

Casco Bay Weekly



CRUISING

Portland has a new ordinance designed to stop cruising for sex in the West End and Parkside. But all the law has done so far is shift the activity to other parts of the city. Is there a public policy on public sex that actually works? See page 8.

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■ AL DIAMON

“Bob” visits a popular Portland cruising spot nearly every week. He knows the rituals, the dangers and the pleasures, and he usually finds a willing partner.

Sometimes they have sex in his car. Sometimes they do it on the grass in a nearby park. But Bob is unconcerned about Portland’s new anti-cruising law.

“That doesn’t have anything to do with me,” he said. “I’m not queer.”

Bob is correct. While police officers have stepped up their efforts to make sure the ritzy West End isn’t used as a meeting spot for gay men, Bob, a heterosexual who asked that his real name not be used, is unharassed by the cops as he navigates through the Old Port in search of women he can pick up. He — and most of Portland’s policymakers — see little similarity between his activities and those of the equally anonymous gay men driving along the Western Prom. As far as they’re concerned, the gays are a nuisance to wealthy residents. Bob is just a normal guy doing what comes naturally.

Even before the gay cruising scene settled in the West End, there was a fundamental difference in community attitudes toward the sexual rites of same-gender and different-gender couples. Homosexuals cruising in Deering Oaks were routinely threatened with violence and exploitation by heterosexual street punks. The usual police response was to intimidate and harass anyone spotted hanging around the park, victims and perpetrators alike. Compare that to heterosexuals trysting after dark on the Eastern Prom. At most, the cops warn them to put their clothes back on and move along. Nobody, to date, has suggested the city needs a new law to deal with young heteros in lust.

Check out the gay hustlers that congregate on Congress Street near Longfellow Square. If you can spot them, that is. The fear of arrest keeps their profiles so low they get sidewalk burn on their chins. By contrast, anybody who can correctly identify the big letter at the top of the eye chart can locate the heterosexual hookers in Parkside. They’re the only ones waving to passing police cars.

Portland’s scene for gay youth is so far underground that even some of the participants can’t always find it. If you want to connect with straight mallrats, try the food court

The message is clear: Cruising is OK as long as it’s not called that, and as long as it’s not homosexual.

There’s another message, as well, one the politicians at City Hall don’t seem to hear: Gay cruising goes on, no matter what straight community standards or the law say.

Not in my backyard

For decades, Deering Oaks was the gay cruising spot in Portland. In spite of assaults, robberies and occasional police crackdowns, the park was a nationally known magnet for those seeking sexual partners. City officials ignored the activity because it occurred mostly after dark, and if it disturbed anyone it was usually residents of the low-income, transient Parkside neighborhood, which had little political clout. But in the 1980s, yuppies intent on making a killing in real estate began moving into Parkside. They quickly realized the sleazier aspects of the Oaks weren’t helping their property values. In addition, the cruising was becoming more overt, and was increasingly visible during the daytime.

“Lots of people objected to not being able to go into Deering Oaks because somebody was always saying something to you from a car,” said Alexander Wallace, a former board member of the Parkside Neighborhood Association. “I found it offensive when I was jogging and someone came cruising past me and said, ‘How much?’ If it was uncomfortable for me as an adult gay male, it had to be extremely unpleasant for the woman with the baby carriage.”

The neighborhood association began lobbying the city council to take action. In 1990, the police stepped up enforcement of various city laws, driving many potential cruisers out of the Oaks and into the nearby Western Prom. In 1993, then-Mayor Anne Pringle formed a committee to study prob-

lems with the park. That group eventually got councilors to approve a ban on cars in most of the Oaks, thereby creating another exodus from that park to the West End.

“I don’t feel there was any homophobia [behind the decision],” said Wallace. “It was to get rid of drug sales and prostitution.”

