spends part of the book trying to find a good reason.

First, he convinces himself that after all his troubles with lovers and meeting people, all he wants is to be the object of some unqualified affection, and what better source of unqualified affection than a baby?

[MUSIC PLAYING]

Later on, George finds an even better, if somewhat selfish reason to help out with the baby. While on vacation in Vermont, George meets a man named Paul, who has a five-year-old adopted son named Gabriel. To impress Paul, George proudly announces that he is living with a pregnant woman and that they will raise the baby together. Meanwhile, back in New York, Nina can't talk George into attending her natural childbirth classes, and George wishes he were back in Vermont with Paul and Gabriel.

As he might have guessed, Stephen McCauley is dealing with roles and role-playing in *The Object Of My Affection*, the roles that gay and straight people play when children are involved. And the way Macaulay does this is by poking fun at both the roles and his characters. Much of the beginning of the book deals with George and Nina's home life and the way that a straight woman and gay man can easily live as a pretty conventional couple.

When they're not cooking each other tuna loaf or getting drunk together on cheap brandy, they go to ballroom dancing classes at Arthur Murray. Listen to this excerpt from the book where George and Nina begin to resemble a pair of All-American couch potatoes.

[MUSIC PLAYING]

"We took our snacks into the living room and spread out on the sofa. I actually don't like tomatoes very much, but next to popcorn, they're the best excuse for eating immoderate amounts of salt, which is my favorite food. My technique is to dunk the tomato into a little dish of Morton's and then eat it like an Apple. Nina shuttered every time she saw me take a bite, as if her cereal and powdered milk was so appetizing. She was in the middle of a mystery novel from the '50s, with a picture of a naked woman wrapped in a Mexican blanket on the front cover. Four gorgeous gals, it promised, and each of them spelled trouble.

This was Nina's kind of book, cheap, sexist thrillers people gave away at stoop sales or threw out with the newspaper. As she sat reading, she'd occasionally laugh out loud, give a cry of outrage, and toss the book across the room in disgust, then hurry to retrieve it and find her place. I went into a stupor against her shoulder, my blood pressure soaring from the salt."

[MUSIC PLAYING]

That was from *The Object Of My Affection*, which is a book by Stephen McCauley. And when the author is not exploring the subtle shadings of relationships between gay and non-gay people, Macaulay takes time out to poke gentle fun at the contradictions of life in the '80s. The kindergarteners at the school where George teaches carry boxed lunches, and the boxed lunches contain patty, and sushi, and charcuterie. Howard and Nina score points in their arguments by mentioning sacred Nicaragua, and George tries to make holistic natural Christmas ornaments for his and Nina's Christmas tree out of cranberries and popcorn.

I really like this book a lot. It's caustic at times and heartwarming at others, but mostly, it's funny, and it's really well written. And in fact, I like this book so much that I want someone in our audience to have a copy. So if you want to win your own copy of *The Object Of My Affection* by Stephen McCauley, be the third caller at 526-4000 for your own copy of *The Object Of My Affection*. The number is 526-4000. Be the third caller. And that's Culture Vulture for today. I'm Rob Ditto

BUDDY: Number two.

INTERVIEWER: Thanks, Rob.

BUDDY: Hi, you're number three. What's your name? Hello. Oh, they must have it. Are we on?

INTERVIEWER: You're on.

BUDDY: Oh, we're on.

[LAUGHING]

Are we on? Hello. Is this working? Hello. Hello.

INTERVIEWER: Yes, you're on. Thank you very much. That's called feedback.

INTERVIEWER: Big feedback.

BUDDY: Hey, Rob, did you say they had their own copy of *Boxed Lunch*?

ROB: Say it again.

BUDDY: Did you say that they carried their own copy of *Boxed Lunch* to school or something?

ROB: No, they didn't carry their own copies of *Boxed Lunch*.

BUDDY: Well, wait a minute because that's the name of this magazine.

ROB: I know. What a coincidence, but I--

BUDDY: *Boxed Lunch*.

