

Distributed to the gay press in 1975

AFTER SODOMY REFORM --- What next?

On January 1, 1976 all private sexual acts between consenting adults will be decriminalized. The argument that homosexuals are criminals can no longer be used by our opponents. However, this change in legal status is not a cure all and is only the beginning for full civil rights for gays. Other areas of discrimination include: employment, public accommodations, housing, credit, insurance, child custody, marriage, education, immigration, etc. One reason that certain changes in criminal laws are occurring on January 1st is that there was a united effort to bring about this result. Another reason was that there was a change in the Executive Branch of government in California, i.e. Governor Brown replaced Governor Reagan. Reagan surely would have vetoed A.B.489. The legislators were aware that Brown was likely to sign it.

I propose that the next major move for reform in California should be an Executive order issued from Governor Brown which would prohibit all discrimination on the basis of affectional or sexual orientation or preference throughout the state government. This could bring about drastic changes. Such an order was issued by Governor Shapp in Pennsylvania earlier this year. The changes within that state government are overwhelming.

Attached is a packet of information from the Governor's Task Force on Gay Rights in Pennsylvania. This shows the extent to which the various state agencies are involved in implementing the Governor's order. I attended a meeting of this Task Force on October 17th and can personally attest that the tone of the meeting was that of cooperation. Sometime in November the Task Force will become an official Commission, made up of representatives from state agencies as well as gay representatives from various parts of the state. The Commission will also show a proper balance of men and women.

I strongly urge that this idea be discussed by members of the gay community for possible implementation in California. If we unite behind this type of a campaign, we can probably convince our Governor to do something similar in California. Oftentimes changes in attitudes are more important than changes in laws. If anything was apparent from my visit in Pennsylvania it was the fact that attitudes of state representatives had changed. In turn, it will be easier to make appropriate changes in other laws if there is less opposition from state officials.

If anyone is interested in forming a Statewide Committee on Executive Implementation of Gay Rights please feel free to contact me at 3701 Wilshire Blvd., 7th Floor, Los Angeles, CA, 90010. Phone: (213) 386-7855

Thomas F. Coleman

M E M O R A N D U M

Agenda - Meeting on Homosexual Rights, October 17, 1975

1. Legislation
2. Permanent Structure
 - a) Nominations for all three members
 - b) Screening Committee
 - c) PHRC letter
3. Report from state agencies and private groups

Meeting on Homosexual Rights - September 11, 1975

Present: Barry S. Kohn, Department of Justice - (215) 238-7351
Terry Dellmuth, Governor's Office - (717) 787-4472
Bob Rains, Department of Justice - (717) 787-5022
Earl Greenburg, Department of Justice - (717) 787-4424
Louise G. Oncley, Human Relations Commission - (717) 783-8265
Jeanne Boydston, Department of Education - (717) 787-1130
Harry Smith, Bureau of Correction - (717) 787-7492
Francis R. Filipi, Bureau of Correction - (717) 787-1147
Walter Lear, Pa. Department of Health - (215) 631-2435
Karen Snider, Office of Mental Health - (717) 787-3771
Jay Snyder, Department of Public Welfare - (717) 787-1870
Paul Donohue, Department of Insurance - (717) 787-9069
Jean Becker, Affirmative Action Council - (717) 783-1143
Salvador L. Rodriguez, Pa. State Police - (717) 787-2541
Jerry Brennan, Harrisburg - (717) 232-2027 or 787-9410
Randal G. Forrester, Persad Center, Inc. - (412) 681-5330
David March, Pittsburgh Gay Political Caucus - (412) 661-8570
Jerry Weller, Homophiles of Penn State - (814) 234-1468
Janice Irvine, Homophiles of Penn State - (814) 238-4644
Tony Silvestre, Homophiles of Penn State - (814) 237-0211
Samuel Deetz, Sunbury, Pa. - (717) 472-9923
Mark Segal, Gay Activist Alliance - (215) 248-2228 or 242-2657
Harry Langhorne, Gay Activist Alliance - (215) 349-8977
Frances Hanckel, Gay Activist - (215) 829-8883 or 349-7632
Chuck McKee, Gay Switchboard - (717) 234-9588
Dennis Rubini, Temple University - (215) 787-7000 or KI5-2646
Barbara Gittings, Task Force on Gay Liberation - (215) EV2-3222
Janet Cooper, Philadelphia - (215) VI9-1346
Bari Weaver, Lancaster - (717) 898-2876
Arthur Warner, National Committee For Sexual Civil Liberties -
(609) 924-1950

