

[MUSIC PLAYING]

- I'm Michael Callen, 90.1 FM KPFT Houston, and one o'clock in the morning.
- Yeah, where the hell is Frank, girl?
- Oops.
- Please don't do that. You keep touching that microphone, and it sounds like a Scud missile going off.
- Yeah.
- It's not like the old one.
- I noticed that, and I [? notice ?] the show.
- You can't touch it.
- Frank, is not feeling well. He can't touch this. Frank is not feeling well.
- No.
- Is Frank listening to us?
- Frank is probably listening to us.
- Frank, if you're listening, please call me. I need to talk to you. You know the number. 526-4000 or 526-KPFT, and this is After Hours, and we'll be back in just a second.
- OK?
- Yeah.
- OK.

[MUSIC PLAYING]

- This community radio station thanks you for your pledge. You should have received a statement in the mail by now. Please pay your pledge as soon as you can, so you won't forget. You can call 526-KPFT to charge your pledge by phone if you wish. This broadcast is made possible by you.

[MUSIC PLAYING]

- [? Wilde ?] and Stein, a celebration of pride.
- For and by gay and lesbian people.
- I'm Bruce Reeves.
- And I'm Deborah Bell.

- And we are two of the members of the [? Wilde ?] and Stein collective.
- Coming to you every Monday evening at 9:00 PM.
- Featuring a community calendar.
- News.
- Interviews.
- Music and more.
- Help us celebrate by tuning in to KPFT 90.1 FM.
- Mondays at 9:00 PM.
- [? Wilde ?] and Stein every Monday at 9 o'clock right here on KPFT.
- Yep.
- The longest-running gay and lesbian program in the history of Houston.
- Yes, in the world, I think.
- Is it really?
- Yeah, it's been going on for-- I mean, since I was young.
- This is the longest broadcast of the gay and lesbian radio show, and we're on for four hours.
- Yeah.
- Good god. Four hours every Saturday night at midnight.
- Ta-da.
- And we're the only radio show in Texas [? solicited ?] in Bob Damron's guide to the world.
- Isn't that amazing?
- Isn't that a shame?
- Every Saturday night at midnight on After Hours we play music.

[MUSIC PLAYING]

- After Hours, every Saturday night at midnight right here on KPFT Houston, 90.1 FM.
- See, they hit me notes.
- James called for Buddy. What does that mean?
- James called for Buddy.

- James who?

- I don't know.

- James Madison? The guy on the \$20 bill will bring money, honey. Speaking of honey, I met the nicest man at the tubs tonight for--

- Right? Really?

- Rose Shannon or Rock Island or someplace out in the boonies.

- Yeah, those are little small towns.

- I'm just kidding. I kind of like jumped on him out there.

- Did you?

- Yeah, well, that's another story, but we're not going to tell that story.

[LAUGHTER]

- I'll hear that later.

- Frank-- did Frank call?

- I don't think Frank's called yet.

- Frank's probably asleep. Frank is not feeling well tonight.

- No.

- I'm not either, but-- no, actually, I feel pretty good. Five minutes after 1 o'clock, and where's our guest at?

- They're in the lobby.

- Oh, are they?

- Yes.

- Well, how come you didn't get them yet?

- Well, because we haven't done the opening, and all--

- We won't do that for a few minutes. Go get them, Mary.

- Oh, OK.

- Well, bring them in. So I can say, hi. Did you bring my mus-- did they play our stuff.

- Boy, did they.

- Did they like it, though?

