

NOTE: Mapplethorpe - Leis Cincinnati Case

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The Washington Times

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## Cincinnati museum asks ruling on Mapplethorpe

BYLINE: Joyce Price; THE WASHINGTON TIMES

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In Cincinnati, the town that has shut down adult bookstores and productions of "Hair" and "Oh, Calcutta," an art museum planning to exhibit sexually explicit photos by the late Robert Mapplethorpe is fighting back.

Fearful that local law enforcement officials would try to close the exhibit when it opens April 6, the Contemporary Arts Center has asked a court to decide if the photographs violate obscenity laws.

Nine of the 175 photographs in the show depict homosexual activity or sadomasochistic acts. The pictures led Congress to limit federal support for the arts last year after Sen. Jesse Helms, North Carolina Republican, labeled them obscene.

Amy Banister, spokeswoman for the 51-year-old private museum, said officials "felt compelled" to take the action "to protect the right of artistic expression guaranteed by the First Amendment of the U.S. Constitution."

The arts center's action came after Hamilton County Sheriff Simon Leis called some of the pictures "criminally obscene" and threatened to file obscenity charges against the museum if Cincinnati police do not take action.

"We are fully confident the material in question is not obscene," said Marc Mezibov, an attorney for the museum.

A former prosecutor and judge, Mr. Leis was allied with embattled savings and loan executive and Cincinnati native Charles H. Keating Jr. in the late 1960s and early '70s.

"Back then, Keating made a name for himself as a pornography fighter," said Daniel Hurley, a history consultant in Cincinnati. "In 1956, he started a group called Citizens for Decent Literature, the first group of its kind in Cincinnati."

The Keating-Leis team worked to ban movies and plays, including "Oh, Calcutta," "Hair," and "Last Tango in Paris." In 1977, Mr. Leis, with the help of Mr. Keating, prosecuted Hustler magazine editor Larry Flynt on charges of pandering obscenity. Mr. Flynt was convicted but won a new trial on appeal. A new prosecutor dropped the charges in 1985.

"In this city, no one can go to see - or even rent or buy - an X-rated movie," said Sue Cassidy, regional coordinator for the American Civil Liberties Union. "And no private movie theater in this city dared show the film 'The Last Temptation of Christ.'"

"The response by the Contemporary Arts Center marks the first time that a target of this kind of pressure has gone on the offensive," Ms. Cassidy said. "And if the ACLU can do anything to help them out, we will."

Although Mr. Keating's group (now called Citizens for Decency Through Law) is now based in Phoenix, other anti-pornography groups are active in Cincinnati. Two of the best known are Citizens for Community Values and the National Coalition Against Pornography.

"Any time anything concerning the arts come up, they are the first to cry obscenity," Mr. Mezibov said of CCV.

CCV President Monty Lobb Jr. could not be reached for comment yesterday. But he previously has expressed concern about "somebody else coming into our city" and trying to impose his standards on Cincinnati.

An NCAP spokeswoman said that organization has not taken a position on the exhibit. But she acknowledged that Dr. Jerry Kirk, the group's president, "communicated his personal concerns to other concerned citizens."

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Chad Wick resigned last week as chairman of the board of the Contemporary Arts Center, saying the exhibit's opponents were exerting heavy pressure on his employer, the Central Trust Co. "More than 300 people called the bank in one day and threatened to withdraw their accounts," Ms. Banister said.

She said the museum also received 300 negative calls about the exhibit. "But we received 600 calls in support of it."

The controversy threatened the Cincinnati's Fine Arts Fund's \$5.1 million fund-raising campaign. The Contemporary Arts Center received \$257,000 from last year's campaign, but CAC will not take any money this year.

George Ballou, president of West Shell Realtors in Cincinnati, said he will not make any corporate donations to go to the Contemporary Arts Center. "I believe the exhibit is pornographic and inappropriate for Cincinnati," he said yesterday.

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