ROB: I certainly hope that they didn't carry their own copy of *Boxed Lunch*, at least that this book takes place in New York and not the state of Texas.

BUDDY: Have we got a winner? I think we've got a winner.

INTERVIEWER: I had a boxed lunch once.

BUDDY: They have a winner in there. We'll find out who that is in just a second.

ROB: OK.

BUDDY: We're back with Frank and still talking about *Boxed Lunch*.

[LAUGHING]

Isn't that funny?

FRANK: Oh.

BUDDY: *Boxed Lunch*.

FRANK: What a coincidence.

BUDDY: 526-4000 is the number to call if you want to talk to us about Frank going to jail. We want to know what you think. Anything else you wanted to bring up that we haven't touched on before we go to the phones?

FRANK: Well, I'd like to touch just briefly on something that I was talking about earlier as far as drug offenders and the city's crackdown on its war against drugs and using redevelopment money. And I know of a particular case that I was talking about, where the individual had a \$20,000 bond, two \$10,000 bonds against him, and was given 20 years probation. And in this particular case that I am involved in, over \$8.99, the judge denied my probation and gave me the maximum fine and penalty.

BUDDY: What gay people don't understand, we could go to law-- we could go to jail tonight in this state just for being gay.

FRANK: Just for being gay and walking the streets.

BUDDY: I mean, they could come down here right now and take us out of the radio station because we're gay, and we're homosexual, and we're going to break sodomy laws. I am, especially if I can get a guy with a hairy chest. I've been saying that all night, but nobody will call. But do you know what I mean?

FRANK: Exactly.

BUDDY: And they don't understand. They could pull a bus up in front of Heaven or JR's or Marion-- what's the name of Marion's bar? I can't think-- Kindred Spirits--

FRANK: Kindred Spirits.

BUDDY: --or any gay or lesbian bar in Houston and just board people up and take them away.

FRANK: Pack them on the buses, take them out to the P-Farm. I've been there before, too.

BUDDY: Because we're gay and lesbian people.

FRANK: Exactly.

BUDDY: 526-4000 is the number to call if you want to talk to us about Frank going to jail. Have any questions? Yeah.

FRANK: One other thing I was touching on. In closing arguments, the prosecutor tells the jurors, and I'm quoting right from the transcript, "First of all, what kind of a place is he working at? Working in? It's called Studs News. As the officer testified, it's a homosexual bookstore. It provides materials regarding homosexual conduct. That's what it is."

BUDDY: That's why I go there. Anyway, let's see what you got. Line two, hello.

CALLER 1: Hello. Yes. I'd like to know why they always had to mess with gay books instead of *Hustler* and *Penthouse*, which shows a lot of acts, you know? [INAUDIBLE] They never touch those magazines, and they also are never-- They also always touch off innocent places instead of some of these child porno places, these underground--

BUDDY: There aren't any child porno places that I know of in Houston. But your question is, why do they bother with gay magazines and not magazines like *Hustler* and *Penthouse*?

CALLER 1: Yeah.

BUDDY: OK, thanks for calling. 526-4000 is the number. That's a good question, Frank because I-- my lover brings home a *Hustler* magazine every month because it's every week how often it comes out. It's got a thing in it called AIDS watch, which is some of the best information I've ever seen printed about the AIDS epidemic. But there are pictures in the back that are very obviously people doing it. You know what I mean?

FRANK: Exactly. There has been some very explicit pictures--

BUDDY: So why are those not obscene?

FRANK: --in what they call some of the monthly magazines. They just dub those as monthly because they come out once a month.

BUDDY: Why not-- why hustler? Why is it still on the show?

FRANK: I can't answer that, and I would like to know the reason why. We have publications, as well, gay publications, *Mandate*, *Torso*, a few of the others, that sometimes, the pictures are very explicit, and they don't bother touching those. And I think in this particular case, the reason why they went to promotion of obscene material was that the ordinance at the time was not doing what it was supposed to be doing.