- As a matter of fact, around all of that kind of art--

- Tell me what happened because we're talking about--
- There's just people all over the place looking at all the art.
- We're talking about the art that's on display at Diverse Works. It's called, Out.
- Out.
- Voices of something.
- Here it is right here.
- Yes.
- We're all scrambling for the flyer.
- Voices-- Voices from a Queer Nation. How did we forget that?
- And it was a Texas Human Rights Foundation benefit tonight at Diverse Works. By the way, this is going to be on display out there for several weeks, right?
- Yes, it is, and they're open like, ten to five.
- And we provided-- After Hours provided the music or the noise that they listen to tonight.
- Did they like it?
- Great, yes.
- Did they like it?
- I saw people tapping their toes and stuff like that.
- Well, they're not--
- As a matter of fact, with all of this kind of performance art that they have, I was thinking that that first 90-minute tape would have been great because you have all of the funny commercials and stuff--
- Well, the didn't give me enough money for that.
- Oh, I see.
- I'm just kidding.
- Actually, they didn't give a cent. No, it was-- what was it, Mary?
- Gratis.
- Yeah, we did that because we love what we're doing. What is it we're doing? After Hours on KPFT.

[MUSIC PLAYING]

I don't know why you're listening. It's the same old stuff week after week after week. Radio celebrating life from the heart of Montrose.

- Girl, I can't believe you did that.

- Well, it is. We're here.

- And we're queer.

- 90.1 FM, KPFT, Houston.

- Yeah.

[MUSIC - MIKE AND THE MECHANICS, "FROM THE WESTSIDE TO THE EASTSIDE"]

[CHANTING]

- You certainly won't get it on CNN.

- Uh-uh, honey.

- After Hours, 90.1 FM, KPFT, Houston. We're here.

- And we're queer.

- We certainly are.

- Ta-da.

- And each and every week we're here, and we're queer.

- Oh, God, I know it. It's awful, isn't it?

- It's great.

- It is. It's fun. What am I saying? OK, hang on a minute.

[MUSIC PLAYING]

- Here's a word from our sponsor.

- Oh.

[MUSIC PLAYING]

- Here it has. Become butch or nellie in less than a day simply by taking the little pink pill. There's no need to recruit, seduce, or rely on environmental conditions anymore. The little pink pill does it all. Just one tablet before breakfast breaks the cycle of heterosexuality for a full 24 hours.

For years, heteros have been asking gays if they would take a pill if it would make them straight. Well, at last, Queersville Labs have responded to this dilemma by giving heteros a taste of their own medicine. Yes, the little pink pill does it all. The boring, cliched life of a heterosexual can vanish in one gulp. Mrs. Betty Morgan of Gresham Oregon talks about the little pink pill.

- My life was a mess. Bridge clubs, gross husband, alcoholism, you name it. Then one morning, I got my act together and took the little pink pill. In an instant, my sexual orientation changed as did my desire to be married. Well, within a week, I ditched my old man, met a terrific woman, and got joint custody of my children. All this without water retention, headaches, or loss of appetite. Thanks little pink pill. You made a new woman out of me.

- Results may vary but don't consult a physician. The little pink pill. It does it all.

[MUSIC PLAYING]

- That's why we're here, isn't it? May I remind you that love is against the law, that love as we know it is a criminal activity, that lovemaking involves illegal acts. We are here because we have committed them, and we enjoyed them enormously.

[CHEERING]

We are an army of lovers. That is a fearful thing. We are the only minority group also that you can join overnight.

[LAUGHTER]

In the twinkling of an eye, in fact. We, who have committed the crime of loving, we are freed with more risks than servitude ever offered. We dared to know pleasure. May I say pleasure again. I don't think it's been mentioned much today. We had guts enough to love. They tried to cover this with guilt, shame, dishonor.

They made it as awful for us as they could, but it was wonderful. It is getting more wonderful. Fellow criminals, never forget your nights in the days of yore fighting for their freedom. Remember this experience. It is the tenderest, finest moment of our lives. And in the clamor for our civil rights, always remember that they never granted them nor withdrew them. They only stole them.

And remember, most of all, that we have so much more to give them than they have ever taken from us. We have been places. We have known things, seen, suffered, feared, felt, experienced ecstasy, hell, wonder all through our illegal acts. They have brought us the full richness of the human experience. Our freedom, finally, when they understand it at last, is theirs. So keep loving, keep making love, and soon there will be enough. Thank you.

- It's called, for the straight folks who don't mind gays, but wish they weren't so blatant.

