"A major document" Edmund White

THE BOSTON SEX SCANDAL



MITZEL

"In his irreverent, hilarious and hard-hitting prose, Mitzel reveals the hypocrisy and cynicism that underlie the current crusade against intergenerational love. This book is a detailed look at the often banal, always ambiguous truth that the sex scandal headlines have masked. I predict that children's liberation will be the next great social movement in North America. This book will serve as a major document in what will turn out to be the most violent and radical debate on human rights we shall witness."

EDMUND WHITE

"Mitzel's book is a brilliant and disturbing piece of investigative journalism. Brilliant because it meticulously documents and spotlights a witchhunt that might otherwise have appeared little more than isolated and accidental incidents. Disturbing because it reveals the ease with which many people — thirty years after McCarthyism — still allow themselves to be seduced by yellow journalism, government inspired hysteria, and antisexual foolishness into turning the victim into the criminal, and the criminal into the victim. This book is a welcome addition to the arsenal not only of men and boys who love each other, but of all those who wish to put an end to the tyranny of fear, stupidity, and the arrogance of the state. Mitzel touches a raw nerve."

DAVID THORSTAD

THE BOSTON

SEX SCANDAL

by

Mitzel

Glad Day Books
Boston

To All Those Who Resist

THE BOSTON SEX SCANDAL
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THE YEAR OF THE WITCHHUNT

THE YEAR OF THE WITCHHUNT

This is the story of a resistance. There are many accounts of resistance by homosexuals in the 1970s, but this one is different and somewhat special. This is a resistance by a group of individuals who for too long have been smeared by police, preachers, District Attorneys, popular prejudice and the press as "child molestors." This resistance developed in response to a witchhunt. A witchhunt against homosexuals in general and boy-lovers in particular. It'd be foolish to think that there was only one single time when homosexuals were under attack in this society; the forces of liberation and reaction are in constant combat. But the war on homosexuals became overt and national in 1977 with coordinated campaigns by Anita Bryant, Ed Davis, Jerry Falwell, Judianne Densen-Gerber, the National District Attorneys Assoc., police and press.

Here in Boston, the massive anti-homosexual witchhunt was launched by our 80-year-old D.A., Garrett Byrne, who first took aim at the pedophiles. As the D.A. came to concoct his witchhunt, he drew from other recent sensations which involved homosexuals and teenagers.

This led him to the matter of Dick Bavely.

Bavely had committed suicide in April, 1975 at age 31. Bavely had worked for the Massachusetts Welfare Dept, placing unwanted teenagers into foster care situations. Up through 1975, as well as after, the Welfare Dept, refused to acknowledge the existence of gay teenagers. The Dept, did not understand the special problems and needs of gay runaways (and throw-aways).

As gay men themselves know full well, many gay kids run away from home because of intolerable homophobia on the part of parents, other siblings, teachers and school peers. Their needs are not met by placing them into another oppressive straight foster home where they will probably find the same abuse or in correctional institutions which will only further brutalize them. Dick Bavely knew these kids were getting a raw deal from the state. He chose to do something about it directly.

On 28 August 1974, a 15-year-old gay teenager who had been temporarily assigned to Bavely's custody and who was staying with him at his family home, stole a gun from Bavely's collection, went to a rooming house on Beacon Hill and blew his brains out. In April, 1975, Bavely took a fatal overdose of drugs. The local papers circulated reports that Bavely had been taking young teenagers and placing them in homes of known homosexuals. They also reported that Bavely had been stealing money from the Welfare Dept, and perhaps using it to run his operation with boys. One lawyer I spoke with who had worked in the D.A.'s office told me he remembered hearing rumors at the time which implicated Bavely as the kingpin in a gay prostitution service which provided runaway boys for the sexual delectation of state officials. This was also the implication from straight press reports.

The truth of the matter was considerably different, but I mention this as a demonstration of how law enforcement people and press react to such a situation, and how their responses reveal ignorance of the lives of gay people. It was such standard suspicions, however, which laid the ground-work for the D.A.'s attack on the boy-lovers.

A teenager who had also been living with Bavely, as his foster son, at the time of his suicide was immediately taken into the offices of the Suffolk County (Boston) District Attorney and questioned. He subsequently told a public gay meeting that he spent up to 8 hours in the D.A.'s office looking at snapshots of adult males. He was asked to identify as many as he could. The police also wanted to know how many of the men he knew to be homosexual and how many had sex with minor males. A former Asst. D.A told me that it's customary to have such photos around only *if* there is some ongoing police investigation in progress. These are *not* police mugshots, but rather photos taken of police targets without the subjects' knowledge. This youth told us he was shown hundreds of pictures.

News accounts revealed that Bavely could be traced as holder of a Post Office box which was registered to a Mrs. Mary McGrath. No such person was known to the Welfare Dept., even though an estimated $19,300 had been sent to this box over a period of years.

Gay activists and clergy who had worked with Bavely told me they have no doubts that Bavely had resorted to this theft to get money out of the state for the gay runaways. Those who knew Bavely well are certain he used everything he got through this subterfuge for the housing, food and medical needs of kids the Commonwealth refused to acknowledge existed.

Bavely collected guns. He often carried one in his car. It was his misfortune that the boy suicide, the 15-year-old who had just been released from psychiatric treatment, had been at his house. And taken one of the guns to destroy himself.

The death of Bavely and the sensation it created were not forgotten by police or news reporters. But it took a little more stoking of reactionary fires before a full-blown witchhunt was launched.

Two well-financed and well-orchestrated attacks were aimed at homosexuals, both beginning in early January 1977. One was headed by Anita Bryant, the fading pop-star-religiosa, the other by Judianne Densen-Gerber in New York. The short-term success of both these campaigns demonstrated to elected officials (D.A. Byrne had a history of exploiting popular hysterias in his endless reelection campaigns) the rewards of attacking "gay rights" (or, as Anita Green called them, "special privileges") under the banner of protecting the little children.

PROTECTING THE LITTLE CHILDREN

It's strange to even contemplate that the official war on "pornography" could escalate in this land littered with churches and born-again religious hucksters. But in the mid-1970s, official attacks on pornography reached new intensity. In the past, anti-porno crusaders were generally drawn from the ranks of the rabid, right-wing, rifle-toting Christians, pale, thin-lipped book-banners, and their ilk. But after the President's Commission on Pornography and Obscenity issued its report (recommending decriminalizing possession and sale of sex pictures and devices for adults), adult theatres and adult bookshops, specializing in all kinds of sex matter, sprang up in many large metropolises.

There was backlash. Retailing of sexually-explicit material was still proscribed by Federal and state laws. Pornography sales were indulged by local law enforcers when it was to their advantage and raids were launched when they, too, were politically convenient. In the realms of progressive law enforcers, prosecutions against pornography outlets became a low priority.

But where reactionary Christians reigned, battles were legendary. In 1976, Larry Parrish, Nixon-appointed U.S. Attorney in Memphis, Tennessee, took to trial just about everybody connected with the film *Deep Throat*, including the actors, and tried them as part of a "national conspiracy." This was the first time in U.S. history that actors had been held legally liable for any film's troubles. The *Deep Throat* trial and appeal became an important rallying point. It demonstrated to liberals and those who generally supported First Amendment causes that they had to piss or get off the pot — that is, the issue of sexually graphic materials either involved serious matters of Constitutional protections or it didn't. It also clearly demonstrated that reactionary political forces were going to exploit the porno issue and use it, whenever possible, to revoke or set back many of the progressive social changes which had developed in the past decade and a half.

In the Right's strategy, porno, like that of recreational drugs, was a perfect issue since no one would come to defend it, and it would give them a likely victory in their struggle to prosecute all "victimless crimes" — a designation they refuse to accept.

1976 also saw the trial of A1 Goldstein of *Screw* on a rap of using the mails to distribute pornography. Goldstein was acquitted. Even though Anthony Comstock had mercifully crapped out in 1915, during the trial of Margaret Sanger's husband (who was accused of distributing an "obscenity" — birth control information), it was clear that even in the 1970s, his mean spirit still very much stalked the land.

In January, 1977, two new fronts were opened in this war. The first week of the year Anita B. Green, the born-again warbler, announced that she was launching a repeal drive in Dade County, Florida. Her goal? To revoke an amendment to the Dade County Human Rights Ordinance which expanded its jurisdiction to bar discrimination on the basis of sexual orientation. Bryant was the first to articulate what would become a national campaign against gay people, seeking their murder.

Only days after the Dade County battle began, Judianne Densen-Gerber, founder and topkick of the

federally-funded drug rehabilitation center, Odyssey House, in New York City, announced *she* was launching a campaign against child pornography. Bryant had explicitly stated that homosexuals did not deserve equal protection under law because all homosexual men were child molestors. Densen-Gerber's rage had a similar theme: homosexual men were, by and large, responsible for child abuse, child prostitution and kiddie-porno.



Born-Again and Homophobic Anita Bryant Green



Judianne Densen-Gerber, founder of the drug-rehab center Odyssey House. She tried to cash in on the panic against "kiddie porno."

Bryant became a fixture in the public media. The attitudes towards her were mixed. The reactionary press (which is in the majority in the U.S.) treated her and her cause completely uncritically. The big-city newspapers and electronic media switched warm-and-cold about Bryant. Sometimes she was The Battlin' Mom, other times The Religious Buffoon, sort of a distaff Elmer Gantry with prematurely orange hair.

Homosexuals who were not previously active in gay liberation suddenly stampeded out of the closets in herds. All attacked Anita. "Anita v. Gays" made good copy, and press people know how to exploit The Action.

In the winter and spring of 1977, the media went crazy over the twin "issues" of gay rights and kiddie porn. They were constantly linked by Densen-Gerber and Bryant.

CBS's *60 Minutes* The *Chicago Tribune*, Phil Donahue, *Newsweek,* and other property party propaganda outlets exploited these sensitive matters. Self-seekers like Detective Lloyd Martin of the Los Angeles Police Sexually Exploited Child Unit (all of one year old) beat the drums of hysteria. Congress held hearings on kiddie porno. Larry Parrish of the *Deep Throat* "national conspiracy" fame ran to the nation's capitol to jawbone solons on Morality & The Family.

As a result of this reactionary and media-flamed panic, virtually every state in the Union, as well as the federal govt., passed tough anti-kiddie-porno laws in 1977 and 1978. The Rhode Island law, for example, mandates imprisonment for mere *possession* of a sex picture involving a minor. Though American history is threaded with horror stories of panics and hysterias, there was really nothing quite like this kiddie porno panic. What made for a difference here is that the advocates in this panic were not your usual mish-mash of nut right-wingers falling over. Many well-meaning liberals and prominent feminists (who'd never seen any kiddie porn) were caught off-guard by this panic or actually endorsed it. The right-wing had done something they had long dreamed of — they pre-empted the opposition. They took hold of the kiddie-porno-gay-rights befuddlement and steamrolled right over all opponents. With momentum built up attacking gays and kiddie porn, the Right hoped to move on to kill off the Equal Rights Amendment, abortion rights, and recreational drug use, for starters.

Some middle-class feminists were swept along, and this development pointed out a division between the faggot sex radicals and the middle-class feminists which has only gotten wider as time has passed. There are many middle-class feminists who, in fact, are apologists for nuclear-family breeding, conventional parenthood, and traditional child rearing, as well as state intervention to maintain status quo morality. Some of these women are into worship of the "Mother-Goddess" and the biological superiority of their sex. Others wish to attain Respectability and are willing to sell out radicals to gain it. Many simply want to retain children as property (theirs) and refuse to deal with deep issues, like degrees of exploitation, once they have achieved their narrow middle-class reformist goals. All this group of feminists rejects childhood sexuality, refuses to acknowledge the existence (much less the desirability) of adult-child relations and particularly turns away from any probing of male sexuality in general and faggot sexuality in particular. The reality and metaphor of *all* male sexuality for them is "Rape."