So therefore, we're going to try another tactic. And I look for them to start looking at *Penthouse* and some of those other monthly publications. If they're going to do it with this one magazine, the next thing is going to be video boxes.

BUDDY: Videocassettes--

FRANK: Videocassettes.

BUDDY: --are going to be disappearing. Do you think it'll come to the point when the bookstores are boarded up?

FRANK: I don't think it's approaching that point.

BUDDY: Because I was down at The Buzz the other night, and I was talking to a kid from San Francisco, and he said they've been closed out in California for years now.

FRANK: Well, the article here, the dark side, I think they put the article in there about Atlanta being the lead test for closing down the bookstores and bathhouses. And I think they had a very good reason behind that. They were trying to put that in people's minds here in Texas. And I think it's just a matter of time before it does actually happen. If they're able to sit there and get convictions, as they have, over circumstantial evidence, it's just a matter of time.

BUDDY: 526-4000 is the number to call if you want to get in on the conversation. We're discussing the adult arcade business in Houston. People really don't know what's going on in there. That's what just kills me.

FRANK: What-- some of the other points are these places are also using sales and tax use permits. As I was saying earlier, they don't mind issuing the permits and collecting taxes, and it just seems to me that if they were going to get tough and get adamant about closing these places, they could start right there instead of playing with the clerks. We are there doing a job. I have to--

BUDDY: Think for a minute?

FRANK: Yeah. I have to think for just a moment. I lost my train of thoughts there for a minute.

BUDDY: You're just there trying to make your living, right? Pay your bills.

FRANK: What I was trying to say earlier was that the district attorney had attacked me from the point of view saying that- I think he called it viable work if that's what I'm going to do is continue working there.

BUDDY: Yeah.

FRANK: And I see it as an income. I'm paying taxes, and I don't like the idea that they are attacking me for doing a job.

BUDDY: While you're just trying to do your job.

FRANK: Exactly. I think that the tape--

BUDDY: Tell him to turn the tape machine on, the recorder. I'm having a communication problem with Bruce. They can't read my lips.

FRANK: I think it's time they stop snooping through-- as we said earlier, snooping through the keyholes of our bedroom doors and stampeding on our First Amendment rights, freedom of speech, religion, publications, and things like that.

BUDDY: That's what people just don't understand that somewhere, somebody is trying to tell you, as an adult, what you're going to be allowed to take home and look at behind your locked doors.

FRANK: I never thought I would see that.

BUDDY: Videocassettes are big rentals everywhere, adult video cassettes. Not only in adult bookstores, down here on in every major video store, they've got an adult section and the same thing. You're not going to be able to take your videos home. I guess it might come to the fact that they just get a search warrant to come into your house and take all your cassettes off the shelf and pop them in and take a look to see what you got.

FRANK: That's the next thing coming.

BUDDY: I mean, what is this? Germany, 1933?

FRANK: People don't--

BUDDY: It's kind of scary.

FRANK: --realize that the ignorance there is and that factor there is very strong. They can come into your home and confiscate your materials, adult materials. I'm being convicted of selling adult material to adults. In the transcript of the trial, the prosecuting attorney says that the people of Houston had asked Vice to come in and work the porno squad as per se and enforce the laws.

BUDDY: I wonder what people.

FRANK: You've got me. He goes on to say also that the six jurors-- towards the closing of the transcript in the trial, he said these six jurors are society, and they have just said that this is obscene material and you cannot sell it. And I just find that a little absurd to say that six people represent society as a whole.

BUDDY: It's just kind of scary to me that in 1988, that you're going to go to jail for selling a magazine, no matter what it is, in a business that's open to the public, and it's like everybody wants to act like they don't know what the hell's going on.

REPORTER 5: Yeah, you know, buddy, you've mentioned several times and made references to Nazi Germany in 1933, and I think a lot of people don't relate to that. But it's real important to remember that in Nazi Germany in 1933, gay rights and the gay liberation movement was farther along than it is in America today.

BUDDY: That's true.