[CHEERING]

- You know, some people got a lot of nerve. Sometimes, I don't believe the things I see and hear. Have you met the woman who's shocked by two women kissing, and in the same breath, tells you that she's pregnant, but gays shouldn't be blatant. Or the straight couple sits next to you in a movie, and you can't hear the dialogue because of the sound effects, but gays shouldn't be blatant.

And the woman in your office spends your whole lunch hour talking about her new bikini drawers and how much her husband likes them, but gays shouldn't be blatant. Or the hip chick in your class, rattling a mile a minute while you're trying to get stoned in the John about the camping trip she took with her musician boyfriend, but gays shouldn't be blatant.

You go in a public bathroom, and all over the walls, there's John loves Mary, Janis digs Richard, Pepe loves Dolores, et cetera, but gays shouldn't be blatant. Or you go to an amusement park, and there's a tunnel of love, and pictures of straights painted on the front, and grinning couples coming in and out, but gays shouldn't be blatant.

The fact is, blatant heterosexuals are all over the place. Supermarkets, movies, at work, in church, in books, on television every day and night, every place even in gay bars. And they want gay men and women to go hide in the closets. So to you straight folks, I say, sure, I'll go, if you go too, but I'm polite so after you. Thank you.

[CHEERING]

- The good homosexual by James Carroll Pickett. The good homosexual accommodates himself, checks fantasies, behaves properly, purchases good taste, practices impeccable hygiene, begs respect from oppressors. The good homosexual reads only what is recommended, attends all the Westwood cinema, attains season tickets to the Music Center, votes the straight GOP slate, retires from controversy, amasses financial security no matter the social toll, finds AIDS embarrassing, but donates \$50 a year anyway anonymously.

The good homosexual subscribes to GQ, laughs the loudest at fag jokes, laments the demise of *After Dark*, prefers porno in brown paper bags, browses Crown Books where he purchased *After The Ball*, displays *National Geographic*, misses *Dynasty*. The good homosexual restrains impulse, sustains racism, objects to gay as too frivolous, refers to himself as a bachelor, contains passion, remains invisible, maintains there is nothing amiss.

The good homosexual swallows bigotry, suppresses ecstasy, drives a family sedan just like old dad did, kisses with a dry mouth and closed lips, wears a condom on his tongue just in case. The good homosexual nurtures propriety, derives morality from TV shrinks, believes there might be something to inanity, shushes all profanity, insists on anonymity, despises sodomy, fails to see why dykes have to be so pushy.

The good homosexual drinks Coors beer, as advertised in good homosexual publications, keeps up appearances, longs for the cops to crack down, engages a female for social occasions, relishes assimilation, irons crisp creases in casual jeans. The good homosexual quells excess, attacks radical fags, experiences madness in discreet little doses, waters down intensity, embraces mediocrity, reaps his own self righteous vanity, does not grasp why silence necessarily equals death. The good homosexual kills queers.

- That's right, Ma. You had it easy. You lost your husband in a nice, clean hospital. You know, I lost mine? I lost mine on the street. That's right. They killed him on the street. 27 years old laying dead on the street, killed by a bunch of kids with baseball bats. That's right, Ma. Killed by children. Children taught by people like you because everybody knows that queers don't matter. Queers don't love, and those that do, deserve that they get.

[MUSIC PLAYING]

[CHANTING]

- For love and for life, we're not going back. For love and for life, we're not going back. For love and for life, we're not going back.
For love and for life, we're not going back.

- I think that's Robin Tyler on the stage leading the chant. For love of for life, we're not going back.

- Good afternoon, and welcome to the National March on Washington DC for gay and lesbian rights and choral reciting.

[CHEERING]

- Let's hear it out there.

[CHEERING]

- I'm Leah Valeria.

- I'm Bruce Hopkins.

- I'm a dyke.

- I'm a faggot.

- And we're best friends.

- I want you to savor this next moment. I have the proud task of telling you that the official count of the lesbian and gay rights march. The official count is over 500,000 strong.

- It's all right. You may all come out.

- 500,000 strong. Look at you. 500,000 strong. 500,000 strong. One of the largest marches in United States history.

- It's all right. You may all come out.

