From Dallas: U. S. COURT HEARS PLEA TO CHANGE SODOMY LAW

A 3-judge federal court here was told Nov. 15, 1969, that the State of Texas "has no right to dictate the private sex practices of consenting adults, "including homosexuals.
Atty. Henry McCluskey Jr. argued in behalf of Alvin Leon Buchanan of Dallas, a homosexual who asserts the state law is unconstitutional.
Buchanan, who has been indicted twice this year for sodomy and was convicted and sentenced in a state court to serve five years in prison, is seeking to enjoin the Dallas police force from harassing homosexuals.
Named as defendants are Police Chief Charles Batchelor, vice-squad officers Delm Cole and Earl Gage and Dist. Atty. Henry Wade.
Buchanan's suit alleged unlawful police survelance of men's rest rooms at Reverchon, Lee and Turtle Creek parks and at the Sears, Roebuck & Co. store on Ross Ave.
The suit states that nothing in the state law excludes it from applying to private sexual acts between all consenting adults, including married couples.
Asst. Atty. Gen. Charles Parrett told the panel he agreed "We have a problem, if a married person challenges the state law".
Fifth Circuit Judge Irving Goldberg, one of the panel members, said the state may have an "unconstitional statue which no one is going to come in and ask to declare it unconstitional."
"You're right," said Asst. Dist. Atty. John B. Tolle. "We haven't had a female and a male come in and raise that issue."
McCluskey argued that the state's sodomy law "denies homosexuals their right to be treated as their heterosexual equals, a violation of the right of equal protection under the 14th Amendment of the U. S. Constitution."
The district attorney's office had said the statue "does not confine itself to homosexuals, but operated with equal force to all persons..."
Other members of the panel are U. S. Dist. Judge Sarah T. Hughes and William M. Taylor Jr.

FLASH!
Things are happening on this case faster than we can get this off to press. More news to follow in the next issue.
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Dear Fluffie Tuffy,
Whoever said that NACHO isn't for females, here's your opportunity to do something about it. Voice your views to:

Andi Dayne
2310 San Paula
Dallas, Texas 75228

Why we might have a Saphoff column yet...?!