Susan Brownmiller, alas, set the pace here. Her inaccurate and sensational book, *Against Our Will,* made rape *the* issue for middle-class feminists. Child-adult sex and kiddie porn fit very neatly

into this world-view of Rape. Brownmiller and her colleagues, at first glance, made odd partners with Bryant and Densen-Gerber, but their support for them was at first implicit and later overt. In 1977, novelist Lois Gould, who later worked with New York women against pornography, suggested in one essay that women such as herself and her friends should join up with Anita and her ilk on issues on which they agree. These invariably centered on the indoctrination of children.

What makes these developments more demonstrably reactionary is this: since 1967, several states (including New York, Hawaii, Illinois, Wisconsin, Pennsylvania and South Dakota) have rewritten their age of consent statutes, lowering their ages and/or making the laws more flexible so that an adult will not automatically have to be incarcerated for any contact with a minor. The current severe Massachusetts statute interprets statutory rape to include even "erotic touching."

While this Kiddie Porno Panic was under way, two eastern industrial states, New Jersey and Massachusetts, were in the process of revamping their laws regarding age of sexual consent. The Massachusetts bill got scuttled as a result of the furor set off by the Suffolk D.A. with his "Revere Sex Ring" charges. The New Jersey bill, lowering age of consent to 13, almost became law, but the right-wing mounted an hysterical campaign and successfully got the legislature to up the age to 16. (The New Jersey law, actually part of a massive criminal code revision, also decriminalized sex with the dead.)

Many, like Det. Martin of the L.A.P.D.-S.E.C. Unit, want the age of sexual consent *raised* to at least 18, expressing the wish for state control over adolescent sexuality until it is time for "children" to marry and/or be drafted.

What's still puzzling is why it was that homosexuals — and particularly homosexual men who had sex with teens — were targetted as the objects of this panic. Suddenly the United States had one overriding concern: homosexuals. Their rights. Their "recruiting." Their alleged "exploitation" of the little children. Why was this happening?

I have two answers. First, homosexuals were coming out in masses. Gay Liberation became, in the late '70s, *the* most significant and threatening social movement in the U.S.[1] Few could acknowledge or deal with this fact. The befuddled media could only pass along press releases — anybody's. The organized left-wing parties were ignored in most gay organizing and didn't know what to do. Several standard left cults are violently homophobic — it's a "Bourgeois Degeneracy" dontcha know? — so, despite their usual hunger to move in and try to take over any mass popular movement, gay lib dumbfounded them. The right-wing, floundering under a world slipping out of their control, finally found an issue around which they hoped to mobilize irrational support, so essential for their ultimate goals. They would Save The Little Children. From The Fags. Homosexuals were people, perhaps the only group left, whose executions the right-wing could demand (with Biblical blessing) and not raise hackles by so doing. The right-wing simply pulled out all the stops against this flourishing and non-traditional social movement which they were too stupid to understand and unable to dominate.

Secondly, America lost its imperial war in Indochina. This fact, now being disguised by imperial reconstructionists who characterize U.S. terror against the Indochinese as just a minor foreign policy "tragedy" has yet to fully sink into the consciousness of the American polity. Gay Liberation, after all, took its name from the National Liberation Front (N.L.F.) in Vietnam, celebrating our determination to resist outside (heterosexual) and capitalistic (corporate) control of our destinies. Yet, after Vietnam, Laos, and Kampuchea were "lost," somebody had to be blamed. All wars have a dislocating impact on the society, economy and citizens' lives. Whether the| U.S. wins (W.W.II), does OK (W.W.I) or loses (Vietnam), someone must be scapegoated. The price of the war must be taken out on

domestic opponents to "patriotism." As the world order is reshuffled to a new status quo, it is a perfect time to blame, scapegoat and move in. The Palmer Raids kicked off the anti-Red and anti-foreigner terror of the 1920s (that ultimately gave the nation that twisted closet quean J. Edgar Hoover). The Cold War gave us a newly-invigorated Nixon-twisted House Un-American Activities Committee and later Joe McCarthy scapegoating Communists, progressives, "prematurely anti-fascists," and down-home liberals. The U.S. imperial collapse in Southeast Asia *had to have a scapegoat*. This time the queers first. New-right organs like *Commentary* ran serious think pieces blaming the decline of The West on U.S. homosexual writers of the last 20 years.

Careerists do very well, thank you, in witchhunts. Panics need publicity. Exciting popular prejudices against minorities is a fast way to make a career — especially for yellow journalists. One who began early in the pedo-bait campaign was Marilyn Wright, a scribe for the Traverse City (Michigan) *Record-Eagle*. Wright did a series on a boy-lover who was arrested in the upper Michigan area. She had access to supposedly confidential police files and wrote lurid stories. An 18-year-old youth who had been a friend of the accused man, after the humiliation of police questioning and Wright's reporting, went home and blew his head off with a rifle. Counting this as a success, Wright and her paper crusaded against child molestors and kiddie pornographers. Wright got her reward: a promotion, a pay raise, and the honor of having the Governor of Michigan, while sitting in Wright's very own chair, sign into a law a brand-new anti-kiddie porn law.

Michigan became a hotbed of reaction against kiddie porn. Robert Leonard, a long-time D.A. in Michigan, made the hunt for pedos national. And Dale Kildee, a U.S. Representative, introduced a bill into Congress proscribing kiddie porn.

The Congress rushed this bill, (known as the Kildee-Murphy bill) into immediate hearings. These were held in May and June of 1977.

The Kildee-Murphy bill proposed outlawing the manufacture, possession and distribution of kiddie porn. The hearings were held before Rep. John Conyers's subcommittee of the Judiciary Committee. Conyers was also from Michigan. Witnesses competed with each other in their fervor denouncing kiddie porn. Densen-Gerber lead the pack, complaining that people were "now" urinating in the streets of New York. Larry Parrish, the former Memphis D.A., who announced he had the "soul of a prosecutor," didn't think enough could be done to fight this new menace. Charles Rembar, who usually defends publishers charged with obscenity violations, rolled over and drew the line with kiddie pom. Rep. Barbara Milkulski, whose district includes some of the hottest boy-love sections of Baltimore, appeared in front of her comrade Congresspersons and testified about how she has worked with local mothers combating this blight. All urged passage of Kildee-Murphy.

D.A. Robert Leonard, a close friend of Michigan Congressman Kildee, a co-sponsor of the bill, was president-elect of the National District Attorney's Association at the time he testified. Leonard told the subcommittee that at the D.A.'s confab in the spring of 1977, he set up a "Task Force on Sexual Abuse of Children." He had urged all D.A.s to go back into their communities and "clean up" the "child molestors" and kiddie pornographers. Leonard repeated the Party Line so quick to fall from the lips of the child savers: sex with a child and photographing kiddie arousal constitute crimes worse than murder. Detective Martin said: "To me a crime against a child has no equal. It's worse than a homicide. A homicide is terrible, but it is over with very shortly. The victim of sexual exploitation has to live the rest of his or her life with memories of what pornography and sexual deviation brings upon them." In a phone interview with me in early 1980, Det. Martin confirmed that he still adamantly believes sex of any kind, if it involves a minor, is worse than murder.

D.A. President-Elect Leonard suggested that homosexual pedophiles formed a "national

conspiracy" to recruit boys for sex and porno. This is why he was urging national action.

The only criticism of the proposed federal anti-kiddie porn law came from Larry Flynt, publisher of *Hustler*. Flynt would soon be on trial in Georgia on obscenity charges; during the trial, while standing in front of a sandwich shop on a lunch break, Flynt would be gunned down by an unknown assailant.

Also criticizing the Kildee-Murphy bill (its implementation, not its intent) was a staffer from the American Civil Liberties Union who opined that it was a sloppy bill, hastily written, and probably unconstitutional as a result. But the public clamor, whipped up by the yellow press, was an irresistible force. And Congress rolled right over. The U.S. House of Representatives passed the Kildee-Murphy bill on a vote of 401-0. The Senate passed it. Carter signed it. It was law.

The salad days of the kiddie-savers did not last long, however. Judianne Densen-Gerber was accused in 1979 of having misappropriated many thousands of federal dollars from Odyssey House operations to her own use (parking tickets, hair-dos, home interior decorating, gifts for influential friends). Former employees of Odyssey House detailed horror stories of Densen-Gerber's abuse of drug-addicts at her charity. The New York State Attorney began an official investigation. Indictments may result. Curiously, at the same time as this state investigation began, Densen-Gerber's husband, Dr. Michael Baden, was fired as New York City Medical Examiner by Mayor Koch. It was not clear if there was a connexion.

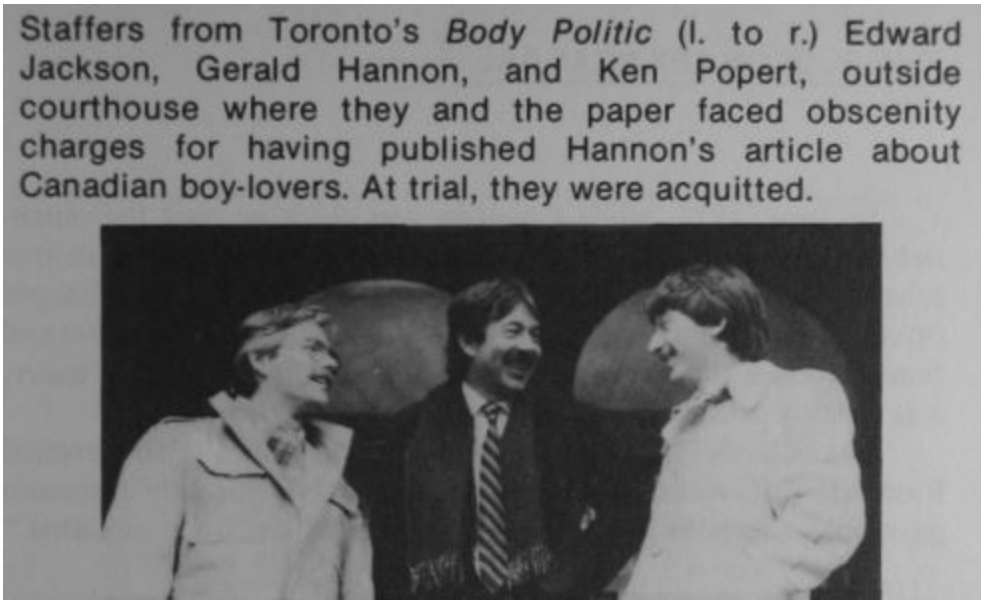
D.A. Robert Leonard, ex-president of the D.A.s national association, was convicted in federal court in late 1979 of skimming over $100,000 from government funds slated to pay police informers. Leonard used the stolen money to finance a fancy home he was having built on the California Coast.

Congressman John Murphy, co-sponsor of the anti-kiddie porn bill, was indicted in June 1980 in the F.B.I.'s ABSCAM operation. He allegedly took bribes from an F.B.I. undercover agent posing as a representative of an oil sheik. One wonders: is embezzlement a prerequisite for Kiddie-Saver-Crusaders? Or is concern for The Kiddies used to hide the thieving?

Though it cannot be said that District Atty. Garrett Byrne of Boston was in any way an innovator in law enforcement, he was not so slow as to escape noticing a great new pitch when one came his way. Byrne attended the spring 1977 National D.A. Assoc.'s annual confab. At 80, he was the Dean of American D.A.s, and they periodically bestowed honors on him, appreciating his dogged longevity in office. Surely, Robt. Leonard's peroration to go after the "baby-fuckers" and the kiddie pornographers must have sounded like a good move to him.