- One of the largest marches in United States history. 500,000 strong.

- We parents want to persuade society that our gay children are not acting out of defiance and self-indulgence. They're being true to their own nature. Our children are fine men and women, and we say to society that the parents and friends of lesbians and gay men will support their children.

- They've got to understand something. They've got to understand something. We are not talking about [? straight ?] politics. This is not a movement from the waist down. We are talking about our right to love and to choose and to live, and I don't care about straight problems, and I don't care about straight understanding. You better hear me in Washington. We are demanding-- we are demanding our civil rights.

- Harvey, do you have a few words for KPFA?

- Come on out. Join us. Bring your friends.

- What do you think about the turnout so far?

- Well, it's never enough, never enough, never enough.

- 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.

- It's all right. You may all come out.

- 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 in the stores you shop in.

- It's all right, you may all come out.

- Once they realize that we are indeed their children, that we are indeed everywhere, every myth, every lie, every innuendo will be destroyed once and for all. Once you do, you will feel so much better.

- It's all right. You may all come out.

[CHANTING]

- They've got to understand something. They've got to understand something. We are not talking about [? straight ?] politics. This is not a movement from the waist down. We are talking about our right to love, and to choose, and to live, and I don't care about straight politics. And I don't care about straight understanding. You better hear me in Washington. We are demanding-- we are demanding our civil rights.

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

[CHEERING]

[CHANTING]

- You know what?

- What?

- I'm still threatening to play that, one of these days, for four hours.

- For four hours.

- I think that's all we should play. Just this.

- What do we want?

- Gay rights.

- When do we want it?

- Now.

- You think that'll get the message across?

- Probably not.

- Maybe we could play it until they brought us \$1,000. Either that, or everyone's going to [? slip ?] this woman in. I love this woman.
- Oh, yeah.
- They've got to understand something. We are not talking about [? straight ?] politics. This is not a movement from the waist down. We are talking about our right to love and to choose and to live, and I don't care about straight politics, and I don't care about straight understanding. You better hear me in Washington. We are demanding. We are demanding our civil rights.
- Anyway, that's kind of fun.
- Mhm.
- Well, 34 minutes after 1 o'clock.
- Is it?
- KPFT, Houston, 90.1 FM. We're here.
- And we're queer.
- We certainly are.
- And you were out at Diverse Works tonight?
- I sure was.
- I wanted to go, but I couldn't.
- Well, you were working.
- And we have a woman here tonight to talk to you about the Texas Human Rights Foundation.
- Mhm.
- And why you were at Diverse Works.
- That's right.
- So stay with this, and we won't be listening to Frank because she's not here, which means I have to change my plans, Mary.
- I know.
- Speaking of plans, I've got some, and I plan on leaving in a few minutes.
- Do you?
- Yes, I do, and you can't stop me either.
- I don't know.
- Oh, please, hang on a minute.

[MUSIC PLAYING]

- Who is it?

- Well, girl, I just play 'em. I don't read them 'em.

- Tom Petty from his album, *Full Moon Fever*, and we're going to give you the full-moon treatment.

[MUSIC PLAYING]

- It's called [? Doubt, ?] Voices from a Queer Nation, and there was a benefit tonight out of Diverse Works at 1117 East Freeway here in Houston for the Texas Human Rights Foundation. And this particular show is going to be at Diverse Works until June or something, right? Do you know when it's going to be there?

- I believe it's there until the 16th.

- June the 16th?

- And we are talking to--

- Susie Wagers. I'm the director of development for the Texas Human Rights Foundation.

- Susie, this is well worth the trip out on the East Freeway, right?

- Oh, yes, everyone who came in lamented that they could not find it, and I, thankfully, being in from Austin, didn't even have to worry about driving. I'm like, I'm here, help me around please, and they did.

- So you're with-- what position do you hold with the team?

- My title is officially director of development and administration, which basically means I raise money or try to.

- Well, welcome to After Hours.

- Well, thank you very much. It's certainly appropriately named.

- Yeah, it certainly-- well, it used to be, but we used to come on at two in the morning. From two until four. Just two hours. That's why I called it After Hours.

