

Gay Rights Advocate Loses Chance for a Justice Post

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WASHINGTON, Oct. 19 — A top candidate to head the Clinton Administration's program of adding 100,000 police officers to the nation's streets said today that he had withdrawn from contention because of concerns at the Justice Department arising from his advocacy of homosexual rights.

The prospective official, Tom Potter, who was Police Chief in Portland, Ore., from 1990 to 1993, has long been known in that city as a gay rights advocate. He was never formally offered the community policing job at the Justice Department, but he appeared very close to getting it when the issue of gay rights came up at a meeting on Oct. 5 with John R. Schmidt, the third-ranking official at the Justice Department.

Speaking from Oregon in a telephone interview, Mr. Potter said he had offered to withdraw after Mr. Schmidt had described his support of gay rights as a "problem" that might cause him to lack support among conservative police chiefs.

Justice Department officials challenged that account, first reported today in *The Oregonian*. They said that it was Mr. Potter who had raised the issue and that he had withdrawn before the department reached a conclusion on the matter.

Mr. Schmidt, who has broad responsibility for the community policing program and other provisions of the recently enacted anti-crime bill, was traveling today and could not be reached for comment.

Carl Stern, the chief spokesman at the Justice Department, and other officials there said there had been no objection to Mr. Potter's views on homosexual rights per se. But they did acknowledge worry that his appointment would draw fire from conservatives who, these officials felt, might use his support for gay rights as a weapon to attack the community policing program, the centerpiece of the Clinton anti-crime effort. Some Republicans had already attacked the program as an expensive, ineffective law-enforcement approach that would turn police officers into social workers.

That Mr. Potter's views on homosexual rights stirred misgivings in the Clinton Justice Department was somewhat surprising inasmuch as Attorney General Janet Reno has adopted anti-discrimination policies regarding the hiring of homosexuals.

In addition, the Federal Bureau of

enforcement agencies across the country, has adopted a new policy, after years of resistance, to admit homosexuals to the ranks of F.B.I. agents.

But gay rights has been an extremely difficult issue for the Clinton Administration from its very first days, ever since a storm of criticism over the President's efforts to make good on a campaign pledge that he would allow homosexuals to serve freely in the military. The furor then led the Administration to settle for a more limited policy.

Today one homosexual lawmaker, Representative Barney Frank, a Massachusetts Democrat who sits on the House Judiciary Committee, said he was "disappointed in the extreme that advocacy of gay rights is a problem."

In the interview today, Mr. Potter said that as Portland's Police Chief he publicly supported his daughter, Katie, who is a police officer there, when she declared in 1991 that she was a lesbian. Later he marched in gay pride parades in Portland wearing his police uniform.

"For me it was well beyond a family issue," said the 54-year-old Mr. Potter, who now works as a law-enforcement consultant. "It was a civil rights issue. I also took strong stands on racism and sexism. I saw it as part of larger problem in our society."

Mr. Potter said that before his meeting with Mr. Schmidt, he was preparing to move to Washington and planning a tour of possible office space for the community policing program. He was undergoing an F.B.I. background check, had taken a drug test and had filled out personnel forms, steps that suggested he was on the verge of being offered the job.