It was while the Congressional hearings were taking place that Byrne's office arrested Richard Peluso. This was June 1977.

It was as a result of Peluso's arrest — Peluso later admitted in court that he had had sex with perhaps over 200 teenaged boys since 1964 and had taken Polaroids of many of them — that Byrne pieced together his "Revere Sex Ring." Photos seized in Peluso's Revere apt. were used to identify 64 local youths. All were collared by cops and told to spit out names. As it turned out, only 13 agreed to cooperate, mostly under pressure by police, priests and psychiatrists. But more of this later.



Staffers from Toronto's *Body Politic* (l. to r.) Edward Jackson, Gerald Hannon, and Ken Popert, outside courthouse where they and the paper faced obscenity charges for having published Hannon's article about Canadian boy-lovers. At trial, they were acquitted.

Other arrests were taking place around the country. Similar police dragnets were attempted in Chicago after the scurrilous *Chicago Tribune* ran a 4-part series on child abuse/kiddie porn/homosexual chickenhawks, etc., in May 1977, and police stepped up harassment of gay clubs and cruising areas. This harassment continued well into 1979. Seattle cops tried to use gay hustlers to bust gay bars and arrest the hustlers' clients at this time.

And though not in the U.S., a spectacular raid was launched on Toronto's gay paper, *The Body Politic,* right after Christmas 1977. The paper and its staff were indicted on obscenity charges for having published an article about male pedophiles.[2]

But the biggest heat came down on the gay men in Boston. The District Attorney and the time-servers in his office were sure they had come up with a sure-fire recipe for a successful witchhunt. They created the Boston Sex Scandal.

In June, 1977, while Congress was clucking over the much-publicized evils of sex with children and kiddie porn, a Boston area school bus driver, Frank Damiano, was arrested. He was charged on numerous counts of engaging in sexual relations with males and females under the age of consent. Damiano, a previous offender, was quickly sentenced *to 22 life sentences* in prison.

Immediately after Damiano's arrest, police also arrested Pasquale Intraversato and Richard Peluso. Apparently Damiano gave both names to police, even though the cases were unrelated.[3]

TARGET: RICHARD PELUSO

Richard Peluso lived at 242 Mountain Avenue in Revere, Massachusetts. As he later testified (in the trial of Dr. Donald Allen), Peluso had been having sexual relations with teenaged boys for 15 years. Many people knew about this. He had not had legal problems as a result of his activities at any prior time. Revere has the reputation as a "boy-town." It's a place that has all the characteristics of many other boy-towns, as described by Tom Reeves in his essay "The Boys of Baltimore" (published in the "Emergency Supplement" of *Fag Rag* #21/22). Revere is ethnic, family-centered with many children where a Mediterranean cultural-influence is still strong and where sex-aggression in boys is encouraged. Italo-American boys from Revere and other neighborhoods have a noticeably more sex-positive attitude than do their Irish-American fellow citizens.

Peluso's arrest in this highly-charged atmosphere against child-exploitation and kiddie porno made big trouble for him and others. His arrest, like Damiano's, went headlines for days. In Peluso's apartment, police found a number of Polaroid photographs. Curiously, these photos stayed in Peluso's apartment for a day or two after his arrest. People I've talked to in Revere wonder why a Peluso family member didn't come in and clean out the apartment. Peluso's father, with whom he is not on good terms, held the title of Revere's "Official City Greeter" in the administration of Mayor Reinstein. Mayor Reinstein was also indicted by Garrett Byrne on some kickback scheme.

From the photos, police identified local youths. By the summer of 1977, many of them were well into their 20s. Police tried to get these individuals to appear in front of a grand jury which was preparing many indictments on gay sex-related charges. The D.A. assigned his gilt-edged unit to handle the cases. This was SCIPP — the Suffolk County Investigations and Prosecutions Project.

Garrett Byrne — who liked to be known as "Mister District Attorney" — had been around long enough to know how to exploit a red-hot investigation. It was clear from his actions that he was going to take these "child-rape" charges all the way. It must have looked like a free ride for him. And he needed as much help as he could get. 1978 was election year for the D.A. He was 80 years old and had been associated with the D.A.'s office for 45 years. Many thought he should retire. He promised a hard run to keep his office. The attack on the homosexuals would be the centerpiece of his re-election campaign.

After Peluso's sensational arrest, police were able to convince and/or coerce 13 of 63 youths identified through photographs to cooperate with law enforcers. Through the testimony of these 13, 24 men were indicted in over 100 felonies: rape and abuse upon a child under 16, sodomy, unnatural acts, open and gross lewdness and indecent assault. All of which sounded very sinister and made fabulous headlines. This was the "Sex Ring," and in fact what was not learned until much later was that the bulk of all these indictments resulted from the sexual activities of two 15-year-old hustlers in Revere who had been occasionally selling their sex to men they met at Peluso's apartment, as well as elsewhere in Revere and Boston.

The momentum behind this witchhunt was that of simple Judeo-Christian prejudice shrouded in

statutes. There are lots of peculiarities in the laws controlling age of consent. Nowhere is there uniformity in this matter — uniformity in enforcement among the states, between boy and girl "victims," among nations, or even across time.

In Massachusetts, the age for sexual consent is 16. Anyone under the age of 16 is regarded by the courts, in sexual matters, as a "child." This does not mean that a person under 16 has no sexual rights. A boy may marry at age 14, a girl at 12. Both may receive contraceptives. Minor females can seek abortions without parental consent. These latter rights were affirmed through the courts, not through legislative enlightment. But no one under the age of 16 can *legally* give sexual consent. Therefore, *all* forms of sexual activity with a "child" are statutorily classified as "rape and abuse upon a child," and it is a felony and can carry up to a maximum sentence of life in prison. The current law does not differentiate between consent and force in sex where minors are involved. There is no incentive for an adult *not* to use force to obtain sex with a minor. Nor is it permitted in court to say that a youth consented to the sexual activity. Evidence of sexual activity is non-rebuttable under current criminal law in Massachusetts.

As actually applied in the Commonwealth's courts, it's rare that a male accused of homosexual acts with a minor comes to trial. Terribly embarrassed by the situation, adult males have been pressured by D.A.s as well as their own attorneys to plead guilty, with perhaps the promise of a lighter sentence. The trap here is that any person found guilty of a sex crime is, under a 1958 statute, required to be observed by court-appointed psychiatrists for 60 days. If they find him to be a "Sexually Dangerous Person," the felon is then remanded to the Treatment Unit at Bridgewater Correctional Institution where he remains on a day-to-life sentence or until such a time as he is found to be no longer "Sexually Dangerous." This is exactly what happened to Richard Peluso.

The Treatment Unit at Bridgewater is filled with the odd combination of straight men who have committed violent rape on women mixed with homosexual men who have sucked the cocks of teen boys. Recent estimates place the number of non-violent homosexual "sex criminals" in Bridgewater and elsewhere in Massachusetts at close to 100.

To give you an idea of the discrepancy between the way homosexuals and heterosexuals are treated by the law, it was in the midst of the "Revere Sex Ring" witchhunt, that a man was indicted in neighboring Brookline (in Norfolk County). He was charged with running an *actual* hetero ring which specialized in selling the sex of young females who were known as "The Sunshine Girls." They engaged their clients in "the sex of humiliation." Police seized documents which revealed that this "ring" had 957 known male clients. As happens in these situations, many were rumored to be prominent in public life. Not one patron of this "sex-ring" had his name released to the press. The Brookline whoremaster pleaded guilty and was given a two year sentence. He served slightly more than one year.

About this same time, in New Mexico, an adult female was charged with corrupting a 15-year-old male by having sex with him. She was acquitted. The judge ruled that such sex was "educational." And in New York City, Judge Margaret Taylor dismissed charges against a teenaged female prostitute (brought by a john who had not got satisfaction) on the grounds that the sex was recreational.

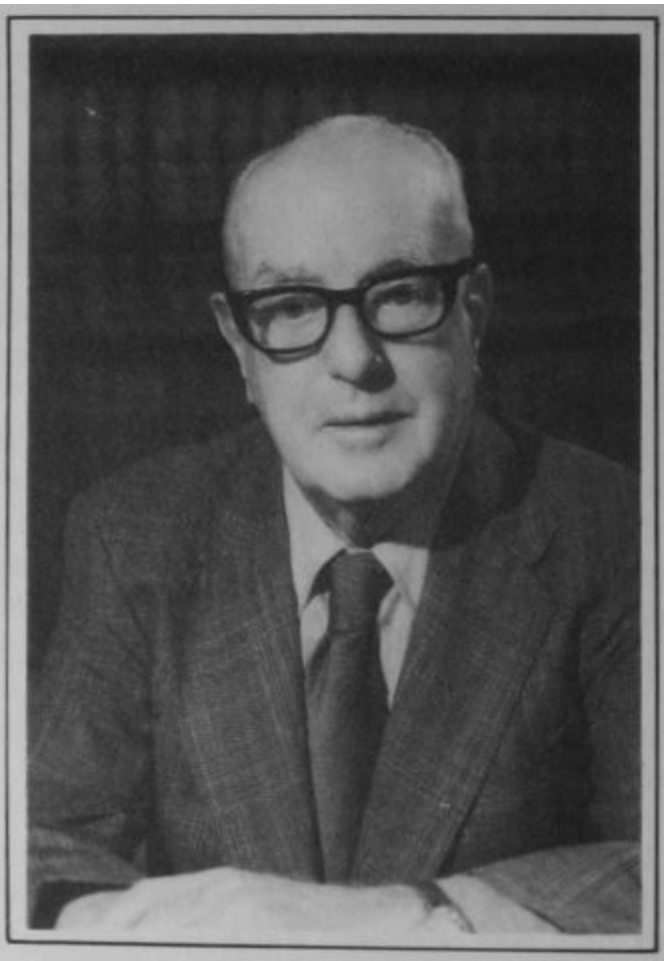
MISTER DISTRICT ATTORNEY

But back to Garrett Byrne. He was the D.A. for Suffolk County, which comprises Boston and three smaller cities: Chelsea, Winthrop and Revere. Revere is heavily populated with second and third generation Italo-Americans. Revere has been a favorite target for Mr. Byrne's periodic dragnets while pursuing his crusade against "organized crime."

Garrett Byrne first ran for public office in 1928. He lost. In 1933, a place was found for him as an Assistant District Attorney. Since 1926, the office of the D.A. in Suffolk County has been part and parcel of the Irish political machine in Boston. Both Senator Edward Kennedy and Mayor Kevin White did stints there. When D.A. Foley (who'd had the job since 1926) finally crapped out in 1952, Governor Dever, himself a cog in the Irish machine, appointed Garrett Byrne to fill out the term. Byrne has run for election seven times since his appointment.

In his various campaigns, he has established a pattern for sensational headline-hunting. In 1954, running for his first full term,. Byrne announced that he had discovered a massive communist conspiracy right here in Boston which was corrupting Catholic youth. He has also been fond of discovering drug "rings," gambling "rings," and prostitution "rings." In his 26 years as D.A. he has indicted only *one* Boston city official on charges of political corruption — this in a notoriously rotten town. But one of the basic rules of political machines is that they look after their own.

This Garrett Byrne has done well. On others he showers indictments, particularly the Italo-Americans who, as a power base, are a growing threat to the decaying Irish machine. One of the most remarkable features of local politics is that Mayor White's scandal-ridden administration (he's been Mayor since 1967) has not had to answer to one indictment.