Reports from state agencies and private groups

a. State Police

Entrapment - Captain Rodriguez advised us that the reports from troop H and S of complaints and cases involving entrapment have been sent to Andy Smyser. Barry stated that he would call a meeting with Andy and Bob Rains to review the complaints and that then Jerry Brennan would be contacted with regard to future action in this matter. Jerry Brennan stated that he had another person who wanted to come forward and make a statement and would contact Andy with regard to arranging a time.

Employment - Bob Rains is preparing a memorandum of law with regard to employment of homosexuals by the State Police. He will attempt to have this memorandum completed by the next meeting. Mark Segal

also handed out a memorandum which indicated responses from 30 cities with regard to discrimination against homosexuals by the police. As of September 10th six cities had responded that they do not discriminate against homosexuals. Mark stated that he hoped this survey would be completed by the next meeting.

Captain Rodriguez stated that the State Police were not willing to meet with various members from the gay community to discuss the problem of employment.

Terry Dellmuth stated that he would look into the question that was raised by Mark Segal at a previous meeting at which Representative Wilt told him that he had received encouragement from Colonel Barger to introduce anti-gay bills.

Pottsville - Someone asked that Captain Rodriguez investigate a complaint from gay people in Pottsville that the State Police are asking for the names of all gay people in Pottsville. Captain Rodriguez stated that he would look into the matter and report back.

b. Health

V.D. Program - Jerry Brennan reported that the state V.D. program is very vast and very difficult to grasp a hold of as far as its affect on gay people. He believes now that the program needs a full-time gay consultant. Jerry has attended a staff conference in Pittsburgh in which he found the staff very receptive. However, at the present time the head of the V.D. program had left and they are looking for a new person. This has caused a problem with regard to his recommendation for a full-time consultant.

Jerry stated that he had not received any volunteers from Philadelphia. Randy and Francis agreed to get volunteers from Pittsburgh and Philadelphia to work with Jerry in this area.

Janet stated at this point that she understood that there was a state health trust fund which could possibly be used for such a program. Earl Greenburg then stated that he was managing that trust fund and that the state was trying to disperse all of the funds in that trust fund by January 1976. The fund is called the Attorney General's Public Health Trust. Any person interested in this program should contact Earl Greenburg in the Pennsylvania Department of Justice.

Health Regulations - Walter reported that the regulations are now in a form to be reviewed and he will report about them again at the next meeting.

In Service Training - Walter reported that the contract has still not been signed but it is in the process of being signed.

c. Insurance

Paul Donohue stated that the Insurance Department is still looking for hard cases of discrimination against anybody including discrimination against gay people. He asked that cases be referred to him at 787-9069.

d. Education

Jeanne Boydston reported that the Department of Education was continuing its meetings of the Task Force. At this point concentration has been on the process of consciousness raising and the work has been divided into external policies and internal policies. Janet and Tony have been meeting with the department and are satisfied that things are progressing in this department.

Jerry Brennan asked whether the Task Force was going to get into the problem of hiring gay teachers and the issue of union contracts. Jeanne stated that they intended to get into these areas eventually but were not ready to deal with this problem at this moment.

f. Pennsylvania Human Relations Commission

Louise Oncley reported the number of complaints at their regional offices on discrimination of gays as follows: Pittsburgh, no complaints - one request for information; Philadelphia, three complaints and two complaints in Harrisburg.

