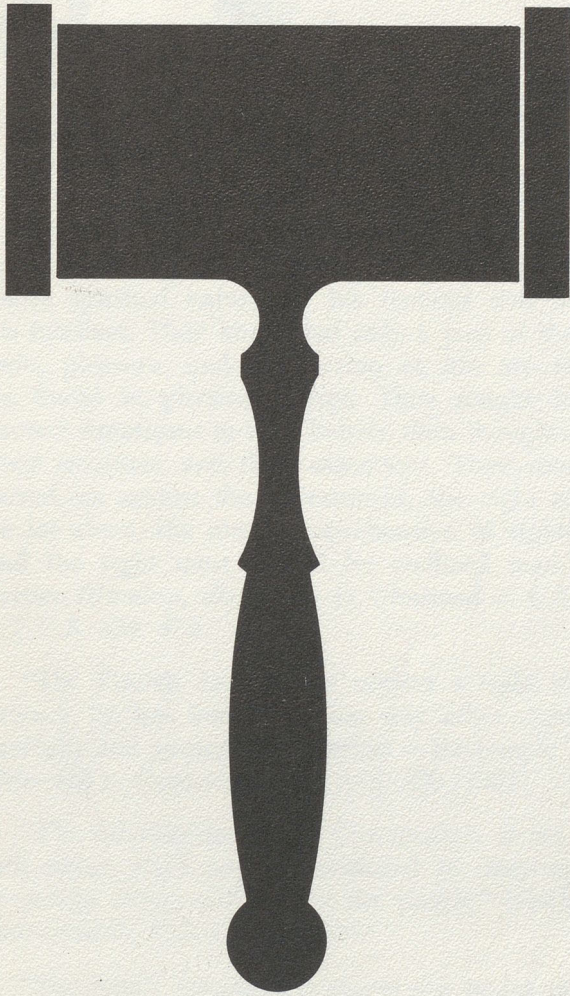
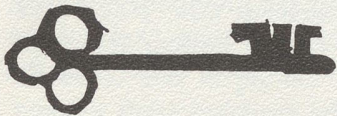


NLDF



National Legal Defense Fund



The Right To Privacy

“The makers of our Constitution undertook to secure conditions favorable to the pursuit of happiness. They recognized the significance of man’s spiritual nature, of his feelings and of his intellect. They knew that only a part of the pain, pleasure, and satisfaction of life are to be found in physical things. They sought to protect Americans in their beliefs, their thoughts, their emotions, and their sensations. They conferred, as against the government, the right to be let alone, the most comprehensive of rights and the right most valued by civilized men.” *Justice Brandeis, dissenting in Olmstead v. U.S.* 277 U.S. 438, 478.

“The Fourth Amendment creates a right to privacy, no less important than any other right carefully and particularly reserved to the people.” *Griswold v. Connecticut* 381 U.S. 479 (1965).

“The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people.” *Ninth Amendment, U.S. Constitution.*

“The Ninth Amendment shows the intent of the Constitution’s authors that other fundamental personal rights should not be denied such protection or disparaged in any way simply because they are not specifically listed in the first eight constitutional amendments.” *Justice Goldberg, Griswold v. Connecticut, ibid* at 492.

What Is The National Legal Defense Fund?

It is a permanent, national, non-profit, non-partisan corporation devoted primarily to protecting and defending the homosexual's right to privacy and freedom of choice in his private life and related constitutionally protected rights. It is incorporated under the provisions of Part I, Div. 2, Title 1, of the Corporate Code of the State of California and its main office is in the city of San Francisco.

Why Is The NLDF Necessary?

No other organization or group is devoting adequate attention to the protection of the individual's right to privacy in sexual matters. The homosexual in particular, is treated unjustly by society and the law. Present legislative attitudes create the conditions which foster violations of constitutional rights including the rights of assembly, due process, equal protection and others.

Other organizations such as the ACLU are doing what they can and the NLDF will cooperate with them as much as possible. However, in order to concentrate efforts in these areas, a new organization is clearly necessary.

The Judicial Process

The attorneys and founders of the NLDF believe that some penal code reform can most easily be achieved through the judicial process (development of case law particularly in the area of constitutional law). Advocates of the Model Penal Code are striving for some of the same goals but are concentrating their efforts on influencing the legislature to adopt the Code. Their efforts have met strong resistance.

Passage of the Code would still leave certain reprehensible practices unaltered. Police harrassment, brutality, entrapment, governmental employment policies, etc., would all be left unaffected. Many of these practices however, are subject to attack on constitutional grounds. Thus, development of the law through the judicial process must be pursued.

*Statement Of Policy
Regarding Sexual Conduct*

The NATIONAL LEGAL DEFENSE FUND recognizes society's right and interest in protecting children from sexual exploitation. It condemns the use of force, violence, intimidation, fraud, coercion in sexual matters or otherwise. The NLDF also recognizes that society has a legitimate interest in preventing the commission of sexual acts in public. The FUND feels that none of these practices are given the protection of the constitution or would be in keeping with public policy.

However, the NATIONAL LEGAL DEFENSE FUND asserts as a fundamental principle of human liberty, the right to freedom from interference by the State in private sexual relations between consenting adults.

The FUND feels it does not benefit society to destroy persons' lives for their private expressions of affection.

The policies of the FUND as thus briefly stated, are in keeping with the recommendations of the American Law Institute as incorporated in the Model Penal Code. As distinguished from existing penal codes, the Model Penal Code finds consensual acts between adults in private to be non-criminal and is the law in the State of Illinois.