REPORTER 5: People have had rights, that we don't have, in 1933 in Germany. And in really a matter of basically one night, they came in and turned the entire country upside down. The second in command in Germany was an openly gay man, and one of the reasons he was in second in command was it made it very easy for Hitler to keep track of him and all the associates and make it real easy to come in and track all those people down, and that can happen today. It happens in little ways.

BUDDY: What happened to him?

REPORTER 5: He was killed along with--

BUDDY: He was killed right along with the rest of them. That's what kills me. When I worked for the police department, I had a friend that was gay that-- he's no longer with HPD. But he came in one day, and he said, you're out of your mind for doing this show because they're going to know. I said they're going to know because I go on the radio and tell them. The only way they can hold anything over you is when you hide it from them.

And I told him, I said, what's going to happen someday is they're going to come in, and they're going to say, look, we know that you're gay, but we're going to keep it a secret because you want to keep it a secret. If you'll give us a list of 25 people that you know that are gay, or 25 people that you know that are gay that may be HIV positive, or whatever, we'll go out and pick up those 25, but we'll leave you alone.

FRANK: That's interesting that you should mention that because, throughout the time that I've been at Studs, HPD has conducted a license plate kind of scheme. They'll sit in the parking lot and scan the license of all the patrons that are there in the parking lot. And--

BUDDY: I wonder what they do that for.

FRANK: On a couple of occasions, they've come in-- and the City Marshal's office has done the same thing. Of course, they were looking for open warrants. But HPD has conducted the same thing and come in and said, you've got someone in the back, open the door. It's just like conducting a witch hunt.

BUDDY: Which isn't right anyway because I worked for the police department. Now, what if you're stopped in a car that has outstanding warrants for it, and you're driving the car, and they have probable cause to stop you. Yes, they can do that, but they can't pull into a parking lot at Kroger and start running the license plate and then go into Kroger and hold the manager up and say, we want you to stop the business. We're going to start searching your customers. It's the same damn thing.

FRANK: That's right.

BUDDY: And you people can't understand that. I don't know why nobody gets angry about this. I can go into Kroger, or Sharptown Mall, or first Baptist church, or second Baptist church and do the same damn thing.

FRANK: I think it's time that our organizations and the community as a whole start looking at these types of issues--

BUDDY: Oh, they'll get behind you.

FRANK: --and addressing them.

BUDDY: They'll get so far behind you, you won't even see them.

FRANK: And we need to address these type of things.

BUDDY: 526-4000 is the number to call. 526-4000. This is KPFT, Houston After Hours. We're talking to Frank, who, unfortunately, is going to the big house, jailhouse, or whatever you want to call the house. The house is overcrowded anyway.

FRANK: It's on--

BUDDY: They go to the county, right?

FRANK: I'm going to the county jail, 60-day jail term, and I believe it's a two for one because of the overcrowding situation, so I will end up spending 30 days, maybe a few days less for a time that I already served. Getting back to that word that you just said recently, probable cause, which was the probable cause warrant that they issued for my arrest. And it's not unusual that they do these type of things. I never even knew I sold the magazine to the officer.

He contends, at the time, that I sold two magazines just prior to his purchase. I don't remember doing that. Interestingly enough, he didn't know who I was, and, of course, they use the standard FNU-LNU, first name unknown, last name unknown. And at the time, the officer wasn't even sure who I was. I was taken over to the Vice division and looked up on one of those cards. And he finally found the data on me since I'd been working there for, now I guess, about four years, 4 and 1/2 years, and filled in the information.

BUDDY: You've been going through this on and off for four years?

FRANK: Well, the city ordinance has been in place for three years, but this is a case. It's been from June the 1st, I believe, 1987.

BUDDY: Something else that kills me, too, one night, it's been-- oh, I don't know how long ago. Roger's out in the lobby. We had just been downtown eating dinner or something. We were living out in Mission Bend. We had a house out in Mission Bend, and on the way down Richmond, I think it's the asylum. I'm not sure

[INTERPOSING VOICES]

BUDDY: And it just reopened up after remodeling. So we wanted to stop because Roger's the one that introduced me to the bookstores. I love the bookstores. I love men, so you go where the men are. But anyway, Roger wanted-- we wanted to stop at the asylum because it had been reopened after remodeling. So we stopped and went in. It was 2:00 or 3:00 in the morning. I can't even remember whether it was on a weekday or a weekend. But anyway, we just got in there, and I swear to God, I just dropped a token in the thing, and I had worked for the police department here for two or three years.