This is a picture of Garrett Byrne. He was Suffolk County D.A. from 1952 through 1978. His tenure is best characterized by loyal service to the Irish-Catholic political machine that runs Boston. Both 4-term Mayor Kevin White and Senator Ted Kennedy began as time-servers on Byrne's bloated staff.

Which is not to suggest that Mister D.A. was not busy in his time. His tenure was distinguished by these high water marks in law enforcement: indicting a bookseller in 1958 for retailing a copy of William Burroughs's bestseller *Naked Lunch*; indicting music impresario Allen Freed for 'inciting to riot" after Boston's first rock-and-roll concert; forbidding the championship Cassius Clay-Sonny Liston fight from being staged in Boston; banning the musical *Hair,* banning the film *I Am Curious, Yellow* (whose exhibitors appealed all the way to the Supreme Court and won).

And so, in December 1977, Mr. Byrne launched his "Revere Sex Ring." This had all the ingredients of a sure-fire zinger — homosexuals, children, bus-drivers, Revere, Polaroids, pot, you name it. Byrne called in his friends in the press and announced the following: 24 men had been indicted on over 100 felony counts involving sex with boys aged 8 to 13 who had been lured to the sex den with promises of drugs, money and games of air hockey. All were then raped by adult homosexuals who photographed them. A detective working on the case told the press that he and his colleagues "as parents became so affected by the sordid details of the alleged operations" they had to seek psychiatric aid. Byrne continued: these 24 men were "just the tip of the iceberg." Many, perhaps hundreds more, were involved and would be indicted. The investigation had only just begun. More arrests were imminent. No one's special status would protect him against crimes against children. Even higher-ups might be involved, names everyone would recognize. Byrne promised to clean up the

child molestors and make Suffolk County once again safe for the little children.

The D.A. asked the public to help him with this investigation. He announced the establishment of a special "Hotline" phone and asked "outraged citizens" to phone in *anonymous* tips about homosexuals they suspected of having contact with anyone under 16. He promised each and every tip would be pursued vigorously. Reporters flew from the D.A.'s office to flash the news — THE WITCHHUNT WAS ON!

MEDIA COMPLICITY

Boston has two daily newspapers. (I don't include *The Christian Science Monitor* as that is an out-and-out organ of religious propaganda — they never carry news of medical improvements against diseases for example.) There is the toney, suburban-liberal, independently-owned Boston *Globe*, and there is the Hearst violence, police-puff, cheesecake-and-sports *Herald American.* Both papers took the D.A.'s line uncritically and bannered it on front pages.

Globe headline: "24 Men indicted in Child Porn." This was totally in error as even the D.A. had not issued any indictments on kiddie pom. In fact, kiddie porn, *per se*, did not become a crime in Massachusetts until a few months later. But it demonstrated how clearly the link existed in the headline writer's mind — and therefore his readers, surely. Not to be outdone in the Drama Dept., the Hearst *Herald* featured a page one photo of five of the indicted men. They were shackled together and being dragged into court for arraignment. Caption: "Who's Who Among Defendants in Sex Case." Listed in bold-faced type were the names of the men, their home addresses, their places of employment and some of the charges against them.

Local TV stations ran this same information *in print* on their screens. They along with the radio stations, repeatedly broadcast the Hotline number and urged people to call.

So much for adversary journalism.



STAFF PHOTO BY DICK THOMSON

Suspected members of Revere-based sex ring are led into District 4, South End, where they were booked on moral charges.

Who's who among the defendants in sex case

Arraigned on indictments involving sex acts with boys under 16 were:

DR. DONALD M. ALLAN, 50, of 315 Dartmouth St., Back Bay, child psychiatrist, counselor for private Dexter School, Brookline; former chief resident at Children's Hospital Medical Center; graduate of Springfield College, Springfield, and University of Virginia Medical School; associated with McLean Hospital, Belmont. Charges: Four counts of rape of a child under 16.

JAMES P. DALLMAN, 35, of Waltham Street, West Newton, a teacher at Fessenden School, West Newton; suspended and ordered not to return to the school. Charge: One count of rape.

ARTHUR P. CLARRIDGE, 49, of Albemarle Street, West Newton, resigned Nov. 10 from Fessenden School after 26 years as teacher, assistant headmaster and assistant to the headmaster. Charges: Four counts of indecent assault and battery on a child under 14.

ROGER E. SPEAR Jr., 44, of Livingston Road, Wellesley, president and chief investment officer of Spear Associates, Babson Park, Wellesley. Charges: Three counts of unnatural acts, two counts of sodomy.

EDWARD MEDE, 46, of North Shore Road, Revere, owner of a Revere karate school. Charges: Rape, indecent assault and battery, five counts of unnatural acts.

MARK DAVIS, 29, of Kimball Avenue, Needham, former radio announcer, now self-employed social worker in Cambridge. Charges: Three counts of sodomy, three counts of unnatural acts.

LOU WHITE, 43, of Merton Street, Mattapan, coffee company salesman. Charges: Four counts of rape.

DAVID WHITE of Dedham, a security guard. Charges: Two counts of unnatural acts, two counts of sodomy.

JACK SPELLMAN of Pinecrest Road, Braintree, an auto mechanic. Charges: Three counts of rape, one count of indecent assault and battery.

Indicted but not arraigned:

GEROGE DRIEFUS, 37, of Harbor Towers, psychologist, clinical consultant to state's Lindemann Mental Health Center in Government Center. Charges: Three counts of rape, three counts of unnatural acts.

HARVEY D. LEWIS, 28, in Charles Street Jail for lack of $20,000 bail on other charges. Charges: Two counts of unnatural acts.

FRANK DAMIANO, 49, of the North End, former Boston school bus driver, now serving 22 concurrent life sentences on other sex offenses. Charge: Rape.

HENRY RIDEOUT, 52, of East Boston, in Charles Street Jail awaiting trial on rape, murder and assault and battery charges. Charges: Indecent assault and battery, unnatural acts.

DONALD HERES, 46, formerly of Pratt Street, Revere, now manager of a gay bar in Atlanta. Charges: Three counts of rape, three counts of unnatural acts, also two counts of rape unrelated to the sex ring.

WHITNEY CHASE, 50, of East 54th Street, Manhattan. Charge: Unnatural acts.

The day after the "sex-ring" arrests, the Hearst-owned Boston HERALD-AMERICAN ran this picture on its front page along with the names, addresses and occupations of the accused. On the few occasions heterosexual men are arrested for sex with minor females, they are never subjected to such sensational yellow press. The Hearst press in Boston, as virtually every place else it exists, operates as a puff sheet for police and D.A.s.

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* * *

The following day, First Asst. D.A. Jack Gaffney told the press that the Hotline was *being flooded* with calls, many of which provided new leads in the probe. Indictments were in the works. He said: “We want to have corroborated testimony before we present any further evidence to the grand jury. The people involved are important, and if we don’t have corroborated testimony,” Gaffney continued with a patina of false concern covering his glintiness, “lives could be ruined. ”

Each new name was under investigation. Some tips even came long-distance, according to Gaffney. “A man in Baltimore called to say that a minister was part of the sex ring and used the Revere apartment . . . Many callers were young boys who told us of similar operations in Greater Boston. Others gave us the names of men not previously suspected of being involved in the sex-ring. One boy said one of the 24 defendants advised him to have a sex-change operation.”

Twenty of the 24 men indicted were arrested. Those in the Boston area were picked up at 7 AM Thursday Dec. 8th. Others were arrested in New York City, Baltimore and Atlanta. Massachusetts quickly moved for extradition. The remaining four had fled the jurisdiction. Gaffney suspected they

had fled the U.S. and the D.A. had asked Interpol to track them down.

It was a tense time in Boston. Anita Bryant had sown the seeds of overt homophobia at the start of 1977. The D.A. was plucking the crop at year's end. Rumors flew wildly around the city. Not only was a married minister to be arrested but so was someone connected with the New England Patriots (this latter gentleman had been arrested in fact in the spring of 1977 and his name came up in the Congressional hearings).

There was panic in the gay community. Who was being secretly denounced to police? Who would be arrested next and humiliated on the front pages of the press? No one knew.

Not one voice was raised challenging the allegations of the police and the District Attorney. And needless to say, not one voice was raised in concern about the rights of the accused to due process and fair trials. The press had already smeared them as "child molestors." Who would want, given the homophobic Kiddie Porno Panic, to come to the aid of anyone so thoroughly stigmatized as untouchable? Certainly not State Representative Elaine Noble.



This is Elaine Noble. She was a state representative from Back Bay from 1975 through 1979. When the "Revere Sex Ring" was announced by the D.A. and press, Elaine held a news conference, condemned men who had relations with minors, and asked informers to call the D.A.'s illegal Hotline and report gay men. She later referred to those under indictment as "the guilty parties."

Rep. Noble, an up-front lesbian activist, had achieved a national and international reputation when she was elected to the Mass. State House in 1974. (A headline in a Bangkok paper read: "Madame Lesbian Elected in U.S.") Though she only served 4 years there, she was a bellweather figure in the gay and lesbian communities. It was from her that many gays took their cues.

But even Noble, with her many contacts in the gay community, was caught up in the panic. Without talking to anyone who might have a different view from that of the D.A. and police, Noble held a news conference and said: "I have called this news conference as a legislator and as a concerned citizen to express my deep concern and outrage regarding the scandalous sexual exploitation and abuse of young children by adults. . . . Gross personal abuse and affrontery of innocent children is a sacrilege of the highest order. Adults involved in the corruption of unprotected, impressionable children by drugs, alcohol and sex must be immediately halted and reprimanded. We

will not tolerate nor in any way condone through lack of aggressive action the perpetuation of such deviant, defiant behavior."

Shortly thereafter, appearing on a local TV morning talk show, Rep. Noble repeated this line and added: ". . . those people who manipulate children [should be] pictured as an extremely small minority within the gay community . . . *the guilty parties* should be brought to trial and dealt with accordingly" (emphasis added). Noble urged people to call the Hotline.

Rep. Noble would come to answer to the gay community for her reckless actions. But at the time, hers was the respectable response.

State Rep. Barney Frank, long a friend of the gay community, spoke with the D.A. and told gay leaders that Mr. Byrne had assured him that the Hotline was in no way intended as a harassment of the gay community.

A local gay man wrote a letter to the *Globe* and said that decent gay people in Boston "wish to emphasize that the majority of the gay community does not condone the actions of the real perverts, and we are glad the law was carried out and will be carried out to the fullest extent. It is one thing to be gay, but totally another to be sick like these men and we hope sensible people will not link us to this travesty."

The unwillingness of most gay people to support a group of homosexuals under official attack was a lamentable comment on the lack of solidarity in the community. This is how a witchhunt "succeeds." No one would oppose it until after it has dragnetted and ruined its victims. When it's all over and done, good-intentioned folks would regret that no action was taken, but by then it's too late. The damage is done.

Would *anyone* call the D.A.'s bluff and support the rights of gay men accused as "child molestors" in this climate of antihomosexual hysteria?

This time, and for the first time, the answer was yes.

FIGHTING BACK

On 9 December 1977, the first day of massive publicity and the press's incitement to call the Hotline, members of Boston's radical *Fag Rag* staff (Sal Farinella, Charley Shively, Tom Reeves, Michael Bronski, David Eberly and myself) met and decided to *do* something. We smelled lynching in the wind. No matter what these men were accused of doing (none of us knew any of the accused yet), we decided we had to organize around the issue for two immediate goals: to stop the sinister Hotline which remained a threat to the safety of all homosexual men (and those perceived to be homosexual). And we wanted to work to guarentee that the legal rights of the accused were observed in the midst of this panic. We were aware of similar police dragnets that year in Seattle, Chicago, and in Baltimore (and to be followed in 2 weeks time by the police raid on the Toronto offices of *The Body Politic*). It has always been the *Fag Rag* position that an attack on any part of the gay community (particularly one of its "fringes") is an attack on all gay people. In this year of the witchhunt, this analysis proved to be bitterly true. No one, not even the soi-disant Good Gays, is safe.

