

Editors: Eva Friend  
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A Guerrilla To Invade MSW

M. S. W. IS JUST A BUNCH OF FAGGOT COMMUNISTS, ISN'T IT? WHAT HAS M. S. W. EVER REALLY DONE FOR HOMOSEXUALS?? IS THE HOMOPHILE MOVEMENT JUST A BUNCH OF BICKERERS FIGHTING FOR A HOPELESS CAUSE?? WHAT SIGNIFICANT CONSTRUCTIVE MEASURES DOES M. S. W. HAVE PLANNED FOR THIS YEAR??

If you are stumped by any or all of these questions then the program for the next membership meeting, Thursday, Feb. 6, 1969, at 8:00 p.m. is designed with YOU in mind. Eva is designing a training workshop for members to get a summary of the facts about M. S. W.; its prior record and future plans. She feels that each member is virtually a spokesman for one of the most difficult causes for one to espouse in our sex-negative society and plans dramatically to offer role playing, improvisations and other guerilla theatre tactics involving all the members.

This looks like a STANDING ROOM ONLY meeting.

Feb. 6, 8:00 p.m. — St. Marks

The business meeting will be short and sweet since the workshop will be a major program.

Victory in the Courts

FLASH!!!

U. S. COURT OF APPEALS declares "general vagrancy" statute to be unconstitutionally vague.

In the case of Hattie Mae Ricks v. District of Columbia, Circuit Judge Robinson found on 23 December 1968 that the portion of the D. C. Code known as the "general vagrancy" statute (Sec. 22-3302 to 22-3306, 1967 ed.) was too vague to be within constitutional guidelines.

The many subsections of the statute include similar wording and so four elements found to be inclusive are:

"Any person (1) known to be a ... thief ... felon... convicted in the District of Columbia... or other place... and (2) having no lawful employment... no lawful means of support... and (3) not giving a good account of himself when (4) found loitering around in any... public place..." is a vagrant.

LOITERING

"Loitering" has not been defined legislatively and so there are no statutory criteria distinguishing the difference between innocent and potentially criminal loitering. Since such differentiation becomes a subjective rather than an objective decision, this element is unconstitutional.

NOT GIVING A GOOD ACCOUNT OF HIMSELF

The Statute furnishes no standard by which it can be determined whether an explanation for particular conduct is "good." In effect, a person may stand in a public place only at the discretionary whim of a policeman since one may be called upon not for an "account" but for a "good account" of one's behavior or actions.

LEADING AN IMMORAL OR PROFLIGATE LIFE

Immorality and profligateness are not terms of art, at least in common understanding and the definitional problems they pose are readily apparent. The District of Columbia Court of Appeals considers this section so elastic as to prohibit any conduct that is not "decent, upright, good, (or) Right." Obviously this subsection affords an almost boundless area for individual assessment of the morality of another's behavior.

WANDERS... WITHOUT ANY VISIBLE OR LAWFUL BUSINESS

The proscription against wandering has no built-in criterion for determining the kind of degree of movement prohibited. Nor does the statute define the expression "without any visible or lawful business." This phrase does not refer to the ordinary vocation of the person but rather to his purpose in being on the street, and business is not limited to monetary gain. One may have lawful business on the street even though he is there merely for exercise or recreation. This section is a grant of an unfettered discretion — to administrative and judicial authorities alike — to regulate movement on the public streets...

The pervading difficulty in the upholding of this statute is the legislative omission to provide a reasonable degree of guidance to citizens, the police and the courts as to just what constitutes the offense. Each of the stated provisions is so vague as to infringe rights secured by the Fifth Amendment. Charges of vagrancy thus make possible criminal convictions based on conjecture rather than on evidence of criminality, contrary to the most fundamental principles of our criminal jurisprudence.

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The upset of the "general vagrancy" statute might be considered good news by some since it, theoretically, takes away the chances of a policeman arresting a person without proving a crime was committed; or that the person being arrested was even involved. Will the police be pressed to be more specific in their arrest and cart-away techniques or will they merely find some little known and just as seldom used statute to accomplish a general sweep of the streets??

Happiness is a Button

MSW will join the button game soon when it receives one hundred "Gay is Good" buttons and bumper stickers from California. The North American Conference of Homophile Organizations adopted the slogan "Gay is Good" last summer at its fourth annual national conference in Chicago. The success of the "Black is Beautiful" campaign of the black movement obviously influenced its thinking.

