

Dear Mr. \* \* \* \*

This is being sent to all those who were kind enough to contribute to the Buchanan case as a result of my appeal. That case has not lived up to our expectations. Because the state of Texas filed its papers for appeal to the U. S. Supreme Court two days late, and for legal reasons which are too complicated to explain here, there is a strong likelihood that the Supreme Court will not hear the case <sup>at all</sup>. This means that the whole purpose for which these funds were raised will no longer exist. Over and above this is the fact that the Buchanan case was substantially oversubscribed.

The Buchanan case was merely the initial court action which our committee, now known as the National Committee for Sexual Civil Liberties, instituted. This committee is now engaged in an attack on the sodomy and homosexual solicitation laws on a broad front, involving not only legal challenges, but legislative efforts and appearances before administrative agencies of government. A test case has been instituted in Colorado against a Denver municipal solicitation ordinance. [This litigation gives promise of even more extensive homosexual law reform than the Buchanan case ever did, since it involves a direct challenge to the solicitation statutes and through them to the sodomy laws. It is also of more practical importance to homosexuals, since ~~the~~ the solicitation statutes and not the sodomy laws are the ones which account for almost all homosexual arrests.] Members of the committee recently testified before, and submitted briefs to, a special committee of the New York legislature considering repeal of this state's sodomy and solicitation laws. It is now recognized that there are cases which, though not homosexual in character, nevertheless involve the same legal issues which need to be fought out if homosexual law reform is ever to be attained. That is why the committee has intervened as amicus curiae in a New Jersey case involving a constitutional challenge to that state's fornication law.

The committee has already one signal victory to its credit. Many of you may recently have read in the newspapers where the National Commission on Reform of Federal Criminal Laws presented to President Nixon the final draft of its proposed Federal Criminal Code for submission to the Congress for adoption. As initially drafted, that code contained -- in the form of section 1853 -- a most vicious solicitation provision. Through important contacts which the Committee had on the staff of that Commission, it was able to submit a brief last summer, as a consequence of which the offending section has been removed in its entirety and replaced by an inoffensive provision that follows our recommendations in every respect. Because this proposed Federal Criminal Code must now be passed by Congress, the committee's work in this area cannot be publicized; otherwise it would alert Neanderthal bigots in Congress and jeopardize Congressional passage. This points up the fact that much of the committee's most important work has had to be carried on in private, and why the committee has had to eschew most publicity.

Nevertheless, the committee is now a truly national body, and numbers several prominent persons amongst its members, such as Melvin Wulf, national legal director of the American Civil Liberties Union, Professor George Schatzki of the University of Texas Law School, Donald Cantor, the Hartford attorney who was one of those responsible for repeal of the Connecticut sodomy law in 1969, and Professor Walter B. Barnett of the University of New Mexico School of Law. It also includes such authorities as Dr. R. A. Laud Humphreys of the School of Criminal Justice, State University of New York at Albany and consultants like Dr. Evelyn Hooker of the University of California, Los Angeles, Dr. Lee Rainwater of Harvard, the foremost authority on the sociology of deviance, and Dr. Jay Katz, the only ~~doctor~~ *psychiatrist* on the faculty of the Yale Law School.

Although all the committee members contribute their time and know-

ledge without charge, there are still heavy expenses for court costs, printing charges, depositions from witnesses, toll calls, and mailing expenses. Unless any contributor objects, <sup>general</sup> and to make available to the National Committee for Sexual Civil Liberties for the purposes just explained, the monies which you contributed to the Buchanan appeal which was this committee's first case. I am also asking that, if you possibly can, you make a further contribution to this committee, since the need is great and the exceptional work which the committee is performing warrants the continuing support of all those who wish to see its objectives attained.

In this connexion I should also state that all contributions to the committee can now be made tax deductible to contributors. This has been made possible through an arrangement with the Institute for the Study of Human Resources, a tax-exempt foundation in Los Angeles, California. Arrangements have been concluded whereby those wishing to contribute to the committee and to obtain a subsequent tax deduction can make their cheques out to the Institute, and the committee, in turn, will be the ultimate beneficiary of these contributions. Accordingly, please send your contributions to me, at the above address, but made out either to the order of the National Committee for Sexual Civil Liberties or, if a tax deduction is desired, to the Institute for the Study of Human Resources. (A further advantage is that the Institute's name reveals nothing of the purpose for which the funds are to be used, thus protecting those who wish to list it on their tax returns.) Any assistance you can give will be much appreciated.

Very sincerely yours,