We formed the Boston/Boise Committee (B/BC). The Committee's name recalled John Gerassi's 1965 book, *The Boys of Boise,* which detailed a previous anti-gay witchhunt in Idaho in 1955. In Boise, a panic was begun by one faction of the power elite (using the accusation "child molestor") to discredit the head of a newly-emerging financial group. But the witchhunt got out of control, as witchhunts invariably do, and when it started snaring some of the town's high-ups, the power elite began to defuse the scare as quickly as they had whipped it up — but not without suicides and life terms in prison for the victims. (As an additional ironic twist, as the anti-gay witchhunt unfolded here in Boston, Boise city fathers were again on the move. Eleven women were fired from the Boise police, accused of being lesbians. The women organized and won reinstatement.)

The momentum of a witchhunt, as Gerassi accurately demonstrated in his book, is something those who unleash it seldom understand. Elaine Noble came to see it this way too. In late 1978 she privately admitted that it was a good thing the Boston/Boise Committee had checked the witchhunt at the start. Had we not, she said, it was very likely that some honchos in Democratic Party politics might have been netted.



Boston/Boise's first news conference:
Rev. Ed Hougen, Tom Reeves, John Ward, Mitzel (not pictured: Charley Shively)

THE HOTLINE DEFUSED

Meanwhile, all through the month of December, 1977, the D.A.'s Hotline was ringing. Once the Boston/Boise Committee got organized, the first action was printing up and distributing 2500 copies of a flyer calling for an emergency meeting.

Seventy-five people showed up at the mass meeting held in the Boston offices of the *Gay Community News*. Among these were one of the defendants (the one who had been arrested in Atlanta), his 19-year-old lover, and the 20-year-old youth who, after Dick Bavely's suicide in 1975, had been taken in by the D.A. and lengthily questioned about sex with adult men.

A few days later, three members of the B/BC met with Asst. D.A. Thomas Dwyer. Dwyer was rumored to be Byrne's successor should Mr. D.A. drop dead at his desk, which is apparently how he wanted to go. Dwyer has also been characterized, in print, by another lawyer, as the kind of man who would "indict his own mother."

Dwyer, surprised by the concern of the gay community over the Hotline, promised to reevaluate its use. He assured us that the Hotline had been established to "expedite administrative procedure" — whatever that means. We asked to meet with Byrne personally but he refused as long as one of the B/BC's demands was his immediate resignation from office.

The next day, the D.A. proclaimed the Hotline would continue.

Boston/Boise called for a public demonstration on City Hall Plaza for 15 December 1977 (proclaimed by President Carter as "Bill of Rights Day"). Over 30 people showed up in a freezing wind. After demonstrating, the group, led by B/BC co-chair Tom Reeves, marched directly into Dwyer's office and angrily demanded the end to the Hotline. Startled by this invasion of his office, Dwyer once again stalled for time and promised reconsideration. He then ran to Byrne and was told the Hotline would continue.



Boston/Boise Committee's first public protest, at Boston City Hall Plaza, 15 December 1977. This was probably the first time gay activists, pedophiles and their supporters publicly demonstrated support for boy-lovers.

All direct contact having failed, Boston/Boise went to court and sought an immediate injunction restraining the D.A. from using the Hotline. We were joined in the case by the Civil Liberties Union of Massachusetts. B/BC argued that the Hotline was a patently unconstitutional police procedure, similar in its effect to the illegal police procedure used in San Francisco during the police investigation of the "Zebra Killings," when the SFPD simply scooped black men off the streets as suspects. The Hotline was even more sinister since anonymous callers could report anyone they didn't like and cause their arrest.

The night before the B/BC's suit was to be heard in Equity Court, First Asst. D.A. Jack Gaffney (whose reputation was that of a dirty gutter fighter) phoned B/BC counsel, Atty. John Ward, late at night at his home. Gaffney threatened him. "If you dare show up in court tomorrow, we'll make sure you never practice law in this town again. We'll fix you, *dearie!*" Click.

Undaunted by this late night threat, Atty. Ward showed up in court ready to argue his case. The issue, it turned out, was moot. Knowing the court would have restrained them, the D.A.'s office announced they had "voluntarily" discontinued the Hotline. They were still urging people to call the D.A.'s regular phone number to report homosexuals. It was a big victory for the Boston/Boise Committee. We pressed on.

The D.A.'s staff had also promised a written account of the disposition of all the raw information gleaned by the Hotline. But after months of delay, it became clear this was just another lie. To this day, then, denunciations of hundreds of men as "child molestors" fill the files in the office of the District Attorney here in Boston, perhaps awaiting time when they can be pulled and used in some future attack on gays.



B/BC's Co-Chair Tom Reeves & Counsel John Ward

KNOW YOUR ENEMIES

We learned several things about Boston politics during Boston/Boise's wranglings with the legal and political establishment. In 1977, Garrett Byrne had a staff of 105 Assistant D.A.s. This was *3 times as many* as he had had over a decade earlier.[4] From them, he formed the elite SCIPP squad which included Thomas Dwyer, Jack Gaffney, Thomas Peisch and Boston Police Detective John O'Malley. Dwyer is the son of a sitting Superior Court Judge. This might be seen as a conflict in other jurisdictions, but not here in Boston. (When Ramsey Clark became Attorney General, his father, Tom Clark, resigned his seat on the U.S. Supreme Court.) O'Malley — source of the quote about poor policemen being sickened by the investigation — was a close personal friend of an ex-con homosexual father who knew many of the "Sex Ring" defendants and who was used an an informer in building the state's cases.

O'Malley suddenly disappeared from the scene. It was said he had suffered a heart attack. Within a matter of months he had resigned from the Boston Police. In a 1979 grand jury proceeding in Norfolk County, O'Malley was named by an undercover cop investigating drug rip-offs, and he may have been subject to a Boston Police Internal Affairs Investigation prior to his resignation from the force.

First Asst. Jack Gaffney is in a class by himself. Many lawyers have told me they regarded him as the most despicable man in this city. They say there is no legal or quasi-legal tactic Gaffney won't use to get those targetted for prosecution. Gaffney was the prosecutor in the famous Susan Saxe trial in 1975. Saxe, an anti-war activist who claimed credit for blowing up the U.S. Armory in Newburyport, Massachusetts, was involved in a 1970 bank robbery in which a cop got killed. She participated in the robbery with Kathy Power, Lefty Gilday and Stanley Bond immediately after Nixon's troops invaded Cambodia. Saxe had gone underground, but was arrested in Philadelphia (while crossing a street with her lesbian lover) and returned to Boston. She was charged with conspiracy to commit murder which, under Mass, law, brings the same penalty as actually committing the murder. (Ten years after the shooting, Kathy Power remains free, a hero to resistance forces everywhere. Her picture still decorates police bulletin boards throughout Boston.)

At Saxe's trial, Gaffney played on what he assumed would be the Boston jury's natural (i.e. Roman Catholic) anti-semitism. The state's single major witness against Saxe (who could place Saxe in the bank at the time of the shooting) could only identify her because of her "big nose and lips." Gaffney kept coming back to this, pointing out Saxe's facial features. Even with this baiting, the jury (with a Beacon Hill gay man as foreman) ended undecided. The judge at this trial was Superior Court Chief Justice Walter McLaughlin, another Irish pol and old crony of Garrett Byrne. The state was crushed it couldn't get a conviction of an accused "cop-killer," as some of the straight press referred to Saxe. After the Saxe case, McLaughlin had to retire (he had reached mandatory retirement age for Mass, judges, 70). He immediately became chief fundraiser for the reelection of Garrett Byrne.[5]

Byrne, in order to meet the payroll of his bloated staff (and find enough crimes and criminals to keep his largely male staff busy) was always on the prowl for funds. Through the Nixon scandal-

ridden Law Enforcement Assistance Administration (LEAA), Byrne landed several million dollars to set up and finance SCIPP.

SCIPP was charged exclusively with investigating and prosecuting organized crime and political corruption. It was SCIPP, as Dwyer boasted to the press, which had handled all aspects of the "Revere Sex Ring." Since there were no allegations of connections with organized crime, the question was raised why SCIPP was involved at all. Dwyer and others never addressed the matter. I suspect that he and his staff were just lucky to have the work.

ORGANIZING

With the Hotline ended, the Boston/Boise Committee turned its attention to other concerns:

1) Investigating the facts behind the hysteria

2) Contacting the accused, making sure they had proper counsel and were not being pressured into deals against their wills

3) Working with the media to check their rampant homophobia and try to correct some of their more egregious errors.

As to the "Sex Ring," we found out that police, local priests and psychiatrists had combined to pressure 13 youths to testify before the grand jury. The pressure was particularly intense on a 15-year-old named Gary.

Gary lived with his single mother at the time. Gary is gay and admitted that he had been sexually active since before he was 12. He had occasionally taken money for sex with men in the apartment of Richard Peluso and elsewhere. And many times no cash was involved. After police located him, he and his mother were visited *no fewer than 6 times* by their parish priest who urged him to cooperate with police. Police showed nude pictures of Gary to neighborhood kids and encouraged them to badger him. He and his mother (recipients of state social aid) were threatened with a cut-off of funds if Gary refused to cooperate. The police finally coerced his mother to sign over legal custody of Gary to the state. Gary was promptly locked up in a youth detention house under police guard and told that if he refused to testify he himself would be indicted for "sex crimes." He relented and became the primary witness in 8 of the 24 cases.

In January, 1978, Gary did manage to escape his captors long enough to attend, at his own request, a meeting of the Boston/Boise Committee. While there, he ran up and embraced one of the men he had named in the grand jury. Later, at the same meeting, he gave a signed statement to the B/BC chairman and counsel detailing the various forms of coercion used against him and he asked the B/BC to arrange neutral legal counsel to represent his interests, something the police had failed to inform him was his right. He wanted out of the whole mess. It was a graphic illustration of what enlightened sex counsellors have long said: police and judicial interventions into instances of sex between adults and minors, when launched under the banner of protecting the children, always have the contrary effect. The "children" are traumatized by the publicity, notoriety and police manipulation of their lives.

Gary's situation was typical. The "boys," we discovered, were not 8 to 13 years of age. In all but one indictment, the ages of the youths at the time of the alleged acts — which occurred in a variety of places and turned out to be largely unrelated — were 13 to 15. However, since the indictments referred to sex acts which took place as long ago as *1971,* many of the "boys" involved in these investigations were now men in their twenties.

The curious thing about the "Sex Ring" was that there were no complainants. There were no "victims" (in the usual understanding of the word) until police got involved and coerced some young men into saying they had been victimized. When the first case came to trial — that of Doctor Allen —

the press finally learned that the "victim" was Gary, who had been selling his sex for years. This was a far cry from the D.A.'s image of an 8-year-old drugged, dragged, raped and kiddie-porned.

We found that no force had been used in *any* of the alleged incidents. Most of what had transpired, if true, was casual tricking, some at Peluso's apartment (where small amounts of money changed hands) but much in other communities too. There was no organization to it.