But it didn’t get rid of much of anything. The closing of Deering Oaks just moved the problem. By late ‘93, West End residents were angrily demanding that police do something to stop the cars circling through their exclusive enclave in search of sex.

Gay cruising had been common on the Western Prom for years, but it had been

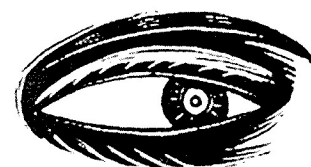
ignored as long as participants engaged in little more than public eye contact. But as pressure built to drive cruising from the Oaks, any subtlety in the Western Prom scene vanished. Homeowners complained of men having sex in the park bushes, in Western Cemetery and on their lawns. It became impossible to walk along the Prom in the evening without being solicited.

In response, Police Chief Michael Chitwood launched a letter-writing campaign. West Enders were urged to copy down the license numbers of cruising cars and turn them over to the cops. Police sent letters to the vehicles’ owners, discreetly warning them to knock it off. The activity declined for a time — actually it shifted to the adult theater and bookstores along Congress Street — and the police pressure eased up.

So long as the cruising scene stayed mostly out of sight in the video booths, the cops, the Parkside Neighborhood Association and the wealthy West Enders didn’t care. But a *CBW* article in July 1995 detailing the unsafe sex practices taking place in the porno palaces led to police raids and numerous arrests. To escape the Congress Street heat, the cruising scene moved back to the West End.

This time we mean it

Police again attempted to embarrass would-be cruisers by copying down license numbers and writing letters. It didn’t work. There were more cars circling the formerly



peaceful West End streets at all hours of the day and night. "I can't tell you the number of nights I got half a night's sleep because of the noise," said Bowdoin Street resident Patrick Murphy.

"Cars were cruising around and around and around with music blaring," said former Mayor Pringle, who lives on Neal Street. "It's more than just public sex. It's the nuisance of having much more traffic in the neighborhood than normal."

In March of this year, the council approved a new anti-cruising ordinance. It calls for posting no-cruising signs in designated sections of the city, such as the West End and Parkside. Once the signs are up (which should occur by June 1), it will be illegal to drive past the same location more than three times in two hours. Anyone convicted of violating the law faces a \$100 fine for a first offense, rising to \$500 for a three-time cruisin' loser.

Since the law was approved, overt cruising has all but vanished from the West End. "There's been a total change," said Murphy. "The word is out there the police are going to enforce it. [The cruisers have] got a tremendous grapevine. Literally overnight the thing moved off somewhere else."

Portland Police Lt. Russ Gauvin, who is responsible for enforcing the new law, agreed the public sex scene has abandoned the West End. "Right now, it's extremely quiet up there," Gauvin said. "We probably won't do [any enforcement of the ordinance] in the West End for a while. If it picks up, we'll do some periodic actions ... to keep residents' and city councilors' concerns addressed."

In other words, police will deal with the public perception and the political pressures, but not with the policy issues behind the problem. That appears to be acceptable to citizens, who seem more concerned about cruising's visible manifestations than its underlying causes. When a West End resident was asked what public policy the city should pursue to deal with cruising, he answered, "I don't get involved in public policy issues. That's for the city council to take care of. The average person only wants a little peace and quiet."

City councilors give equally simplistic answers to policy questions about cruising. "If posting the whole city is the only way to stop that behavior, we're going to do it," said Councilor Tom Kane.

"It's human nature, guys looking for girls, guys looking for guys," said Councilor Charlie Harlow. "We can put up signs, put policemen in the streets. That'll stop it one place and move it somewhere else."

"We're entitled to say, as a matter of general public health and welfare, that we're going to keep some lid on it," said Councilor Orlando Delogu. When Delogu was asked if he could think of a reasonable public policy to deal with the cruising issue, he answered, "No."

