Discharged for Saying He Is Gay

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The Navy tried to discharge Meinhold under the old ban on homosexuals, but his case has implications for the new one, which allows gays to serve as long as they keep their orientation private and do not act on it.

"On the merits, we defer to the Navy's judgment that — people who engage in homosexual conduct or who demonstrate a propensity to do so do not belong in uniform, the appeals court said. But the judges noted the Navy was wrong to "discharge Meinhold solely because of a statement or orientation devoid of any concrete, expressed desire or intent to act on his homosexual propensity."

A federal appeals court Wednesday ruled that the military cannot discharge sailor Keith Meinhold solely for announcing he is a homosexual, a decision that gay rights advocates say spells legal trouble for the Clinton administration's new "don't-ask, don't-tell" policy.

Discharged two years ago, "Yes, I am gay," but the Ninth U.S. Circuit Court of Appeals Wednesday by 2 p.m., after a total of 1,582 were intercepted on Tuesday. That was up sharply from the preceding three days, when the number was depressed after storms swept the straits.

Officially, Cuba is looking to walk a fine line: to throw him out of the service.

Meinhold under the new policy that recognizes the military can discharge anybody simply for saying he or she is gay. The Pentagon allows gays to serve as long as they keep their orientation private and do not act on it.