Contrast this to another "ring" we found out about in our investigation. The gross hypocrisy of the D.A.'s office was revealed to us in January, 1978, when we happened upon a *real* "Revere Sex Ring" merrily operating through all this storm, apparently with full police protection. In December and January, Frank Rose was in Boston, researching his cover story for *The Village Voice* on these goings-on, when he was informed of a boy-prostitution service known as BUY-FUCK (the name was the phone number). He called BUY-FUCK, said he was from out-of-town and would like to meet a boy. He was told to get to an address in Revere and they would fix him up. Rose hopped into a cab. When he reached the Revere address, he was welcomed into an apartment where several teenaged boys were lounging around in cut-offs and T-shirts. He identified himself as a reporter. The boys got nervous and called *The Village Voice* office to check him out.



the village VOICE

NEW IMPROVED COMIX

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Men & Boys Together

Sex for Love or Money: A Report on the Boston Scandal

By Frank Rose

The double house at 242-4 Mountain Avenue—that's where the sex was. Nobody had suspected a thing, the papers reported afterward. You'd think the neighbor who said she saw all the boys in their swimsuits drinking beer on the back porch would have suspected something, but she didn't. Yes, the man who lived there seemed a little strange—another neighbor told reporters he never said hello—but how can you really tell about these things? There hadn't been any strange cars parked outside. With a nationwide boy sex-ring scandal, you do expect to see some strange cars outside. So the neighbors were all stunned last June when the man who lived there was arrested, and they were stunned again December 8, when 24 more men were indicted. Everybody else in Boston was stunned, too. The reporters on police beat were stunned. The headmaster at Fessenden, the elite boys' school where two faculty members were indicted, was particularly stunned. Even the men in the district attorney's office were stunned. "This is a bunch of guys who liked to get together and party with little boys," Assistant D.A. Thomas Peisch told the *Herald American*. "This is sex for hire. People patronizing it come from all over the country. It has been *(Continued on page 17)*

242-4 Mountain avenue, Revere

This VILLAGE VOICE front page story brought national attention to the scandal of prosecutorial abuse. As a result, all contact between the Boston/Boise Committee and the D.A.'s office was broken off by Garrett Byrne.

The young man who boasted he was the operator of BUY-FUCK (he solicited out of several downtown Boston gay bars) bragged in public that he had a high-up police detective in his pocket.

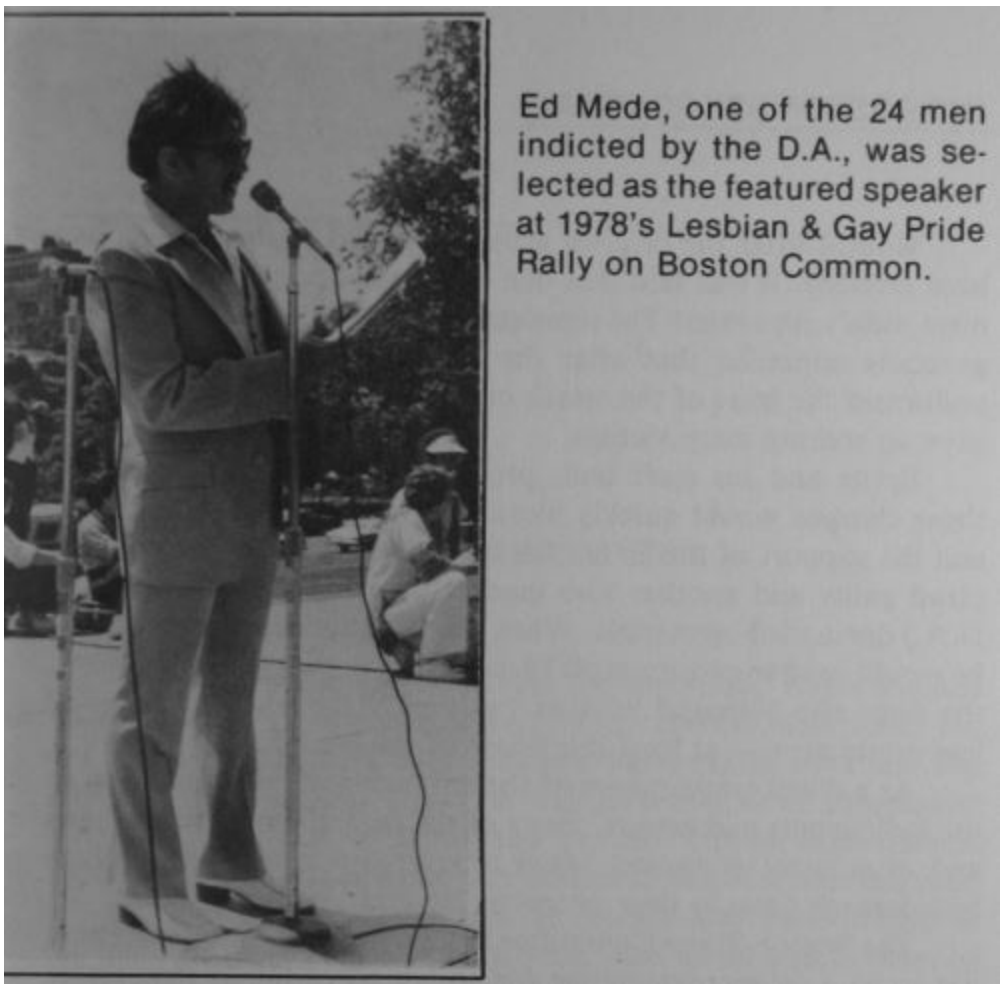
After Rose visited BUY-FUCK, it moved from Revere to an apartment on Beacon Hill. It was not long after this that a boy I happen to know — who had learned about BUY-FUCK from the investigation of the B/BC and gone to work for it — was stabbed by a john he met through BUY-FUCK. The boy nearly died and he required extensive reconstructive surgery on his colon. After the stabbing, BUY-FUCK's operator was arrested on a solicitation rap (a set-up job that David Brill, of the *Gay Community News,* claimed credit for arranging). BUY-FUCK then fell apart. But many questions linger. Was there police involvement in BUY-FUCK? Was BUY-FUCK used to retail drugs

as well as sex? And why was BUY-FUCK as well as police-informant boy-lovers left completely untouched by a D.A. who promised the public he'd "clean up the child molestors"? Did police and the D.A. have the luxury of choosing *which* "sex-ring operation" they'd prosecute?

It should be noted that one great difficulty in organizing feminists to support the work of the B/BC was over this issue of "rape." It took much explaining to a number of women's groups that the so-called victims in these cases were in fact consenting and sexually active teenaged males and that the charge of "rape and abuse upon a child" was merely a legal designation and not to be confused with the emotional issue of forcible rape. Even so, many were not buying.

As to the defendants, a dozen of them contacted the B/BC or were contacted in turn by us. Several became active members of the Committee. A few were wealthy and/or professional men. Some were middle-class. Many were working-class. Bail and legal fees were enormous burdens to most of them. The wealthy among them were released on personal recognizance. The poorer had to post $10,000 bail.

Perhaps the most remarkable among them was Edmund Mede.



Ed Mede, one of the 24 men indicted by the D.A., was selected as the featured speaker at 1978's Lesbian & Gay Pride Rally on Boston Common.

Mede, a U.S. champion in the martial arts and an Air Force veteran, ran a successful martial arts academy in Revere. Like the others, Mede was shocked, stunned and angered by his arrest. The massive publicity over his arrest brought ruin to his school. He quickly became an active organizer with the Boston/Boise Committee. From the initial shame of being smeared as a "child molestor," Mede went on and decided that nothing he had done was shameful and he wanted discussion of the issues out in the open. He did public speaking, was the cover story on a local weekly paper and was also selected as one of the principal speakers at the 1978 Lesbian and Gay Pride Rally on Boston Common. His selection as a principal speaker was said to have

disturbed Representatives Noble and Frank who thought that with a gay rights bill coming up for a vote in the State House Mede's prominence would give a "bad image" to our community. Sad to say, a group of young lesbians actually booed Mede while he spoke to the Gay Day Rally.

Months after the original arrests, only 20 of the 24 men had been arrested. It was said that one of the men named in an indictment didn't even exist! The remaining 3 eluded Mass, police. It was generally conceded that after the Boston/Boise Committee had *politicized* the issue of the attack on the gay community, the D.A. gave up seeking more victims.

Byrne and his staff had, probably correctly, assumed that those charged would quickly plead guilty. But, through the work and the support of the B/BC, all defendants (except one who did plead guilty and another who made a deal to cooperate with the D.A.) demanded open trials. When the D.A. suddenly realized that he would have to prosecute all 18 cases in court with, in most cases, the same two teenaged boys as "victims", the witchhunt looked less productive — at least *this phase* of the witchhunt.

As a direct consequence of the monumental publicity given to the indictments and arrests, many of the defendants were harassed and/or actually victimized. Many received threatening calls; others had damage done to their property. Several lost employment.

The Boston/Boise Committee from the start deliberately chose *not* to be a defense committee for any or all of the 24 men under indictment. We had many reasons. There were too many men, each with a different lawyer and different legal strategy. Some lawyers warned their clients to stay away from us since we were gay activists (this did not, however, prohibit them from sending around letters soliciting us for money).

Boston/Boise, from our very first meeting, set itself up as a civil rights group concerned with the civil rights of all homosexuals as a class of citizens during this homophobic witchhunt. This position — and the inability of many straights to understand why gay people needed to watch out for their rights — would later become the center of much nasty argument and contention.

CHANGING ATTITUDES

The press was a problem from the beginning. Reporters and broadcasters swallowed whole everything the D.A. and police put out as "facts." Boston does have two independent weeklies, *The Phoenix* and *The Real Paper* as well as a couple of progressive radio stations with inquiring and probative news departments. Boston/Boise began its work with these and met with some success.

Bastions like the *Globe* and the *Herald-American,* as well as the major TV news departments, were hard to penetrate. Most of the problem was their lack of information about the gay community and their gross insensitivity to the problems facing homosexuals. But a lot of the problem was plain old homophobia on the part of reporters and editors. Tom Reeves was talking to a black female court reporter for the CBS-affiliate in the press room of the courthouse one day and she just burst out with a shrill homophobic tirade that shocked us as well as the other reporters there. She was later promoted.

Boston/Boise continued to protest the *Globe's* inaccuracies. We sought time and again to meet with their community-relations ombudsman. Again and again, we were put off. Finally, we were told, in so many words, to just go fuck off.

The Committee's demonstrations and victory in halting the Hotline brought some serious press attention. Frank Rose's frontpage story in *The Village Voice* brought a national audience to this story. As a result of this particular piece, the D.A.'s office ceased having *any* direct contact with the Committee and its members.

Boston/Boise's most significant work vis-a-vis the media was our publication of a four-paged set of Media Guidelines (see appendix) which provided conscientious reporters with sensitive and fair ways to handle news about persons charged with "sex crimes."

Boston/Boise also set up a legal subcommittee to do legal research investigating the history of the age of consent statutes and the variety of ways such statutes are used in states around the nation. This subcommittee published its preliminary findings in the form of a draft *amicus curiae* brief that could be adapted and used as part of a legal defense in cases where an adult was accused of non-forcible sex with a minor. It was this subcommittee which sponsored, on 2 December 1978, the first meeting of what was to become The North American Man/Boy Love Association, the first U.S. conference by, for and with homosexual pedophiles. Over 150 persons attended.

In March, 1978, John Gerassi was in Boston. He spoke to a meeting of the Boston/Boise Committee. He was pleased that his book had been a catalyst to action. He spoke on the importance of resistance to authority and the necessity of all peoples under attack to join their struggles together. Though not a boylover himself, he expressed great personal sympathy for the men under indictment. He detailed how the powers-that-be use sexuality to frighten people and divide them.



