

STATEMENT OF THE MADISON COMMITTEE FOR GAY RIGHTS

Repeal of the state laws against Consensual Sex (sexual perversion) is advocated for the following reasons:

1. Such laws criminalize all those women and men who are suspected of violation, especially if they are presumed to be homosexually oriented. Consequently parents, friends, employers, and gay people themselves find it difficult to judge an individual at his or her own worth, free of the stigmatization of "lawbreaker". The stigmatized include a large number of people. According to the Kinsey reports, 13 % of women and 37 % of men have engaged in homosexual acts as adults, acts which are presumptively in violation of these laws. 10 % of all men and women in America are predominantly homosexual throughout adulthood. Further heterosexual sexual conduct, is also restricted by the law. Large numbers of heterosexual individuals engage in oral sex as shown by a survey of 100,00 women conducted by Redbook Magazine (Sept. 1975) showing 91 % had experienced oral sex.
2. "Equal protection under the law," a constitutional guarantee, is violated. It is impossible to enforce the law uniformly and no attempt is made to do so. Heterosexuals to whom the law also applies are rarely arrested or convicted even though all research data indicate that a large percentage engage in proscribed activities. Indeed, these acts are encouraged in most serious marriage manuals and counseling guides.
3. They violate constitutional rights to privacy.
4. They constitute an attempt by the state to establish standards of private morality, a morality which is at odds with the standards and practices of an estimated 20 million predominantly homosexual American women and men, and, as evidenced by a wide range of studies, many millions

of heterosexual women and men. Church groups have increasingly objected to legal fortification of moral precepts. Among these have been the New York Society of Friends, Catholic groups such as Dignity, the Unitarian Church, the United Church of Christ, the Episcopal Church, the Lutheran Church in America, and the National Federation of Priests Councils.

5. Knowing they are "lawbreakers" causes many innocent people deep emotional anguish. Within the health field, repeal has been urged by formal resolution of the American Psychiatric Association, the American Medical Association, the American Mental Health Foundation, and the American Psychological Association.
6. Laws regulating sexual conduct are not obeyed and cannot be enforced; hence they breed contempt for the law.
7. When enforcement does occur it imposes a burden on the resources of the criminal justice system which is already unable to handle the work load involving crimes harmful to individuals and property.
8. Within the legal profession, repeal has been urged by formal resolution of the American Bar Association, the American Law Institute, the International Congress of Criminal Law, the American Law Committee, the National Commission on Revision of the Penal Laws, and the American Civil Liberties Union.
9. These laws constitute the foundation for frequent attempts at blackmail and shakedowns.
10. These laws, through their criminalization of gays, are used to bar them from virtually every profession, including practice of law.
11. Minors and non-consenting adults are fully protected by other laws, just as they are protected from heterosexual offenders. Further the necessity for the state to be unusually concerned with homosexual involvement in pedophilia (the desire of an adult for sexual relations with children)

is unjustified. Research on the subject of child molestation clearly shows that a homosexual sexual preference does not make an individual more likely to molest children than a heterosexual sexual orientation does.

12. Several states have recently eliminated their restrictions on consensual adult relations: Illinois, Oregon, Connecticut, North Dakota, Ohio, Delaware, Hawaii, Arkansas, California, New Mexico, Maine, and Washington.

13. Further the Michigan Commission on Criminal Justice has recently recommended the laws criminalizing consensual adult sex be repealed.

14a. Further the following groups have advocated the human rights of homosexuals to equal opportunity in housing, employment, and public accommodations: YWCA, National Organization of Women, National Council of Churches, American Association for the Advancement of Science, American Personnel and Guidance Association, American Library Association, American Federation of Teachers, National Educational Association, and Washington D.C. Board of Education.

14b Fourteen corporations follow non-discriminatory employment practices including:

ATT, IBM, Bank of America, Eastern Airlines, American Airlines, ABC, NBC, CBS, McGraw Hill, McDonalds, Honeywell, Proctor & Gamble, Avon, and City Corp.

The U.S. Civil Service Commission has adopted such non-discriminatory employment practices.

14c Thirty-one municipalities including Madison have enacted such guarantees as has the Wis. State Manpower Council and the Faculty of the University of Wisconsin.

14d Two states, Oregon and Pennsylvania, have established commissions charged with investigating and alleviating the special problems of sexual minorities especially gay people.

The Capital Times in an editorial dated March 2, 1976, called for serious consideration of such rights. The above evidence clearly shows the trend of public attitude toward the guarantee of equal rights in employment, housing, and public accommodations. In light of this positive shift in public opinion we further call for equity under the marriage statutes of Wisconsin. We fully advocate a change in the state statutes to allow marriages between same sex persons.

- - - - -

APPENDIX

U.S. AND CANADIAN CITIES PROVIDING GAY RIGHTS PROTECTION

CITY	Date
New York City*	Feb. 7, 1972
East Lansing, Mich.	March 1972
San Francisco, Calif.	April 1972
Ann Arbor, Mich.	July 1972
Washington, D.C.	November 1973
Seattle, Wash.	1973
Toronto, Ontario	1973
Berkeley, Calif.	1973
Detroit, Mich. **	Nov. 1973
Columbus, Ohio ***	Jan. 1974
Minneapolis, Minn.	March 29, 1974
Alfred, N.Y.	May 6, 1974
St. Paul, Minn.	July 1974
Palo Alto, Calif.	Aug. 1974
Ithaca, N.Y.*	Sept. 1974
Sunnyvale, Calif. *	Oct. 1974
San Jose, Calif.	Nov. 1974
Portland, Ore.	Dec. 1974
Mountain View, Calif. *	Feb. 1975
Cupertino, Calif. *	Feb. 1975
Madison, Wis.	March 25, 1975
Marshall, Minn.	April 1975
Yellow Springs, Ohio	July 1975
Santa Cruz County, Calif.	July 1975
Austin, Tex.	July 1975
Santa Barbara, Calif. *	Aug. 1975
Chapel Hill, N.C.	Sept. 1975
Moscow, Idaho	1975
Latah Co., Idaho	1975
Howard Co., MD	1975
Hennepin Co., Minn.	1975
Bloomington, Ind.	Dec. 1975

NOTES:

* Municipal employment only.

** Included in the new city charter passed by popular vote.

*** Housing and public accommodations only.