

Arthur C. Warner

A.B. Princeton Univ. 1938; LL.B. Harvard Law School, 1946; Ph.D. (British History), Harvard Univ. 1960.

A founding member in 1952 of the Mattechine Society of New York, and chairman of its legal committee. Founder of the National Committee for Sexual Civil Liberties, now known as the American Association for Personal Privacy. Dr. Warner sat as a participating consultant on the Judiciary Committee of the New Jersey Assembly during the years when it discussed the present New Jersey Penal Code. In that capacity Dr. Warner succeeded in obtaining the excision of the sexual solicitation provision from the proposed penal code and the ultimate absence of such a provision in the code as ultimately enacted. Dr. Warner wrote one of the two winning briefs in Fryer v. Municipal Court, in which the California Supreme Court judicially rewrote the sexual solicitation provision of the California criminal code. That provision had been the prime vehicle for the arrest of gay people cruising or soliciting in California. Dr. Warner brought Professor Welsh White of the University of Pittsburgh Law School into the Bonadio case in Pennsylvania. Together they devised the legal strategy which caused the Pennsylvania Supreme Court to invalidate both the Pennsylvania sodomy statute and its companion homosexual solicitation law. Dr. Warner wrote the brief which persuaded the Criminal Law Revision Commission of Nebraska to remove the homosexual solicitation provision from its prospective criminal code, with the consequence that Nebraska, like New Jersey, is today without such a law. Dr. Warner planned and directed the legal strategy in the Albi and Gibson cases in Colorado, which resulted in the invalidation by that state's supreme court of the Colorado homosexual solicitation law. Dr. Warner collaborated with Mr. William Gardner, the Buffalo, New York, attorney and member of the American Association for Personal Privacy, on the brief in the Cnofre case, which resulted in the striking down of the New York sodomy law by that state's highest court. Dr. Warner subsequently wrote part of the brief in the Uplinger case in which the same court invalidated the New York homosexual solicitation statute.

At the time when Ohio was still an unreformed jurisdiction so far as its sodomy law was concerned, so that those who engaged in anal or oral sex with members of the same sex were felons under Ohio law, Dr. Warner was called to testify before a special commission established by the Supreme Court of Ohio to determine whether an openly-admitted

and practicing homosexual should be admitted to the bar of that state. The Commission's decision to admit the young man to practice was the first such admission of an openly-gay person to the bar of any state in this country. On a later occasion Dr. Warner testified before the judiciary committees of both houses of the Ohio legislature on the provisions which subsequently resulted in the decriminalization of private sexual conduct between consenting adults in that jurisdiction. Dr. Warner continues to serve as a consultant to legislators and administrators in different state involved in draughting statutes in the area of sex. He has taught at Ryder College and Fairleigh Dickinson University in New Jersey and at the University of Texas. He is the author of Why Reform the Sodomy Laws?, of Homosexual Law Reform: A Second Look, and of Myths and Fabrications concerning Homosexuals and Homosexuality.