John Gerassi speaks to the B/BC, March 1978. It was Gerassi's documentation of how anti-homosexual prejudice is used by political factions, in THE BOYS OF BOISE, which provided the founders of the B/BC with an analysis to a similar witchhunt here.

Gerassi:

"My instinct when I went out to Boise proved right. That anything that is a witchhunt *is* political. Whatever it is — gay rights, women's rights, children's liberation — whenever one challenges a part of American society, one challenges all of American society.

"American society is repressive against gays not because it likes to repress gays for the sake of repressing gays, but because the system will crack if people begin to challenge the hypocrisies and its value system. That system is the same system which leads to exploitation all over the world, the murders, assassinations, racism and sexism. For those of you who were arrested for child molesting, your arrests were for the very same reason Allende was overthrown in Chile and that 30,000 Chileans died."

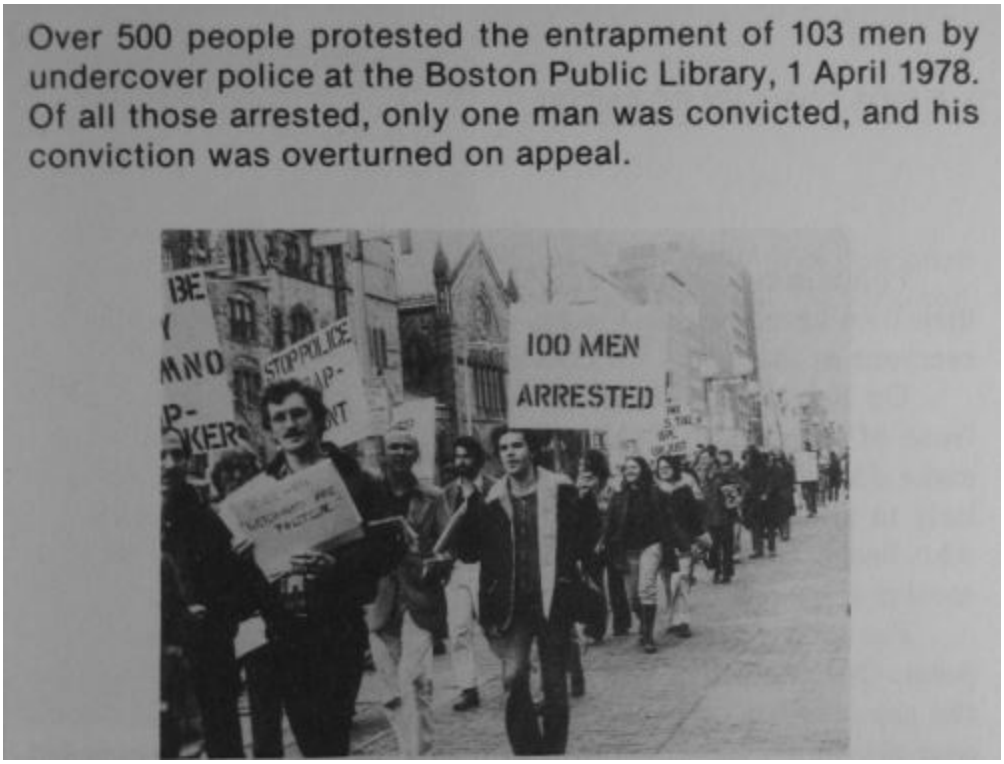
THE WITCHHUNT INTENSIFIES

During March, 1978, another massive assault against gay men was launched by police.

103 men were arrested in the Boston Public Library. Three plainclothes policemen were assigned to entrap suspected homosexuals on Library premises. One was assigned to the men's room, one in General Fiction (!), and the third upstairs. They were, literally, arresting anyone who "looked gay." Those arrested were charged with "open and gross lewdness," a felony. One gentleman was charged with prostitution.

Forty men were arrested before word started getting around town. These forty were taken to District Four station house and booked. Police recommended to them an Irish courthouse lawyer who boasted, in open court, that his price was "fifty dollars a fag." These men were then encouraged to admit to "sufficient facts" (i.e., that the police lies that they were all masturbating were true), and the charges would be filed. If no further arrests took place in 90 days, everything gets dropped. It's a nice little money-making racket for police and the courthouse gang.

It was a strange sight that spring, but paddy wagons were actually pulling up to the front door of the new Library building in elegant Copley Square and being filled with those arrested. One of those taken in by the cops was a gay South American man whose visa had expired. He was at that time recovering from severe stab wounds he had received after thugs had followed him home from a local gay bar where he worked. Boston police promptly turned him over to police at Immigration and Naturalization and they just as promptly deported him.



Over 500 people protested the entrapment of 103 men by undercover police at the Boston Public Library, 1 April 1978. Of all those arrested, only one man was convicted, and his conviction was overturned on appeal.

By the time 90 men had been arrested, the story finally broke. It was page three news in a San Francisco daily before our local crusading *Globe* saw fit to run the item.

Gay people were outraged — again, especially the men. Another mass meeting was held in the *Gay Community News* office. Over 100 persons showed up, including some of those arrested who detailed how they had been entrapped and humiliated by police.

What to do?

The anger was great. The overwhelming sentiment was for a demonstration within 72 hours in front of the library. A split took place between the Good Gays and the Bad Gays regarding the "image" problem. Some feared a mass rally would be perceived by straights as our endorsing what the police accused us of — public sex. Most activists finally made clear the central issue: that gay men were being systematically harassed and arrested to discourage a class of citizens from using a municipal facility.

A flyer was completed that night and 3500 copies distributed the next day. There was great popular support for resistance to police.

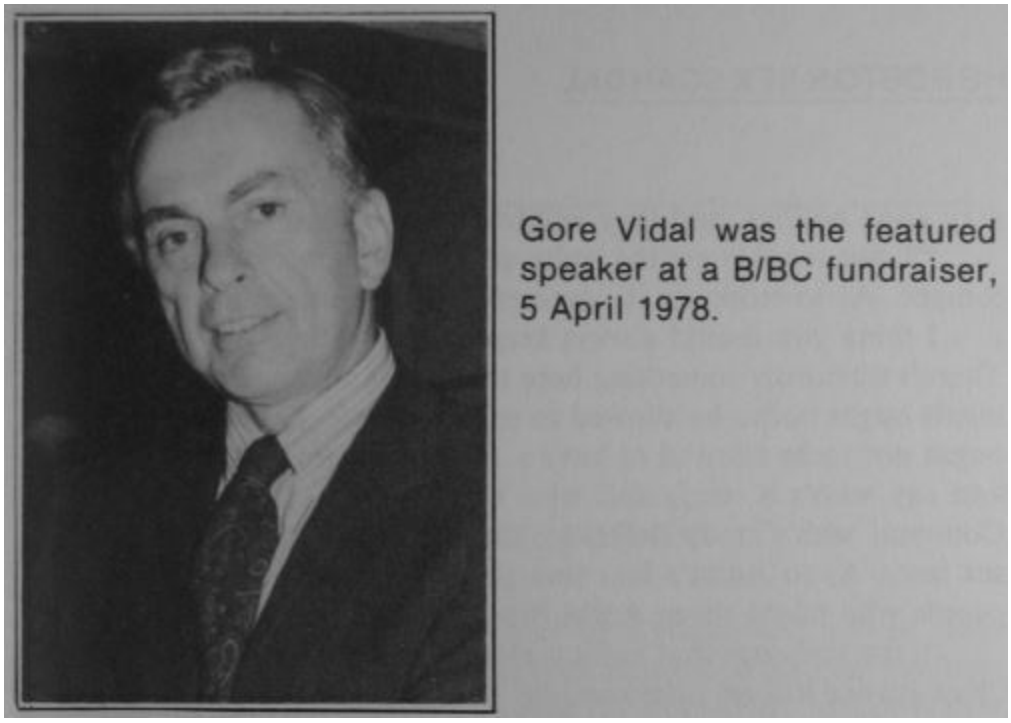
Police in turn started a rumor campaign through the press and their own agents within the gay community that they would arrest everyone at the demo. Of course this was just another lie.

On Saturday, 1 April 1978, over 500 people congregated in front of the Boston Public Library to chant, picket, leaflet and make demands. The large turnout was a shock to many, particularly to all the Respectables on the Library's Board of Directors, who had asked the police to initiate the arrests. (Mayor White's mother is on the Board.)

For a brief moment, there appeared to be a turnaround in the press. Our charges of witchhunt were taken more seriously. Once the gay activists and movement attorneys got involved and took over the library cases, only one of the remaining proceedings ended in conviction and that lone case was overturned on appeal. One of those falsely accused has filed a suit in Federal District Court seeking recompense for false arrest and proven perjury by a cop at his trial. An agreement was reached between The Mayor's office, a State Representative, clergy and gay leaders that this kind of entrapment would not take place again. But of course it did. Almost two years to the day later, in March 1980, the same Boston police again entrapped 30 men on Library premises in the exact same way. The police in this town are clearly the problem and they appear to be answerable to no public official. Attempts to establish a police review board in Boston have gotten nowhere.

The Boston/Boise Committee had invited Gore Vidal to speak at a public fundraiser. He agreed. He was scheduled to be in Boston anyway to promote *Kalki,* his latest book. We had informed him of what was happening here and he volunteered to help.

The event took place Wednesday night, 5 April 1978, in the historic old Arlington Street Church. Tickets went for $5 apiece — for those who could afford it. Many got in for less. Over 1500 people jammed the pews. Vidal's topic: "Sex and Politics in Massachusetts" (neither of which he told us he had practiced). After a number of speakers from the Committee, Vidal was introduced. He sparkled. His comments included these:



Gore Vidal was the featured speaker at a B/BC fundraiser, 5 April 1978.

"If politicians no longer have monolithic World Communism to run against, what do you run against? You must never run *for* anything; this is not the American way. The right-wing in the country has been accummulating quite a lot of money and is going to back a lot of candidates. They want to put a lot of people into office. They can't do it so much running against Communism, so they have what we call Hot Buttons that they press that get people excited. The Panama Canal they thought was a Hot Button. We have Cuban Imperialism — a gripping issue. But above all, Anita Bryant, who sings the 'Battle Hymn of The Republic' — whenever asked — stumbled upon an issue that a lot of people didn't like fags and this was going to be a Hot Button she could press. I think it began accidentally, although there is in this country a great market for sort-of washed-up show-business types who discover Jesus. And she got onto that circuit. And it did well for her — that and the oranges. She stumbled onto this issue. Now it's sweeping the country. I find it kind of interesting that suddenly homosexuality should become of such urgency to the politicians. I suspect it is because they have a really good Hot Button. There is an instinct that this is very good politics, and they will blur it into anything . . .

"I can see this getting quite serious, which is why I am here tonight. As to stopping it, apparently communities have to do it ... I think you should always keep in mind where you are going. There's obviously something here that needs fixing. Police departments ought not to be allowed to entrap people. District Attorneys ought not to be allowed to have a Hotline so anybody can call up and say who's a witch and who was last seen down on Boston Common with Goody Bellows. And you should certainly change sex laws. As to Anita's fear that she'll be assassinated? The only people who might shoot Anita Bryant are music lovers."

