

March 29

Dear Arthur:

I have another potential candidate for our committee. Let me know what you think about my inviting him to join. Like Tom Horn, he is a graduate of the University of New Mexico (B. A. 1969). His name is Jerry Calvani. He is an honors graduate of Cornell Law School, where he was Articles Editor of the Cornell Law Review. This past year he has been a Teaching Fellow at Stanford Law School, and has visited me here in San Francisco to discuss my book. He is the author of the Note, Homosexuality and the Law - An Overview, in 17 New York Law Forum 273 (1971). He is very interested in our field of concern. Like Tom Horn, he is married. (I suspect, but do not know, that both

these young men may be ambisexual. I feel almost certain of it in the case of Tom Horn.) If you have not read this work of Calvani's, I suggest you do so. It's a very good, brief introduction to the subject.

Jerry will be associated with the prestigious San Francisco law firm of Pillsbury, Madison & Sutro, beginning this summer. I think he wants eventually to become a law professor, but is hampered at the moment because his wife is herself enrolled in Stanford Law School and has two more years to go to get her degree.

Sincerely,  
Walter

P. S. Enclosed is a copy of the Press's promotional flyer for my book.

NATIONAL COMMITTEE

To Walter Barnett

3 April 1973

Dear Walter,

I strongly concur in your recommendation to invite Terry Calvert as well as Tom Horn to join the Committee. Both of them appear to have exactly the qualifications we should be looking for -- dedication, high academic standing, superior ability. Both are also young, and it is the young people we must attract. They are excellent selections.

In his letter of the 28th ult. to various Committee members, Tom Coleman suggests we consider Gerald Gerash of Denver as a possible Committee member. I oppose his appointment for reasons which shall become clear when I have had the opportunity to complete a communication to the Committee on accessions to the Committee. I believe that Bill Reynard shares my views. Whilst cooperating with Bill in the Denver situation, Gerash is an eager member of the National Lawyers' Guild, and continually attempts to inject political issues into all his cases. As a Guild member he is essentially hostile to the A.C.L.U. and is reluctant to cooperate with them. Bill has already had some problems with him on this score. Finally, as I shall discuss in my communication, my own contacts with Gerash satisfy me that he lacks the intellectual capacity, and particularly the legal talent, which we have a right to expect of Committee members.

I think your proposal to make the second copy of your book available to Gay is a very good idea. They have always been very cooperative with us. I would prefer that you send the copy to me and allow me to present it to them. It would give a more personal touch which would be helpful.

What arrangements is the Press making for review copies of your book? I should very much like to have a bound volume for my own personal use, and if I could obtain one from the Press as a review copy I should only be too grateful.

You will presently be receiving, via Craig, a copy of the résumé which went out to Stewart Mott with a forwarding letter from Michael Valente. This seventeen-page product is a melding of my two memoranda to Neier, with the supplementary one first, followed by the gist of the last two pages of Neier's Sexual Privacy Project to Joseph, and, finally, your own personal résumé. The whole is preceded by a one-page foreword. This is now ready to be sent to the different foundations, without Michael Valente's letter, but with an individual forwarding letter for each foundation.

Craig Patton visited New York on business last week-end, and he, Michael Miller, Michael Valente, Don Goodwin, and I spent a very pleasant evening together after we all had had dinner.

I trust things are going well with you.

As ever,

Arthur

April 11

Arthur,

Tom Horn has agreed to join the Committee. Please advise him of the plans for the Committee get-together at the ABA Convention in August (i.e., precise dates, etc.) He is making plans to attend, but is not interested in just going to the ABA convention in the event that our meeting might be cancelled.

Please also send him from time to time copies of various things, so that he can get a feel for what is going on and a sense of involvement. In other words, I don't want him to feel left out on the fringe. (In ~~XX~~ the event that his case before the New Mexico Court of Appeals knocks out the NM sodomy law, we could claim our first real judicial victory.)

I have not yet contacted Terry Calvani, but will do so soon.

I am wondering whether or not we ought to consider inviting Steve Endean to join the committee. He seems to me to be a very effective young man, directing the efforts at legislative reform in ~~XXXXX~~ Minnesota. He sent me a copy of the booklet the organization he heads put together for Minnesota legislators on the issues of Gay civil rights, and I found it a very professional job.