Speaking off the record, several councilors expressed reservations about the effectiveness of the new law. "I don't think it's enforceable," said one. "Only an overzealous cop is going to make an arrest, and then, what judge would bring a case like that to trial?" Another councilor added, "The only thing we're really doing is putting up a few signs saying cruising is

The Balboni plan

In December 1995, Balboni, then an editor at the *Community Pride Reporter*, wrote a commentary titled "Reopen Deering Oaks to gay cruising." In that piece, Balboni stated, "Gay cruising is a part of our community, a part of who we are, whether you engage in it or not. Cruising should be accommodated and protected ... and, I believe, celebrated." Balboni branded council and police actions as fundamentally homophobic. "The attempt to stamp out gay cruising," he wrote, "is yet another skirmish in the cultural war that is being waged in the United States today."

The message from City Hall is clear: Cruising is OK as long as it's not called that, and as long as it's not homosexual.



prohibited. We're hoping it will just stop without us doing anything."

That leaves the whole mess for the cops to sort out, a job they're unlikely to accomplish alone. "It's a really complex issue," said Deputy Chief Mark Dion. "Law enforcement is just one tool. But at this point they're relying on us to handle the whole issue. All the police can hope for is to displace this activity. I don't think there's any hope of eradication."

Displacement has already taken place. The West End is quiet. Congress Street is low key. Newer spots on the East End and in an industrial park are far enough removed from residential areas and traffic that, so far, they've caused no complaints. And when it comes to cruising, no complaints means no action by the police or the city council.

Peace at last. Or there would be if it weren't for Bruce Balboni.

Many people — straight and gay — dismissed Balboni's arguments, which were repeated in letters to *CBW*. "I thought he was more tongue in cheek than anything," said Councilor Delogu. "Do you think he was serious?"

Cody Roberts of Biddeford thought Balboni was serious, but seriously misguided. In a letter to *CBW*, Roberts said, "This thinking and attitude is that which fosters the gravely mistaken notion that AIDS is a 'gay' disease; that we are really some flaky fluke of nature, etc." Roberts warned that Balboni's statements had helped right-wing activists like Carolyn Cosby of Concerned Maine Families, who seek to deny civil rights to gays. "If I don't get my shot at the good life because of comments like yours," Roberts wrote, "you can damn well bet I'm gonna be pissed-off and looking for you."

Balboni admitted cruising is "such a difficult thing to defend," because most people equate cruising with public sex. "A lot of gay men wouldn't dream of having public sex," he said, "but consider the cruising aspect harmless."

Balboni argued that Deering Oaks is the perfect spot for cruising because its relatively open terrain discourages public sex. He views the park as "a place where you went and met somebody, and then went someplace else."

Portland has a well-established gay scene, which includes everything from gay bars to gay-friendly businesses to teen outreach programs for gay youth. So why does the city need to have a cruising area?

Balboni had trouble coming up with a specific reason. In his article, he wrote, "The answers are as numerous as the participants." In an interview, he said, "Some accommodation has to be made for the way gay culture works."

Perhaps his strongest argument is that homosexuals should be able to do the same things heterosexuals do. "Heterosexuals cruise in places like Old Orchard Beach or the Old Port," he said. "It's clearly understood [that after people meet] the action will move somewhere else. Lovers' lanes are traditionally heterosexual. What goes on there should be no more acceptable than what happens after gay cruising. There's an undertone of homophobia to this."

Part of the problem with defining why cruising is important to gay men is that several distinct populations take part in the activity, each with its own reasons for doing so. Gay men who are open about their sexual orientation form one group. Closeted gays are a second. Men who don't think of themselves as gay, but who occasionally have sex with other men, are a third. And a significant number

of cruisers are prostitutes. All but the openly gay men have good reasons for avoiding bars and other traditional social settings. "The anonymity of it is part of the draw," said Balboni.

But the major attraction of cruising is sex. "Richard," a gay man familiar with Portland's cruising scene, said finding a sexual partner has different connotations for gays than it does for straights. "The self-identity of a gay man is often, unfortunately, tied up in the sex act," he said. "It becomes much more important than in heterosexual cruising, where there's not an automatic assumption there's going to be sex. [Heterosexual cruising] is much more ritualistic."

