

NORTH AMERICAN CONFERENCE OF HOMOPHILE ORGANIZATIONS

Dear Friend:

Concerted action in New York State brought about the end of the abortion law. Concerted action now can also bring about the end of the cruel sodomy law.

You have probably read in the New York Times that the sodomy law of the state of Texas has been declared unconstitutional by a three judge Federal District Court. Though this case is very complex, it can be briefly stated that Alvin Leon Buchanan was arrested in a public rest room in Dallas, Texas, for committing sodomy with another male (a vice squad policeman). A homosexual man who admitted that he had performed sodomy in private, and a married couple who also stated that they performed private heterosexual sodomy with each other were granted permission to intervene in the case. The Federal District Court unanimously declared the Texas sodomy statute unconstitutional on January 21, 1970.

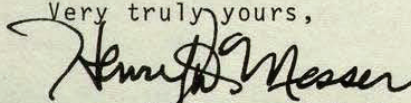
However, the case is not yet over, and it is on its way to the United States Supreme Court by at least three separate appeals. If the Supreme Court upholds the district court decision, it would be a mortal blow to the sodomy laws in every state in the country.

It seems to us self-evident that abolition of the sodomy law is a desirable goal in itself. But some people may say "Why bother?" because nobody is ever prosecuted for private consensual sodomy anyway. If you think about it a bit, the reasons are enormous. The entire matter of discrimination in employment (including government employment) could no longer be justified on the ground that homosexuals are criminals. The question of blackmail (by both police and unscrupulous operators) would disappear. Though "entrapment" is banned in New York City by order of the mayor, another mayor could re-institute it at any time. But, if the sodomy law itself were gone, then homosexual solicitations could no longer be illegal. The loitering and solicitation laws could be knocked out because the "solicitation" would then be for something which was legal. An entirely new social milieu would come about.

An outstanding legal group is working on the Supreme Court appeal. They are contributing their time and professional expertise gratis. However, at least \$1500 of actual expenses will have to be met in order to take this matter to the United States Supreme Court. In fact, \$2500 is a more likely figure. (The printing alone costs \$13 a page.)

Because of the precedent making importance of this case, we are attempting to form a group of persons who will contribute at least \$100 each toward the expenses of appealing this case to the United States Supreme Court. We hope that you can and will contribute this amount. It can be given anonymously if you wish. We are attempting to arrange a tax deductible method of contributing. If you cannot contribute \$100, any contribution will be helpful. If you would like to know more of the actual legal details before making your contribution, these can be supplied to you.

Very truly yours,



Henry D. Messer & Arthur C. Werner

P.S. Please send your contribution to Dr. Henry D. Messer, 22 Charles Street, New York, New York 10014.

Dr. Messer was recently elected a member of the Board of Directors of MATTACHINE New York.