The adoption by MSW of the slogan gives support to the so-called "gay power" approach to reform. This attitude steers several homophile organizations, among them most notably Homophile Youth Movement (HYMN) in New York under the leadership of Craig Rodwell. Mr. Rodwell cites the proposed directory compiled by New York homophile organizations of businesses as a significant step to unify the homosexual buying power.

Not all are so confident in the gay power approach as HYMN. Members of MSW have accused the slogan as being too weak and compromising. Others prefer "Gay is Great" to make a much stronger statement in extolling the virtues of the homosexual way of life in the face of the overwhelming attitudes to the contrary. Frank Kameny however defends the "Gay is Good" slogan as being a positive statement connoting confidence in homosexuality as an orientation on par with heterosexuality rather than implying superiority of homosexuality which he claims other words might connote.

MSW hopes to raise funds by selling the buttons and bumper stickers, but complete details of the distribution are not yet finalized.

Got a Match?

Matchbooks are easy to pick up, usually stay within easy reach for a while, and are often read and re-read. This at least is the theory of an MSW project at present on the drawing board. Eva Friend and Dick Schaefer have designed a

matchbook cover with the initials MSW on the front, the telephone number on the back, and a list of MSW services to homosexuals inside. These advertisements for MSW would be placed in gay bars and aimed at homosexuals who may not know or trust the organization. In addition to being a service to homosexuals, the matchbooks also would keep MSW in view which would increase the potential for new members.

The usual problem of money is preventing the project from going further at the moment, but the drafters are still exploring new possibilities.

### Promises, Promises

Promises is what MSW gets from the Washington Free Press, but no articles. Frank Kameny has written a general article about the movement and MSW which was submitted to WFP but has not yet appeared. Eva Friend wrote a second article for later publication. Keep watching for both.

### MSW Statement of Income and Expenses Jan. 1 — Dec. 30, 1968\*

<u>INCOME</u>		
Misc.	55.63	
Dues	420.00	
Visitor Fees	4.00	
Fund-Raising	219.45	
General Contrib.	155.07	
Office Donations	311.23	\$1166.48
<u>EXPENSES</u>		
Postage Used	97.35	
Stationary/Supplies	64.99	
Administrative	127.23	
Bank Charges	40.30**	
Office Expense	1054.21	\$1382.58
NET (LOSS)		\$216.40

\*Includes returned checks totaling \$35.00.

\*\*This is not an audited statement.

### MSW Abstract of Accounts Receivable/Payable Dec. 31, 1968

<u>ACCOUNTS RECEIVABLE</u>	
Total Membership Dues for 1969	\$210.00
<u>ACCOUNTS PAYABLE</u>	
International Office Building	70.00
C & P Telephone Company	54.13
D. C. Government Property Tax	10.36
	\$124.48

### Governmental Concerns

In the case of Scott v. Macy, a winner appears to be emerging. The Civil Service Commission has granted eligibility to Scott; also, it has indicated that the government does not intend to take this particular case through the courts again. Nor does it intend to use prior allegations to bar Scott's employment.

In the case of the several WACS, a winner appears to be emerging. Since the government could not substantiate certain allegations of homosexual conduct, the first of the WACS, who requested help from MSW, has had her security clearance re-instated.

### The Orderly Change of Power

Once again less than one half of the total membership has elected those who will lead (hopefully) the organization. Perhaps those neglecting to vote did not approve of the choices. But then, they probably were not present at the preceding meeting when the nominations for officers were made.

The 1969 Executive Board will be facing some interesting stresses in the way of a strained budget, a disappearing office, and a new militancy on the part of some members of the Board.

For better or for worse the new Board is composed of Frank K. (president), Sue C. (vice-president), John B. (secretary), and Eva F. (treasurer). The other Board seats will be occupied by Tony J., John M., and Kline H.

The first work of the new board will be deciding on the priority of several new projects which will be designed to carry the message of MSW out into not only the straight community but to the gay community as well.

The board will be working simultaneously on the problem of what to do about storing the files and office equipment; and, arranging for the phone to be moved to another location now that the office will be abandoned due to insufficient support. The last day of the office will be February 28th.

### Blackmail is a Dirty Word

Cringing. . .submissive. . .victimized by or a potential victim of blackmail. Thus the homosexual has taken his place, or perhaps his role in the American dream—dreamt by others, and the American tradition—if he allows others to perpetuate the myth of submission.