- Right.

- After the bar is closed.

- Right.

- We couldn't change it to After Midnight because we have all this stationery printed that says After Hours.

- Yeah, when you shell out your own money for the stationery--

- You want to keep it. I understand that.

- When we run out of stationery, we're going to call it the Buddy, Jim, Frank, and Kirk Show.

- That sounds good. I like that.
- It's a long story. Well, speaking of stories, tell us what the Texas Human Rights Foundation is.
- OK, yeah, that'd fun.
- We wondered where we got our rights at. We ain't got any.
- It's such a generic sounding organization. I always tell people, I have individuals call very frequently who want legal advice, say, a woman who is getting a divorce from her husband. And I say, hm, well, we're a statewide litigation organization. We do work on behalf of gay men, lesbians, and HIV-positive individuals. And usually, sometimes, I get laughter. Sometimes, I just get click, bye. Sometimes, I mean, the responses that it elicits are very surprising at times.
- Well, I'm sure there are words that we can't say on the radio.
- I'm sure you're very right. My mother wouldn't forgive me.
- The Texas Human Rights Foundation was instrumental in the sodomy case, right?
- Exactly.
- In Travis County.
- That's what I'm here to talk about this evening. Not primarily, but to give people an understanding of THRF and exactly what our involvement is in this lawsuit challenging section 2106 of the Penal Code--
- First--
- I'm sorry.
- Go ahead.
- Which is, of course, commonly known as the sodomy law. A lot of people don't like that, but then again, a lot of people just know it as the sodomy law. And it makes illegal consensual sexual relations between individuals of the same sex. Texas is really one of the states in which sodomy is illegal only between persons of the same sex. It's not illegal between heterosexuals, which I think says--
- Discrimination.
- Exactly, it's written all over it. And before I talk about 2106, and the history of THRF, I would like to take a moment to talk about what brought me here, which as you said, was the art show.
- The catalacker.
- Yeah, I wish, honey.
- Entitled, Out, Voices from a Queer Nation, which is at Diverse Works. It features work from 30 artists who are gay and lesbian around the state and addresses homophobia, AIDS, other issues specific to the gay and lesbian community. And it's unique in that the individuals participating are the ones impacted by homophobia, and that is gay men and lesbians. And to my knowledge, it's the first show of that nature to be featured in the state of Texas.

- What's the reception been like from the city?

- I was not here for the opening, and I'm so angry because it was [INAUDIBLE] gala event, and I do mean gala, which I believe was two weeks ago.

- Yes, it was.

- Yeah, was it? Tell us about it, but this evening, we did not hold a benefit. It was free to the public.

- Oh, it wasn't a benefit?

- No, it wasn't, which was really a relief because we couldn't classify it as a flop even if we had two people turn out really because it wasn't to raise money. It was urge people and give them incentive to come out and see the show.

- Oh, well, great.

- Right, because it's very powerful, and we believe it addresses issues that every gay man and lesbian or anyone interested in civil rights, regardless of their sexuality, should be interested in.

- Well, then I stand corrected on that because I thought it was a benefit.

- Really, Buddy.

- Well, at least one or two people came out because Jimmy said it was packed, right?

- Yeah, it was very successful, very successful. A lot of people came out and joined the show, and we as Texas Human Rights Foundation had our board members there, and basically, had information on hand, and we talked to people about what we do, about the lawsuit. Not specifically the lawsuit, but just about THRF, and as I said, that's why I'm here because we have this generic name, and we are a statewide agency. And I laugh constantly because there are so many of us. So many different nonprofit organizations THRF, it's alphabet soup, and a lot of people don't really know what makes you distinct.

- And because it's kind of a generic name, people may not realize this is a gay and lesbian organization.

- Which can be beneficial. We office with the Lesbian Gay Rights Lobby, and because of that, they get a lot of calls, hate calls, and we don't. I think, as I said earlier, not a lot of people know what we do. And so I guess, I'll take this opportunity to talk about exactly what we do.

- What do you do?