And in the back of the room, I heard [IMITATES STATIC] one out of 20 checks, such and such. And I thought, Jesus Christ, the cops are here. And the police had come into the bookstore, and they were rapping on the doors, you know, hey, what's going on in there? And I just walked out like everybody else and didn't say anything. They were harassing the customers. And they didn't arrest anybody and what they didn't know was that I work for Houston police.

The very next day, I went to work and got in the computer to see why they were there. Maybe they got a call. That's obvious if they got a call. They get drunks or whatever. Maybe somebody called the police. There were no call slips there. I looked in unit histories, and no one had called out there. So to this day, I still don't know why. If I had had a little more courage, if I had been working here and doing this, I would have said, hey, wait a minute, what are you guys doing in here? Number one, are you on a call? Because I'm a taxpayer, and I want to know what my money's doing. What are you doing in this bookstore?

FRANK: And that's happened to us at Studs.

BUDDY: It's pretty obvious what they were doing. They were just harassing the gays-- the queers on a Saturday night or whatever it was. I didn't like it.

FRANK: It's typical sometimes, just before gay pride. We had a similar incident at Studs, where they had-- four blue and whites pulled up and two motorcycles, and they all converged into the store. I thought it was a massive raid. Told me to open the door. If I didn't, they were going to arrest me, take me out at that moment. I was so scared, I buzzed the buzzer. They went in the back and started beating on the doors with Billy clubs.

As a matter of fact, I even think along the backside, one of the doors is still damaged from a Billy club being hit on the door. And just calling patrons queers and harassing them, and they just got back into their vehicles and left.

BUDDY: That's one reason I go down there so much now. Well, that's two reasons. I can't tell you the one reason that I go down there now. But I would love to be there when the police come in just to see what they're going to do. The majority of the Houston Police are good people.

FRANK: I want--

BUDDY: The vice cops, I'm sure, that came down to arrest you we're doing their job. And I've talked to other clerks that have been arrested. The officers always treat them nice. They're never mistreated. But cases like this, harassment, and all this other garbage have got to stop.

FRANK: I will say this, that vice officers have come in and told us, look, we're tired of doing this. We're tired of coming in. We're doing our job. And it's kind of funny because on a couple of occasions, they said, you can thank the mayor for this. We don't enjoy doing this, but we're doing our job. So some of them have been real decent. I have no argument there at all. What I would hope is that customers rally around the clerks.

BUDDY: That's not going to happen, though, Frank.

FRANK: It's not. It's not going to, and I'm trying to bring that point or that fact up because--

BUDDY: Why isn't it going to happen? Why do you think?

FRANK: Because they don't care. It's just--

BUDDY: They won't care until they're carted off to jail.

FRANK: Until it happens, it's--

BUDDY: And then they won't care because they'll be scared to death to fight it.

FRANK: The same attitude. It's not going to happen to me until, boom, it does. And the clerks are their-- like I was telling a friend of mine, yes, I'm going to jail. I'm going to jail for 30 days-- as it looks, for 60 days, and I've been asked this question when I come out if I will go back to work. And I probably will.

BUDDY: Because you need to pay your rent?

FRANK: Because I need to pay my bills. I need to pay my--

BUDDY: And buy food.

FRANK: My rent.

BUDDY: And clothes.

FRANK: Clothes, and do that type-- keep myself afloat, as I was telling the judge in this case when they were passing sentence on to me. And I told the judge, I said, your Honor, yes, I would continue to do this job if it afforded me to pay my bills, and that had no weight. They just--

BUDDY: They don't care.

FRANK: --told me to take my seat in the cause and gave me 60 days and a \$2,000 fine.