"The emotional content legitimizes it. A lot of people are out there [cruising] for the emotional contact, rather than just the sex. People in closeted situations open up as never before. Some of them have had no

The sex may be safe, but the law isn't

One aspect of cruising about which there seems to be some agreement in the gay community is that the health threat has been overstated. Both The AIDS Project and Portland's Sexually Transmitted Disease Clinic have outreach programs specifically targeted at cruising areas. Workers from both organizations said they saw no indication that people involved in cruising were more (or less) likely to engage in unsafe sex practices than anyone else. "Cruising as such is not a singular health problem," said John Holverson of The AIDS Project. "It's no matter if you're cruising and have sex, or if you have dinner at the Cumberland Club and then go somewhere and have sex. Where you meet people isn't the issue. It's the behavior afterwards."

The problem with promoting safe sex in cruising areas is finding a way to do so without attracting attention, either from the cruisers, the public or the police. Publicity causes cruising to shift locations, often overnight. The police intervention that inevitably follows tends to drive the activities underground, where participants become harder to find and educate. "The cardinal rule is not to erode the environment," said Holverson. "No signs, no music, no table to pass out condoms. You look and act like everybody else, except you don't act out sexually."

Another safe-sex worker, who asked not to be identified, said avoiding publicity was essential, not because it might scare away potential clients, but because the average citizen wouldn't support practical prevention programs. "I doubt the public is going to jump for joy," he said, "if it finds out I'm out there [in porno bookstores] teaching people how to use mint-flavored condoms when they give a blow job."

Finally, workers have to avoid the spotlight in order to dodge the law. Since safe-sex educators look, and often act, like cruisers, they're subject to harassment, intimidation and arrest. "Some of this isn't very safe work," said Holverson.

Or to put it more bluntly: "That law is bullshit," said a health worker who distributes safe-sex information at cruising spots. "I have the right to walk down the street wherever I want. I have the right to drive down the street wherever I want. I'm out doing my job, and I don't want to be arrested."

— A.D.

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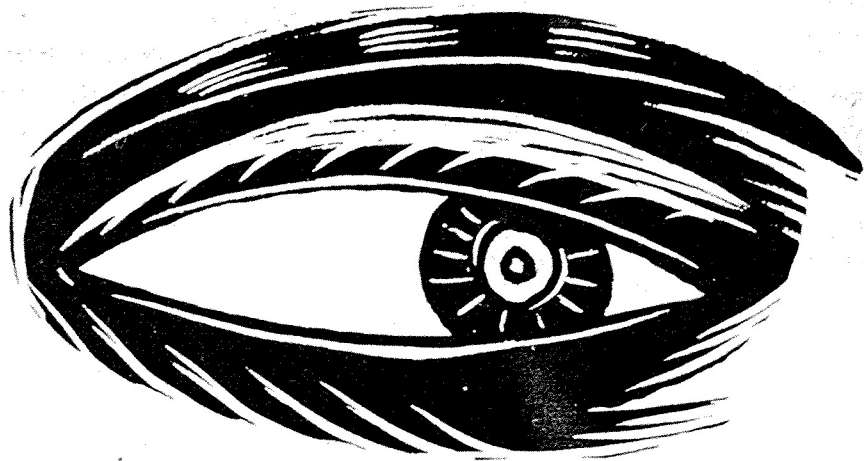
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experience with other gays. It can be fascinating."

John Holverson, the director of prevention education at The AIDS Project, agreed. "For some men, cruising is the only kind of social connection they have in their lives," Holverson said. "It's not really sex they're looking for. It's the society of other men."