- What do we do anyway? THRF has been around for 14 years, and interestingly, it was founded 14 years ago by an attorney here in Houston. And initially, I believe it was known as the Houston-- I believe it was Civil Rights Project, but that's-- I could be wrong, but it was the Houston Human Rights or something. And Robert Schwab was the founder. He was an attorney here and a gay rights activist obviously.

And initially, really, the description of the organization is that we're a statewide nonprofit that fights discrimination on behalf of gay men, lesbians, HIV-positive individuals through litigation. We file lawsuits. That's what we do. There's another organization that does lobbying through the legislature. We are not involved in that. We work with the courts.

- You get them through the courts.

- That's right. We zing 'em.

- What you do is take the bastards to court.

- That's right. We're going to nail you, or we take action by threatening and many times lawsuits.

- Does that usually work?

- In some cases, and at this point, I will talk about the history, as I said. This is not the first time that THRF has been involved in challenging section 2106. We initiated the lawsuit very early on in 1979 called Baker versus Wade, and it resulted in 2106 being declared unconstitutional in 1982. So, yeah, we won, and it was off the books.

- I remember that.

- Oh, you're older.

- It wound up in the Supreme Court, which we all know that story.

- Right, at that point, the lawsuit was filed under the federal-- it was a federal case.

- So you file suits for folks.

- Exactly.

- Let me give you an example. We had a young man call one time, and he won an album on the show. Like, people win records all over the country, right, on radio shows. He was in his office working on his own in the middle of the night getting his payroll ready for Monday morning.

A driver that works for his company happened to come in and listen to all this on the radio. Monday morning, he was called into his office, and he was fired for promoting homosexuality in the workplace only because he won a record album here, and he filed a lawsuit somehow on his own. But one, could Texas Human Rights Foundation have helped him with that.

- Possibly.

- Possibly?

- Really, the setup is the Board of Trustees for THRF is primarily composed of attorneys, and we have a litigation committee specifically, and a legal director by the way. His name is Margaret Tucker, and what they do is really do intake and talk to individuals who think they may have a lawsuit.

And then she goes to the litigation committee. They talk about it and see if this is something we might possibly want to financially support. As I said, we've been involved in a lot of different, really, litigation areas in the past. But at this point, our primary focus is getting 2106 off the books.

- Would you deal-- excuse me, would you deal mostly in things that would help all people rather than individual--

- Exactly, exactly, and--

- Which makes a lot of sense because these cases are very, very expensive.

- Let's talk about it. Really, that's why they hired me. They said, get someone in here to raise money for this case specifically. The lawsuit, which is entitled Morales et Al versus the State of Texas, was filed initially by the Texas Human Rights Foundation April 12 of 1989. There are five plaintiffs in the case.

Five individuals who are each prominent in their own communities. Linda Morales is the named plaintiff, and she is here in Houston. We have two plaintiffs in Dallas, and two in Austin. And a lot of people, I think, are confused and believe that these five individuals got together and decided to file this lawsuit, which is not the case at all.

The Texas Human Rights Foundation conceived of this lawsuit a long time ago, but in order to file, had to have individuals who are willing to come forward and say, we violate this statute and will continue to do so. So obviously, they displayed a lot of courage in accepting the role of plaintiff. But as a result, I think a lot of people see the individuals, but they don't see the organization behind it.

- That's not always the case.

- Right, exactly, in a nutshell, THRF conceived of the lawsuit, sought out individuals who were willing to be named as plaintiffs, and we are paying all court costs and attorneys' fees in the case, which at this point, is \$60,000 basically. And that's really--

- I'm not sure that's [? cut ?] right. The price is too.

- Exactly, we found an attorney in Austin to handle the case. His name is Patrick Weisman and Nell Horn, who is one of the co-chairs of our board, along with Donald Skipwith, who is an attorney here in Houston, is serving as of counsel on the case, which means, basically, she works closely with Patrick and helps him where it's needed is really THRF's representative in the case. A lot of people know something happened in December about the case.