BUDDY: KPFT.

[FEEDBACK]

CALLER 2: Yeah.

BUDDY: You need to turn your radio down.

CALLER 2: OK, hold on.

[HUMMING]

BUDDY: 526-4000 is the number to call. We've got about 10 minutes.

CALLER 2: OK.

BUDDY: What you got?

CALLER 2: I'm a police officer for Houston, and I am gay.

BUDDY: Oh, really?

CALLER 2: Yes.

BUDDY: How come you haven't called me before? No, I'm kidding. I'm kidding.

CALLER 2: This is the first time I've ever listened to you. And a friend of mine had told me to tune in to the radio.

BUDDY: Why don't you call me at home and talk to me? I've been trying to get a-- no, never mind.

CALLER 2: One thing I would like to say on the topic that you're talking about. About three weeks ago, it was on a Friday or Saturday night. I was working, and the partner that I have had mentioned something about them going to a few of the bookstores and harassing a few of the gays. He called them faggots. And I bet my partner-- nobody up there really knows except for a few people that are in the closet that are police officers. He had mentioned something about going up there and wanting to go up there that night because they had a few officers that were going to do this.

He told me that they don't have calls to go up there, but they just do it because they like to go up and harass the faggots. I told him, I said, I will not do it because, one, I could get written up and citation for it if I did it, if I got caught at it. Another reason why I wouldn't want to do it is because I do care a lot about my brothers and sisters, and I did not want to see myself going into a place like that and causing a lot of problems to somebody that I care about. And I think it's a bunch of, excuse my language, BS.

BUDDY: Yeah. Why are you taking a chance calling us to talk on the air now?

CALLER 2: Well, because I've gotten fed up with it. If I get caught, that's their own problem. If they can't handle it, that's their problem. I'm not going to change myself just to accommodate the job.

BUDDY: Would you do me a favor?

CALLER 2: Sure.

BUDDY: Would you call me sometime this weekend and talk to me, please?

CALLER 2: Sure.

BUDDY: Because I worked as a dispatcher down there for four years, and I tried and tried to get someone to call me. Just-- I don't want to go to bed with you. Maybe I do. Maybe I don't. I just want to know that there's an officer out there that cares enough about the community and cares enough about what's going on to say something. I quit my job with HPD not because they harassed me because I was gay. I quit because after I would get off from here on Sunday morning at 4:00, I'd go to work and be at dispatch at 5:30 in the morning, and I did that for a year and almost killed myself. And as--

CALLER 2: I'm to the point where I'm on the verge of just quitting.

BUDDY: Don't do that.

CALLER 2: Well, I've gotten to the point where I'm tired of listening to the other people being harassed.

BUDDY: Stay in there and fight. Do me a favor, please. I don't even-- you don't even have to tell me who you are. Just call and talk to me, would you?

CALLER 2: Sure will.

BUDDY: My number at home is 5294636. It's real easy. It's 5294-- man, did you get that?

CALLER 2: Sure.

[LAUGHING]

BUDDY: But listen, call us up, and I thank you for your comments.

CALLER 2: Thank you.

BUDDY: Sure. See, the majority of the police officers, not just gay police officers, the majority of the police officers are just like you are, Frank. They're going to work, and they're trying to do their job, and they're only doing their job, and their job says that they're going to come down and they're going to bust you, and they're going to do whatever and they don't have any choice.

FRANK: Well, I think--

BUDDY: See, that's something I want people to understand. I am not going to say anything nasty about the police because I love the police department. I worked for the police department for years. And fighting with the police, I'm not going to do that. I love this country. What I'm going to fight with are the Jesse Helms and all those congresspeople that are trying to tell us what we can read and look at in our bedrooms.

FRANK: I think we need to address and send postcards to our senators and people in the House of Representatives and tell them enough is enough. It's like you were saying earlier, as adults, it's really something in the 20th century here going into the 21st century.

BUDDY: Anything that we haven't touched on yet that we need to touch on before we go?