Janet Cooper stated that she was very upset with her experience involving the Human Relations Commission in Philadelphia in which she was made to wait three hours after an appointment had been made by telephone for a scheduled time. David March from Pittsburgh also stated that he had filed a complaint with the Pittsburgh office which apparently did not show up on the statistics. Bari Weaver from Lancaster also stated that he had tried to file a complaint in Harrisburg by telephone but was not allowed to. After hearing about these complaints, Louise said that she would check into each one of them to determine why the process was not working correctly.

Louise also reported that the Human Relations Commission on July 28, 1975 had voted to affirm that it had no jurisdiction to take complaints in the area of sexual preference. This raised a number of questions because at the last meeting Dolly Shuster had suggested that it would be better for the Commission to take a neutral position and this position was approved by a group. However, it appears that the Commission has decided to

take the position that it does not have jurisdiction. Louise said that she would ask Dolly to look into the complaint procedures of the Human Relations Commission since this vote had been decided upon and that she would report back at the next meeting.

g. Affirmative Action Council

Jean Becker stated that the Affirmative Action Council will take cases of state employees where there is an alleged discrimination on the basis of sexual orientation. She stated that she has taken these complaints before and that this will continue to be their procedure. She will look into each case where the dismissal or problem has come about because of non-job-related information.

h. Bureau of Correction

Francis Filipi stated that a meeting had been held on Monday with the subcommittee composed of Debbie Boyle, Janet Cooper, Mark Segal and Arthur Warner. He reported that with regard to gay literature there were numerous gay publications that were being allowed into the libraries and listed a number of them. He also stated that a bibliography on gay literature is being put together by Mark Segal and will be put in the library. The subcommittee apparently covered other areas and were very happy with the response that they received from Mr. Filipi and Harry Smith from the Bureau. They intend to meet again and believe they are moving ahead with the questions that were raised at previous meetings. With regard to training of guards, Randy Forrester stated that a proposal would be forwarded to the training person at the Bureau.

Terry Dellmuth raised a question about a proposal for a group home for gay juveniles. There were numerous questions with regard to the purpose of this home and it was decided that Debbie Boyle should convene her committee along with the Representative from D.P.W. to look into these questions before our next meeting. It was also announced that Glenn Gilman was on the committee as a representative from the Justice Department.

i. Justice

Bob Rains handed out a memorandum that he had put together on victimless crimes. It was decided that the legislative committee would meet with Bob before the next meeting to determine what type of victimless crime package should be put together for the administration's consideration.

j. Department of Public Welfare

Jay Snyder stated that his Task Force in the Department of Welfare had still not met, even though several dates had been set, each

one had been postponed. The next date for the meeting is scheduled for September 17th. There were questions as to whether gay members would be appointed by that meeting and Jay stated that they would not. It was stated that Jerry Brennan could come to the meeting even though he was not at this point a representative from the gay community. Some members of the meeting expressed frustration and anger at D.P.W.'s foot dragging with regard to the Task Force and other matters that had been raised on numerous occasions.

Jay stated that with regard to aversion therapy and Dr. Volpe that the conference which is being held on aversion therapy is not being held at EPPI but at the Sheraton.

Karen Snider handed out Bulletin #1173 which were Standard for Behavior Therapy Programs in state mental hospitals and state schools and hospitals. She stated that this bulletin was issued on November 2, 1973 and is in the process of review. Randy Forrester stated that he would review the guidelines and make comments to the department.

