

GAY LAW STUDENTS ASSOCIATION

Announcement

Date: January 15, 1973

Re: Discriminatory Enforcement of 647(a) of the California Penal Code by the Los Angeles Police Department (solicitation and lewd conduct statute)

Part I:

Part I of this report was conducted by Rick Angel and Tom Coleman, both students at Loyola Law School (L.A.). It includes a survey of all current law on the subject of discriminatory enforcement of a penal law. It analyzes the availability of this as a defense to a criminal prosecution as well as the proper means of bringing it to the attention of the court. This part of the project was conducted as Independent Research for academic credit from Loyola in the fall semester, 1972. Part I was completed in January, 1973.

Part II:

Part II of this report was conducted by Barry Copilow and Tom Coleman. Copilow, a 3rd year student at U.S.C. Law School, is the Legal Services Director of the Gay Community Services Center in Los Angeles. Coleman, a 3rd year law student at Loyola, has been the Chairman of the Gay Law Students Association.

Coleman and Copilow were commissioned by H.E.L.P. Inc. to conduct this research. Part II is a statistical analysis of all arrests and complaints filed for alleged violations of 647(a) within the Central District of the Los Angeles Municipal Court (which services police divisions in Central L.A., Hollywood, Wilshire, Pampart, Newton, 77th, Northeast, Southwest, and Hollenbeck) This research was limited to the months of June, July, August, and September, 1972.

This report contends that 647(a) is enforced by the L.A.P.D. against gay persons in a purposefully arbitrary, invidious, and discriminatory manner. The report also contends that the City Attorney's office uses the plea bargaining process in a manner discriminatory to gay persons.

Part II will be used by H.E.L.P. Inc. in the pending "Blackpipe 21" case. A hearing should be held on a demurrer to the complaint sometime in January.