The FUND is also in agreement with the position taken by the AMERICAN CIVIL LIBERTIES UNION of Southern California in its policy statement regarding sexual matters submitted by Vern Bullough and adopted by the Board of Directors of that organization in December of 1966. The ACLU position is similar to that of the Model Penal Code.

In addition, our views agree in large part with the recommendations made by the editors of the UCLA Law Rev. in Vol. 13, No. 3 643 at 793-797 (1966). See also Donald J. Cantor 55 Journal of Crim. Law 441 (1964); 70 Yale Law Jour. 623 (1961).

Are Contributions Tax Deductible?

Donations are deductible under California law. Application for tax-exempt status has been made to the Federal Government. Consult the President or the Board of Directors to determine our current position.

Policies Of The NLDF

Policies are set by the Board of Directors which meets at least once a month. The cases to be taken or the defendants to be aided are selected by the Board of Directors. Cases are selected by the Board only with the endorsement and approval of two or more attorneys so as to insure that proper legal issues are raised and that the cases supported will benefit the greatest number of individuals. Any attorney from any part of the country, whether member or not, may present cases.

Submitting Cases

Cases may be submitted by telephone, or by visiting or writing to the NLDF offices. It is preferable that cases be submitted in writing, stating all the facts, no matter how insignificant they may seem. The statement of facts should be written or reviewed by an attorney if possible in order to avoid delays and excessive correspondence.

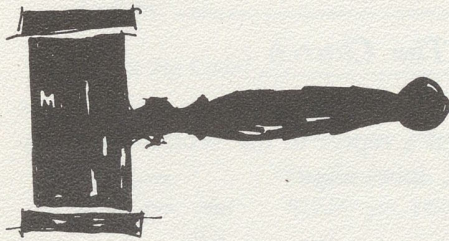
Volunteers

The NLDF needs many volunteers. Attorneys are needed to aid in legal work, other persons are needed to assist in organizational work, in solicitation of contributions, in distributing materials, etc. Information may be obtained at the San Francisco office or local chapters.

Contributions

Contributions will always be needed. They should be sent to:

Rev. Charles Lewis, Treasurer
NATIONAL LEGAL DEFENSE FUND
330 Ellis St., San Francisco, Calif. 94102
Phone: 776-9669



Programs Undertaken By The NLDF

LEGAL: The FUND requests members of the bar to donate their services. It asks attorneys to contribute their efforts in specific cases by taking depositions, writing briefs, making appearances, drafting complaints, and helping defense counsel in every way possible. Where the defendant is not adequately represented, the FUND will provide counsel wherever possible.

EDUCATIONAL: The public is made aware of violations of the rights of homosexuals. The FUND publishes a regular Newsletter as an educational service for its members as well as the entire community. The Newsletter attempts to inform the public of its constitutional rights and their violation as well as to serve as an aid to members of the Bar and Bench. Seminars, conferences, and classes will be conducted intermittently. A legal bibliography of pertinent cases, law review articles, and related materials is being prepared with the aid of other organizations and individuals.



Views Of The Church

The seven catholic clergymen and laymen who submitted a report to the Wolfenden Committee stated, inter alia:

“It is not the business of the State to interfere in the purely private sphere but to act solely as the defender of the common good. Morally evil things, so far as they do not affect the common good, are not the concern of the human legislator. Sin, as such, is not the concern of the State but affects the relations between the soul and God . . . Attempts by the State to enlarge its authority and invade the individual conscience, however high minded, always fail and frequently do positive harm.” as quoted by Judge Murtagh, *The Principle of Privacy*, Saturday Review, May 4, 1963 p 31.

“There is a sacred realm of privacy for every man . . . where he makes his choice and decisions, fashions his character and directs his desires, a realm of his own essential rights and liberties . . . into which the law, generally speaking, must not intrude.” Archbishop of Canterbury, quoted in Chesser, “Live and Let Live” p 58 (1958).

MAIL TODAY
CONTRIBUTION OR MEMBERSHIP
APPLICATION

TO: Rev. Charles Lewis, Treasurer
NATIONAL LEGAL DEFENSE FUND
330 Ellis St. Phone: 776-9669
San Francisco, California 94102

Please enroll me as a member of the
NATIONAL LEGAL DEFENSE FUND.

Name: _____

Address: _____

City & Zip Code: _____

Telephone: _____

Members: Organizations:
\$5.00 per year \$25.00 per year

Non-Member Contribution: _____

NLDF depends heavily upon the voluntary assistance of its members and friends such as service on committees, clerical and other work. May we contact you?

Yes No

NLDF would like prominent individuals and organizations to support its purposes and activities. May we add your name to our list of sponsors? No contribution or membership is necessary. If so, please sign below.

I, (we) the undersigned hereby agree to act as sponsor of the NATIONAL LEGAL DEFENSE FUND and to be referred to as such.

Date _____

Signature _____

(When signing for organizations, indicate capacity.)

Note: Membership lists are strictly confidential. Disclosure cannot be coerced even by public officials or the courts. See NAACP v. Alabama 357 U.S. 462.

This brochure will fit in a legal size (No. 10) envelope and can be mailed first-class for 10¢ or third-class for 4¢. Additional copies are available free on request. Donations to cover printing costs would be appreciated. Address: Public Affairs NATIONAL LEGAL DEFENSE FUND, 330 Ellis St., San Francisco, Calif. 94102.