So firm is the American faith in the vulnerability of homosexuals to blackmail that the Federal Government—great defender of public virtue, honor and morality, has adopted as official policy the principle that NO homosexual may be employed in the federal service NOR may any homosexual citizen receive or hold a security clearance—of any level. This position was taken without any investigation being made as to the truthfulness of the myth. In fact, several years ago an impartial hearing was established to determine why homosexuals were unfit for federal government; rather than whether they were fit.

That an entire class of persons could be stigmatized officially without regard to the nature of the specific personality seemed somewhat ludicrous, if not un-American to the Mattachine Society of Washington.

In an attempt to learn what the homosexual person thinks about his potential for being blackmailed, the Mattachine Society of Washington sent out over two thousand questionnaires to homosexuals across the country. To the best knowledge of the Society, this is the first such attempt to compile data on this particular subject. Susceptibility, as used, means one may be approached by someone attempting to blackmail—not that one may give-in.

The rather lengthy questionnaire was an attempt to determine (1) to what extent does the homosexual think he is susceptible to blackmail and (2) in what areas does he fear disclosure—if at all. The initial tabulation was begun in the summer of 1968 with two hundred returned questionnaires, a ten-percent and therefore statistically significant sample group.

Those who felt susceptible to blackmail comprised slightly less than fifty percent of the total responses. They were most concerned about their employers "finding out" with an anticipation of subsequent job loss.

Running a close second in frequency of responses was an unwillingness to have the immediate family find out, if they were unaware. Other family members constituted the third class of persons those who felt susceptible preferred not to know about their homosexuality.

Interestingly, those who DID NOT consider themselves susceptible to blackmail also listed employer, immediate family, and other family—in that order when asked to rank those whom they preferred not to know of their homosexuality.

Members of both groups indicated they would go to the police or other appropriate law enforcement bodies in the event a blackmail threat was made. Several respondents indicated they would go to the police only "if the police were not the source of the blackmail." However, the desire to involve the police was more pronounced among those who DO NOT feel susceptible to blackmail.

Only three persons indicated they would prefer to pay-off. Additional information was gathered about incidents of actual blackmail attempts. In a sense, data on the several aspects of an actual blackmail attempt may be considered more meaningful than data on one's perception of what one may do if confronted by a blackmail situation.

One homosexual in eight has been the victim of a blackmail or shakedown attempt. Seventy percent of these attempts were for money; none were for information. Thirty percent of the attempts were made by government officials in the line of duty.

Of those who submitted to the blackmail attempt, only one was involved in a money threat. Those who submitted indicated no subsequent threats or attempts were made by the same person.

For additional information, contact the Mattachine Society of Washington, P. O. B. 1032, Washington, D. C., or telephone 737-4959 or 362-2211.

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### On Target

Newsletter begins a round-up of happenings in the bullpitt of homophile reform. Human observatory powers being what they are, any help in scanning publications is welcome. Anyone with appropriate articles about activities of other homophile organizations, sociological and psychological changes in attitude, or other related information should contact Dick Schaefer, 638-3539.

The Dayton Journal Herald reported on December 19, 1968 that a state-subsidized psychiatric consultative center for Holland's estimated 500,000 homosexuals has just been officially opened in the center of Amsterdam.

The staff of ten include sociologists, psychiatrists, and a legal expert, though Amsterdam's homosexuals live in a relatively emancipated existence. A \$29,000 state grant covers 80 percent of the running costs and the rest is found through private donations or from voluntary organizations. So far, the most common problem has been the torment young homosexuals face in accepting themselves for what they are and telling others.

### Checklist

A selected memo on relevant reading—including a few titles from places not on the beaten path. Anyone who sees appropriate reading should contact Dick Schaefer, 638-3539, for inclusion in the Newsletter.

"Greetings and Groans", Stanley Kauffman on films in The New Republic, January 18, 1969, reviews "The Killing of Sister George" in a short, but perceptive analysis.

Up from the Pedestal, Aileen S. Krador, Editor (Quadrangle \$8.95), collection of arguments for the emancipation of women.

Open Letter to Men, Françoise Parturier, (Heinemann, \$2.25 paperback), dialogue between one man and the author.

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### Market Place

In a small attempt to consolidate gay "buying" power in Washington, the INSIDER will list businesses and professional individuals who would appreciate the business of MSW members and others in the homophile community. Any business wanting to be included should call Dick Schaefer, 638-3539.

Howard L. Beatty and Associates  
Public Accountants  
3720 Macomb Street, N.W.  
Washington, D. C.

International Valet  
3420 Connecticut Avenue, N.W.  
Washington, D. C.

Goode's Esso Service Center  
Greenbelt Road,  
College Park, Maryland