Something happened. We won something, I think, or something, and what happened was that was the first level. There were really three levels, three rounds. There's a trial court, appellate court, and then Texas Supreme Court. Now, this-- right, this lawsuit really challenges that section 2106, violates right to privacy under the Texas Constitution. It's a state case. It's not a federal case. The federal--

- So it won't go to the Supreme Court?

- No, no way. It may possibly go to the Texas Supreme Court--

- But not the Federal Court.

- Exactly, they are distinct, and I think a lot of people are confused. The success and challenging sodomy laws, and there has been quite a bit recently. Michigan's was recently overturned, as was Kentucky's. What we're seeing now is state by state the law is being challenged and won. So what happened was, it was, as I said, filed initially in April.

Finally, we got a hearing at the trial-court level. And the 200th district court Judge Paul Davis was presiding. He heard oral arguments, took about an hour, and he said all-- and we fully expected he would take it under advisement and come back with a decision, a written opinion, although we were guardedly optimistic. But he ruled from the bench. I mean, he came back and said this statute is unconstitutional.

- I remember that night.

- Personally, for those in the courtroom, it was the most validating experience. I mean, the court erupted. Cheers, we're legal, we're legal.

- Only in Travis County.

- Well, OK, let's talk about that a little bit because there's a lot of misinformation around. OK, now, although it was a trial court ruling, and I'm not an attorney. This is also funny. I wear suits so people will think I know what I'm talking about when I'm talking about the lawsuit because of all people with THRF, I'm not an attorney. I do fundraising. Thank you, but I have educated myself obviously so I can talk about this.

- You hang out with those guys.

- Right, right, all those lawyer types.

- So tell us about this statewide thing.

- Right, when it was declared unconstitutional, it was applicable statewide. It's off the books in Texas. The *New York Times*, when they ran a map saying where sodomy laws were still on the books and where they weren't, Texas did no longer have one. It was gone. It's gone, but a trial-court ruling is not written as a body of law, which means it's of very little precedential value.

So if for some reason someone was prosecuted under the statute in maybe some conservative county, a judge there is not bound by this decision. It doesn't set a precedent. He's not held to it and cannot point to it and say, oh, look, this is the grounds for my decision. So due to that, it was a victory but didn't decisively answer the question, is this constitutional or unconstitutional? For that reason--

- And that's what we're looking for.

- Exactly, for that reason--

- So we just won a big inning. So how do we win the game?

- Right, exactly. That was round one, and we won, and it was very validating, and it gets the momentum going. But it was appealed, but Attorney General Dan Morales on April 5th--

- Which is good.

- Which we welcomed. Yes, we welcomed--

- So did the opposing team.

- Yeah, talk about a win-win situation. I mean--

- Everybody's happy.

- That's right. We all are. Let's have a party together. Homophobes are going, yeah, yeah, appeal it, and we're saying, yes, please appeal it. Because the party line is basically that we want further resolution of the issue. It needs to be. It's been appealed to the Third Circuit Court-- excuse me-- in Austin, and it will be heard probably around Christmas at those legal timelines are. It's indefinite. It goes on forever, and we all age.

Probably around Christmas. Excuse me, I'm coughing to death. Probably around Christmas. Now, if we-- meaning THRF-- if we win at that level, there is no question of whether or not it will be unconstitutional anywhere in the state of Texas. It will be written. It will be a precedent. That will be it. It will be off the books.

So my job is to go around taking on radio shows, talk to people, and say, December 10th, yeah, if you were there or you know about it, that was great. But now is really the time to get involved, because if we win at the appellate level, that's it. We are legal. And of course, from that point, the attorney general's office could appeal-- excuse me-- to the Texas Supreme Court.

- How likely is that with Morales and Ann Richards in the governor's office?

- Well, supposedly, a spokesperson for the attorney general's office has said, if they lose at that level, they will appeal. Frankly, I do not know. We do not know, and we're handling it, obviously, one step at a time. It's such a slow, molasses sort of process anyway. It's possible. I have no idea if it's probable. We'll see. We'll see. I think certainly with Ann Richards being in office, we have-- and with Glen Maxey being elected, the tide is changing. I mean, we have people who are willing to listen.