Don't expect that anytime soon. Gay political leaders not only don't speak with one voice on cruising, they often don't speak at all. "I have a full agenda," said Maine Lesbian/Gay Political Alliance president Karen Geraghty. "I don't have any thoughts on cruising."

Other gay leaders chose their words carefully. "It's a zoning issue in some



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quences. "There's going to be violence down the road," he said. "Cruising is going to continue, and it's going to happen in neighborhoods. Some guy walking his dog is going to see it and flip out. He's going to go home and get his shotgun."

"Bruce, in the best light, is pushing the envelope as to what kind of discussion we should be having," said Deputy Chief Dion. "He needs to recognize how easily any cruising area can be exploited. Part of the predatory experience of young male offenders is to visit public sex areas and victimize the men who are there. Those men are often reluctant to report those incidents to the police. We can't just say it's a deserted area, they're on their own. We can't just walk away."

Experiences in other cities lend credence to Dion's statements. While New York City and Boston have given semi-official approval to cruising areas, it hasn't erased crime in the Ramble or the Fenway. "Pink Panthers," gay self-protection organizations that operate in some major-city

cruising spots, have been only semi-effective in preventing gay-bashings and robberies, in part because police refuse to cooperate with groups they consider vigilantes. "It's still very, very dangerous," said "Jimmy," a gay man who has frequented the Fenway and who asked that his real name not be used. "The danger is due to exploitation and physical violence, sometimes from the locals, sometimes from the police."

That leaves Portland chasing cruising around town in hopes it will settle someplace where it won't generate too many complaints. At that point it can be, at least temporarily, ignored. Call it a modified "don't ask — don't tell" policy.

Probably, that will work well enough to ensure the calm continues through the warm-weather months for West End residents, city councilors and guys like Bob down in the Old Port. For gay cruisers, though, it looks like a summer of discontent.

Al Diamon is CBW's political columnist.



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No consensus

It would be a mistake to assume there's anything approaching unanimity within the gay community on the subject of cruising. While Balboni terms the activity fundamental to gay culture, "Curt," a gay man involved in a monogamous relationship, dismissed the scene as "the sleaze factor."

"There are some in the gay and lesbian community who are very concerned with how the straight community views them," said Meyer Bodoff, chairman of Portland's Bias Crime Task Force. "Some don't care."

The task force has received several complaints from people who have been stopped by police for allegedly cruising. "One man was stopped on three nights," said Bodoff, "even though he explained to the police he was just walking home from work. He believes he was singled out because he looks effeminate, and the police assumed he was gay."

The task force was scheduled to discuss the issue of cruising at a May 22 meeting (after *CBW's* deadline), but several members said it was unlikely the group would take any action as long as there was no unified voice from the gay community

ways," said Alan Stearns, a Portland activist. "Traffic, annoying neighbors, prostitution are all legitimate issues. The touchy stuff is where you get to legal sexual contact. Then, a lot of the issues are locational. If it's taking place in a residential neighborhood, people notice and mind."

Stearns said enforcement of current laws against trespass, prostitution and drug dealing would solve most of the problems associated with cruising.

Ironically, some of the strongest stands for cruising come from outside the gay community. "Adults who are not breaking any laws should be left alone," said Sally Sutton, executive director of the Maine Civil Liberties Union. "Whether they're cruising or not, the police should not be interfering in their lives. Maybe the city council needs to accept that [cruising will exist]. Maybe Portland needs to consider where will the least number of people be offended by this activity."

Fat chance. About the only thing Balboni and city councilors agree on is that there's no way the public would accept any official — or unofficial — move to open Deering Oaks or another site to cruising. Balboni said recent publicity has created too much controversy, making it politically impossible for the city to sanction cruising, and even limiting how far it can go in bestowing the sort of tacit approval that prevailed in the Oaks for decades.

"The problem is unsolvable," he said. "Given Portland's mindset and the city's physical limitations, it would take the wisdom of Solomon."

Balboni charged that growing tension between the gay cruisers and the Portland