Karen also announced that hearings would be held on the regulations of D.P.W. with regard to Rights of Patients in residence in mental health and mental retardation facilities operated by the Department of Public Welfare. These hearings will be held at the following times: Southeast Region - September 29th at EPPI, 10:30 to 5:00; Northeast Region - October 2nd at Allentown State Hospital, 10:30 to 5:00; Central Region - October 6th at Danville State Hospital, 10:30 to 5:00; Western Region - October 8th at the Western Psychiatric Institute and Clinic, Room 230-C, 10:30 to 5:00.

k. Liquor Control Board

Earl Greenburg reported that every one of the proposals that has been put forth by the subcommittee working with the Liquor Control Board has been accepted except one and will be put in the formal regulations. He handed out a memorandum outlining the areas that have been covered with the Liquor Control Board. Everyone on the committee agreed that the Liquor Control Board had been very interested and cooperative in changing their procedure. Earl asked that any problems with bars should be referred to him at this time.

Earl also suggested that the subcommittee try to get their reports in writing and sent out in advance which would help speed up our meetings.

l. Union Contract

Terry introduced Wayne Dowling from the office of Administration Bureau of Labor Relations. Mr. Dowling was at the meeting to talk about the

union contract provisions in the P.S.S.U. contract in which the union demanded the insertion of an anti-discrimination clause for sexual preference. Wayne stated that at the bargaining sessions it was decided not to put this clause in because it was already covered by the Executive Order. However, since Terry has raised the issue with the Office of Administration, Wayne has been contacting each department to see whether there is any problem in putting that clause in at this time. The only persons that have a problem are the Bureau of Corrections and D.P.W. has not responded. Wayne stated that by the next meeting he would report as to whether the clause was going to be put in. If the Bureau of Correction does still object to its being included, it could be put in over their objection but their objection would be at least listened to. Wayne agreed that he would report back to us at the next meeting with regard to this issue. The question was asked whether this clause could be included in the other state-union contracts and how that should be done. Wayne stated that he would see that it was considered by the Bureau of Labor Relations and that they would consider asking each union to include this clause in the contract. Terry also suggested that our own group may want to contact all the other state unions to discuss with them the inclusion of this anti-discrimination clause in union contracts.

It was decided that the subcommittee on employment under the direction of Dolly Shuster would discuss this issue of union contracts and also the issue of a personnel policy manual which is being put together by the Office of Administration.

Legislation

Mark Segal reported on the Amendment to the Human Relations Commission Act. He stated that democratic legislator Joseph Rhodes will be a sponsor to the bill if the group is able to obtain a republican sponsor. Mark also stated that the Black Caucus was considering supporting the bill and he would report further on the bill at the next meeting.

Permanent Structure

Terry reviewed his memo to the Governor with regard to the Commission on gay rights. The Governor raised three questions with regard to the Commission: 1) He felt that the name should be changed possibly to a less controversial name; 2) He questioned whether there may be too many people; and 3) Terry asked that he not be the convener of the screening committee. After some discussion it was decided that the name should be similar to Commission for Sexual Minorities, Commission on Sexual Minorities or Commission for the Rights of Sexual Minorities. It was decided that Terry take these names back to the Governor for his approval of one of these names. Also it was decided to drop the Commission on Women, the Department of Insurance and P.H.R.C. Also it was decided that the Office of Administration should be one of the members of the Commission. This will lower the

state representatives to eight and will lower the total number of the Commission member to 26. In addition, it was agreed that Barry Kohn should be the convener of the screening committee.

We further decided that nominations would formally be open for Commission members beginning on September 15, 1975 for a six week period which would end on October 27th. Notices should be placed in papers throughout the state asking for nominations and all nominations should be sent to Barry Kohn, Community Advocate Unit, 344 North Broad Street, Philadelphia, Pa. 19102.

A copy of the final approved permanent structure is being sent out with these minutes so that everyone has this document to show to interested nominees. Special interest should be given to the nomination procedures in the document.

The meeting was then adjourned. The next meeting of the Task Force will be on Friday, October 17, 1975 at 1:00 in Room 238 of the Main Capitol Building.

It was also announced that the state representatives that are on the Task Force are invited to participate in a day long conference on October 18th in Harrisburg which is being held by gay representatives. Further information about this conference will be forthcoming.

Enclosure