Regards,

*Halter*

~~XXXXXXXXXX~~

NATIONAL COMMITTEE

FOR

SEXUAL CIVIL LIBERTIES

18 OBER ROAD

PRINCETON, NEW JERSEY 08540

(609) WA4-1950

*Co-Chairmen:*  
Prof. Walter E. Barnett  
Albuquerque, New Mexico

Dr. Arthur C. Warner  
Princeton, New Jersey

March 29, 1973

Mr. Thomas E. Horn  
507 Roma Ave. N.W.  
Albuquerque, NM 87102

Dear Tom:

I assume that the bill to reform the New Mexico sodomy statute failed to make it through the last-minute crush in the house of representatives. If so, will it be possible to get it considered in the legislative session next year?

I also presume you have not yet heard anything from the Court of Appeals in your case challenging the constitutionality of the present law. I was hoping a favorable decision would come down in time to be mentioned in my book, but the book has now been shipped off to Binghamton, New York, to be printed and bound. Well, maybe in the second edition (my wishful thinking!).

The main reason I am writing is to ask you to become a member of the National Committee for Sexual Civil Liberties. Your interest in this general area and your already significant labors in behalf of law reform in New Mexico amply qualify you. The Committee is at present still a rather informal coalition of experts devoted to reform of America's antiquated sex laws. I am enclosing a list of the committee members (which may be slightly out of date). So far we have been totally without financing, so each member's work in behalf of the Committee is volunteer and each has to pay his own expenses. However, as I mentioned to you, we are currently making a herculean effort to obtain funding to set up an office with a full-time salaried staff and to defray travel, telephone, and litigation expenses. I think we will succeed, but it may take a while.

I have discussed with my co-chairman, Arthur Warner, your joining the committee. Our objective has been to co-opt to the Committee people around the country who have the potential to make a real contribution of talent (not money) to the achievement of our goals. We are particularly anxious to have you join, because, since my removal to California, we have no one at all in New Mexico. Assuming you are agreeable, I will ask Arthur to send you a resume of the activities of the Committee, and we will try to keep you

Mr. Thomas E. Horn

3/29/73

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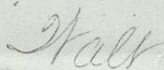
informed of significant developments as they occur.

We are planning a plenary meeting of the Committee in Washington this August to coincide with the ABA Convention. Is there any chance you could attend? It would give you an opportunity to get acquainted with other members, and them with you. The meeting will also be very important, because we may have some funding in hand by then, and we will be charting the course of the Committee for the following year.

I think I should make clear that the Committee is primarily devoted to problems involving Gays, but the scope of our work is not limited to those problems. We are currently involved in a case in New Jersey challenging the fornication law of that state, and we are also working to eliminate the criminal laws against adultery, illicit cohabitation, and prostitution. In short, our objective is nothing less than to get the state out of the business of regulating sexual behavior altogether (except for acts imposed on others without their consent, acts with children, and acts in public).

I look forward to hearing from you.

Sincerely,



Walter Barnett  
Co-chairperson

240 Dolores St., Apt. 327  
San Francisco, CA 94103

cc: Dr. Arthur C. Warner

RESUME

THOMAS E. HORN

PERSONAL BACKGROUND

Born: June 7, 1946. Albuquerque, New Mexico

Age: 25

Married, No Children

Home Address: 3104 Palo Alto Drive Northeast  
Albuquerque, New Mexico 87111

Office Address: 507 Roma Ave Northwest  
Albuquerque, New Mexico 87102

EDUCATION

Bachelor of Arts, University of New Mexico, 1968

Juris Doctor, University of California, Los  
Angeles, 1971  
(Order of the Coif)

ADMITTED TO STATE AND FEDERAL BARS IN FOLLOWING JURISDICTIONS

New Mexico

California

PARTICIPATED IN FOLLOWING CASES:

People v. Angela Y. Davis & Ruchell McGee  
(Collaborated in Pre-Trial motions and  
writing of briefs. Participated in oral  
argument on the motions)

United States v. Melvin Carl Smith  
(National Security Wiretap. Collaborated  
in writing brief which was argued before  
the 9th Circuit in May, 1971. Companion  
case, United States v. Keith, Supreme  
Court Docket No. 70-153 to be argued  
in front of Supreme Court this term)

United States v. Rosalio Munoz  
(Mexican-American leader indicted for  
Selective Service violation. Participated  
in writing brief which was argued before  
the 9th Circuit in November, 1970)

REFERENCES

Michael E. Tigar  
2424 Pine Street  
San Francisco, California

Michael Somers  
Somers, Kallen and Vaisey  
2512 Wilshire Blvd  
Santa Monica, California

John Vaisey  
Somers, Kallen and Vaisey  
857 Montgomery Street