FRANK: Oh, let's see. One person asked if we had considered going to the ACLU.

BUDDY: Call the ACLU.

FRANK: I did call them, and I didn't get a satisfactory response.

BUDDY: Will you come back and talk to us after you get out of jail?

FRANK: Sure will.

BUDDY: Will you take care of yourself in jail?

FRANK: I plan to. I plan to keep in touch.

BUDDY: Well, you know that there are people in there that we may not do anything, but we care about you, and we love you, and we're behind you, and we're going to stand with you through this. I wish I could get 50,000 people to walk around the jail while you're down there, but I can't.

FRANK: Oh, that's understandable. I'm glad you had me on the program.

BUDDY: But there are people that care. We do care about you, and we love you, and we want you to know that I can't tell you what I think this is because the FCC won't let me say those kinds of words on the radio. But it's like the guy that just called in and said it was BS, and that's what it is.

FRANK: Right.

BUDDY: We got to go, but I just want to thank you for coming down and talking with us.

FRANK: Well, I thank you for giving me the opportunity. I'd like to tell the guys at the shop and all the shops around the city to hang in there.

BUDDY: Maybe one of these days, the gay community will wake up, and they'll get their picket signs out.

FRANK: One of these days, I hope they do.

BUDDY: I hope they do before it's too late. Are we ready to go? You got the music, the-- Our theme music? It's on the cart there somewhere.

FRANK: Yeah, right.

BUDDY: Anyway, Rob, say a few words. Very few.

ROB: A few words. OK, cat.

[LAUGHING]

BUDDY: Dog, automobile, homosexual, faggot, die.

[LAUGHING]

[MUSIC PLAYING]

Oh, are we on? Are you on?

ROB: Yes.

BUDDY: Listen, kids, I forgot to tell you. November 27, the celebration of life rally in front of City Hall, remembering the life and death of Harvey Milk. It's the 10th anniversary of the assassination of Harvey Milk. After Hours and the community are putting together this rally for you, and it's going to be wonderful. Beginning next week, we're going to be giving away copies of the video, the life and times of Harvey Milk, and copies of the book, *The Life and Times Of Harvey Milk*. To win, all you got to do this in your name and address on a postcard to *After Hours*, KPFT 419 Lovett, Houston, Texas, 77006. We're going to start drawing next week, and you could win a video or a book.

And on November 18 and 19 at the River Oaks Theater at midnight, After Hours, and KPFT, and the River Oaks Theater, and Lobo, that wonderful little leather-- well, it's not a leather place. It's a novelty shop down on Westheimer. They're going to be presenting *The Life And Times Of Harvey Milk* absolutely free. It's a free midnight showing at the River Oaks Theater. We'll be telling you more about it next week. Next week what's happening, baby? Can you remember?

ROB: Not right off the top of my head.

BUDDY: I can't remember either.

ROB: But it'll be a great show.

BUDDY: Anyway, it'll always be a great show. Thanks for listening. If you want to be on the show or you want to call us, my number is 5294636. That's here in Houston. Or write us at *After Hours*, care of KPFT. We'll be at the station for a while, 526-4000 if you want to call. Until then, this is Buddy for the gang saying--

ROB: Good night.

BUDDY: Bye. I love you.

[MUSIC PLAYING]

MAN: We must destroy the myths. Once and for all, shatter them. We must continue to speak out, and most importantly, most importantly, every gay person must come out.

[CHEERING]

As difficult as it is, you must tell your immediate family. You must tell your relatives. You must tell your friends if indeed they are your friends. You must tell your neighbors. You must tell the people you work with. You must tell the people at the stores you shop in.

[CHEERING]

And I ask people all over this--

[MUSIC PLAYING]

And I ask people all over this country to do one thing, come out. Come out, America. Come out.

[MUSIC PLAYING]

[SPOOKY SOUNDS]

MAN 2: The mystery continues. As you recall, a large crater had been found at Edwards Air Force base. Our story continues now with a trucker on Interstate 10 somewhere in Arizona.

[MUSIC PLAYING]