- Tide changed a long time ago. I mean, I'm here and down there.

- Right, exactly. So we'll see. I mean, it's just a matter of wait and see, but it's a matter of educating people about 2106.

- We don't want them to be complacent thinking that it's all done and over with. There's still lots of work to go.

- So where do you get the 60,000?

- Thank you for asking me that, Buddy. Thank you so much. I implore people who are listening-- no, I just-- education, exactly like this radio show, doing this with Diverse Works, talking about-- when I came into the job, a lot of people even then didn't know about 2106. Thanks to the December 10th victory, a lot of people now do know, but they don't know who's doing it. They don't know, well, gosh, if I want to support that, who should send money to. And it's the Texas Human Rights Foundation.

If I want anyone to come away with any knowledge from the show, it is to know what 2106 is. Why it's important to get it off the books, but especially to know that, oh, yeah, that generic sounding organization, the Texas Human Rights Foundation. That's what they do. THRF, they're the ones behind it, paying for it. That's what I want people to know and also, of course, to know that-- excuse me-- we are a membership organization and that they can join and send us contributions.

We are nonprofit. All contributions are tax deductible to the fullest extent of the law and to get involved, to tell their friends about 2106, to say, do you know this is just around the corner? This is going to happen at Christmas. Because believe me, I know that there are a lot of important issues. I mean, there are a million things to get involved in, but I can't think of one that's more important.

- This case will be in court before you know it. I mean, today is June 2nd. Is that right?

- Mhm.

- It's already June. We just did Christmas.

- OK.

- That's right.

- So it's going to be Christmas before you think about it.

- Well, Susie, let me put it to you this way. There are probably people out there that say, yeah, I know there's a 2106, but it doesn't affect me. I mean, I live my life. I have a lover, or I go out cruising, and I've never even heard of anybody who's been arrested for 2106. So what's the big deal?

- Right, it is so frustrating because I personally have friends who say the same thing to me. Susie, what's the big deal? And I'm very glad you asked me that because it's not-- how can I put this without really, really getting on the soapbox.

- Get on the soapbox.

- OK, thank you. You invited me.

- We do it all the time.

- Good, great, well, it's my turn then, and a lot of people say, well, 2106 is just about sex.

- Well, I say, no, no, not at all. It's not the case. I want to know, my question is, how gay men and lesbians can truly be considered equal if we're stigmatized as criminals? I mean, think about it. To me, it is no different from saying that an African-American is 2/3 of a person. It's just-- we have miles to go in the movement. 2106 is used as the basis for discrimination by every homophobic individual, homophobic institution you can think of.

- And it is that big weight that sits on top of us. It's the big weight that sits on top of the gay and lesbian police officers at HPD that see me but are afraid to come out because 2106 is there.

- Right, exactly, and it's a sort of cyclical phenomenon.

- Right.

- People are afraid to come out because of this. And, frankly, it just has to be removed. Once it is, I think it will set in motion so many things that need to be done for the movement. I mean, Deborah Tandberg recently filed a marriage bill, which of course, immediately died. He got a lot of press, but I mean, if we weren't stigmatized as criminals, remove that, and a lot of the homophobes wouldn't have that to point to.

How can they have marriage rights? How can they have joint property rights? I mean, they're criminals. What they're doing is illegal. Employment opportunities. As you said, you mentioned, Mike England specifically, a woman who is qualified in every way to serve in the Dallas Police force was denied any employment opportunities.

She couldn't even try because she was openly a lesbian, and Mac Vines who was the police chief at the time, just said, well, sorry. She's a criminal. She's a criminal. The military is so homophobic, and they can point to this and say, hey, we'll beat you. You're a criminal. That's right. All the time.

- But when you stand up to them, like Perry Watkins did, whoops--

- That's right. That's right. It happens all the time. Lesbian mothers are denied custody, and this statute can always be pointed to.

- So where do we--

- And gay fathers.

- Where do we send you money?

- To me. Make it payable. Texas Human Rights Foundation and the address is 601 West 18th in Austin, Texas, 78701. And if anyone would like--