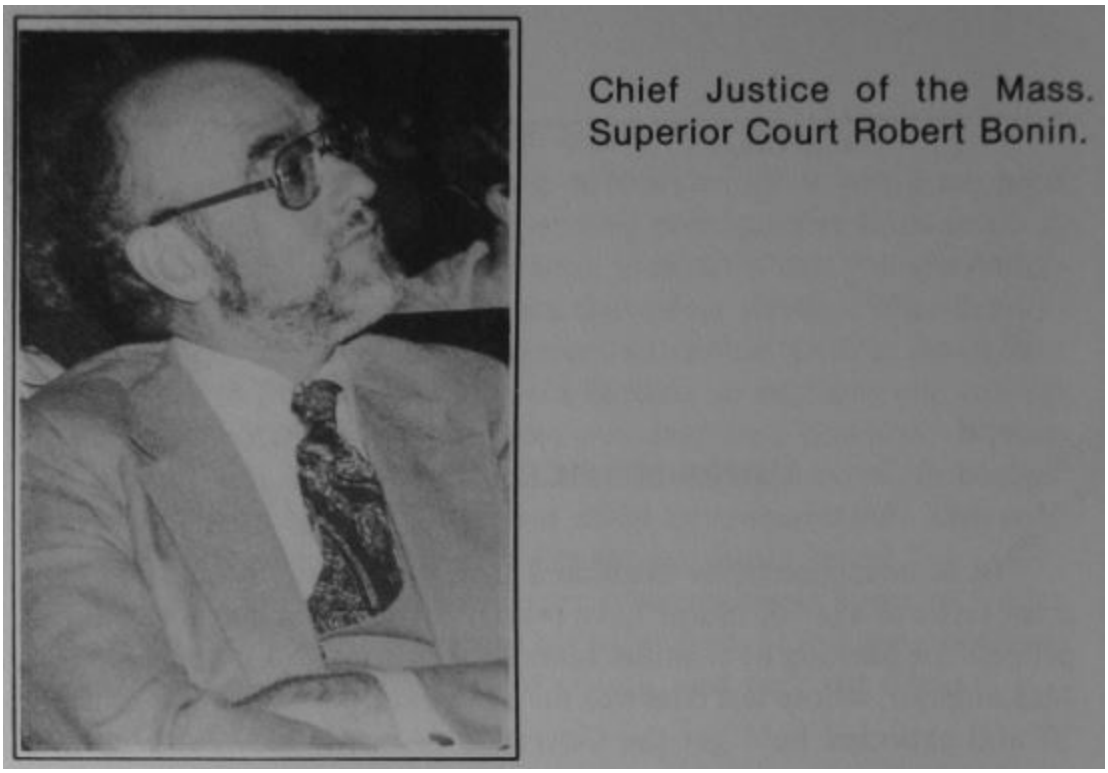
In the audience that night were Massachusetts Superior Court Chief Justice Robert Bonin and his wife. And, at this juncture, our story takes an incredible turn of events, and we must digress.

CHIEF JUSTICE BONIN

In Massachusetts, as mandated by a recent law, a state judge must retire at age 70. (Some have been recalled to the bench to help process the backlog of criminal cases.) Former Chief Justice Walter McLaughlin, whose last trial was the Saxe hung-jury case, retired at 70 and expected he'd get the Governor to name one of his like-minded Irish cronies as his successor.

But liberal Governor Michael Dukakis (President Carter's "favorite Governor") had other plans. Dukakis, a dedicated reformer of state government and no friend of the entrenched Irish Catholic political machine, decided to select an outsider who could clean up the legal cosy-cosy that has for so long characterized the workings of the Massachusetts court system. He appointed Robert Bonin.

Bonin had been a law instructor at Boston University. He had worked in the Attorney General's office on Beacon Hill since 1975. He was young (46), liberal, Jewish, independent-minded, and had a reputation for fairness, hard work and brilliance as a trial lawyer. For all these reasons, he was instantly hated by the machine pols and their friends. They set out, as soon as he was confirmed, to bring him down. Walter McLaughlin, Garrett Byrne, and their flunkeys in the press and in the court system spread and publicized every controversial move Bonin made. Bonin had made the mistake of retaining as his chief administrate assistant a toadying appointment of McLaughlin, who remained personally loyal to McLaughlin and who called the former Chief Justice regularly to snitch on Bonin's activities. This was Francis Xavier Orfanello.


Chief Justice of the Mass. Superior Court Robert Bonin.

Meanwhile, members of the press began digging into Bonin's past. Bonin had decided to return to the judiciary a power McLaughlin had let slip to the D.A., i.e., the matter of assigning judges to cases.

Anti-semitism, long a prominent feature in Boston's public affairs, bubbled up in the attacks on Bonin. Since the Chief Justices of the Boston Municipal Court and the Probate Court were also Jewish men, one heard whispers of the "Jew-diciary."

Bonin had assumed office in March 1977. By December the press was running front page stories about some alleged prior favoritism and potential misconduct.

Looking back, it's interesting to note that the Boston *Evening Globe* which ran the first front-page story on the "Revere Sex Ring" also featured a prominent story attacking Bonin. These two developing stories were given space daily until they finally collided at the Vidal lecture.

Up until that time, there was little dirt on Bonin his enemies could use to dislodge him — something about free use of a car paid for by a client involved in some investigation. They tried to make a fuss because he had asked two competent secretaries to move from the Attorney General's office to the Courthouse. Bonin's second wife, Angela, said to be "the second most beautiful woman in Boston" (don't ask me who's the first) grated on the old pols. She is intelligent, outspoken and critical, far from the traditional cut of mousey judges' wives.

Bonin continued in his job, unaware of the gathering of his foes. Curiously, after Bonin bought tickets to the Vidal lecture, two attorneys for defendants in the sex cases — William Homans and Brian McMenimen — decided to call up and "warn him away." How these attorneys had even heard that Bonin had bought tickets remains a mystery. At any rate, McMenimen called Bonin's office and told Francis Xavier Orfanello, Bonin's chief administrative aide, to warn Bonin to stay away. Orfanello promptly called Walter McLaughlin and passed on all the news. Bill Homans called Massachusetts Senate President Kevin Harrington, who had also purchased tickets, and likewise "warned him away" from the gay civil rights fundraiser. The witchhunt chills.

Bonin sat through the lecture and afterwards in the vestry, I introduced him and his wife to Vidal. Vidal had been critical of judges in his speech so Bonin quipped: "I hope you don't think *all* judges are troglodytes." A photographer from the Hearst paper had snaked his way into the room — B/BC had specifically *not* told that paper of the event — and his camera snapped away. That the Hearst paper's photographer was so intent on showcasing Bonin with Vidal made later interpretations of a set-up seem accurate.

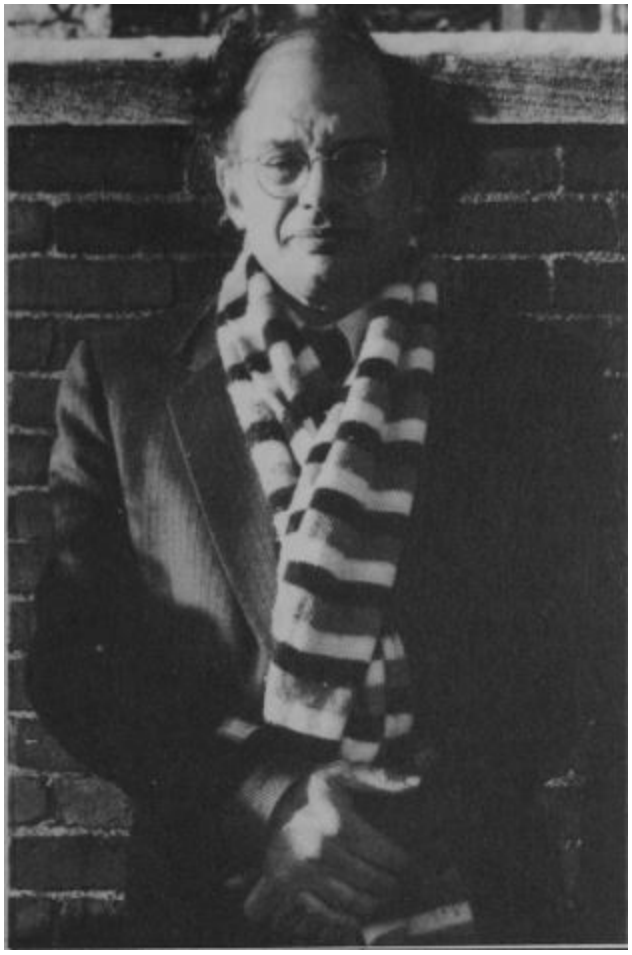
Next morning. Front page Hearst press. "Bonin At Benefit For Sex Defendants." Picture and lurid story. All the earlier lies recycled. Eight to 13 year olds drugged and raped by homosexual men. Within hours, Garrett Byrne called for Bonin to remove himself from the Revere cases (he wasn't sitting on any of them). Walter McLaughlin was trotted out and said Bonin should resign. Gubernatorial candidate Ed King demanded Bonin's resignation. Others thought the man should be impeached. The attack seemed carefully orchestrated. The witchhunt launched against the gays had found, tangentially, a new victim, someone equally hated by the old Irish pols. They figured: why not smear Bonin with the same brush as the fags?

Suddenly, the Boston/Boise Committee was depicted as a tightly-organized, hard-driving Defense Committee, soliciting funds to "defend child molestors." And the Chief Justice was pictured as a contributor. The yellow press loved it. The bigger the lie the better the copy.

To counter the entrenched press lies, the Boston/Boise Committee held a news conference. It didn't help. The fix was already in. A machine lawyer, Robert Meserve, was designated by the Committee on Judicial Ethics to draw up charges of misconduct against Bonin. He did. Bonin was charged with nine counts of alleged misconduct. Six of these involved his listening to Vidal. Charge #4 actually accused him of meeting Gore Vidal and "engaging in pleasant conversation with him." The troglodyte judges had not been pleased.

When the charges were issued, Bonin was suspended from his duties until his trial. *This was the first time such action had been taken in the over-300 year history of the Massachusetts judiciary.* The Get-Bonin scenario was in high gear.

And so, in the spring of 1978, Boston — to the view of an outsider who hadn't been poisoned by the corruption here — went loony. Every day, the newspapers had stories about two prominent men accused of misconduct: Robert Bonin, a liberal Jew, and U.S. Senator Ed Brooke, a liberal black Republican. What made one suspect that nativist (and Irish Catholic) prejudice might be behind the exploitation was that the difficulties of both men arose, in part, from their divorce proceedings. Unlike many other states, Massachusetts still regards marital fidelity (except for the Kennedys: they are beyond reproach) as a qualification for holding high office. Divorced office-holders are not permitted. At least not for long.



ENTER ALLEN GINSBERG

A little comic relief was provided by Allen Ginsberg when he hit town to do a reading at Boston City Hall. Appearing on a live morning TV talk show, Ginsberg ignored requests to reminisce about The Beat Days. Instead he talked about the witchhunt. “I can’t believe Garrett Byrne is *still* the D.A. here. I remember him 20 years ago, prosecuting *Naked Lunch.* Why don’t you get rid of him?” Ginsberg said he thought the sensational issue of sex between men and boys was no big deal. “I had sex when I was eight years old with a man in the back of my grandfather’s candy store in Revere, and I turned out OK.” The talkmaster hustled Ginsberg right off the set — Allen’s parting line was “Out of the closets, onto the screens!” — and hurried into an ad. The following day the press carried big stories that famous poet Allen Ginsberg endorsed men having sex with 8-year-olds. The TV station issued an apology and said such were the risks of live broadcasting. What a terrible embarrassment to all — except those of us who loved every bit of it.

ANGELA BONIN STRIKES BACK

Angela Bonin stormed into the press room at the Superior Court in Boston and was surrounded by reporters for an impromptu news conference. She said her husband was the latest victim of the witchhunt which had been initiated to get-the-gays but was now out to purge all those who would reform the traditional brokers of power.

She said: “If, through extraordinary publicity, judges or their families are so intimidated that they become recluses, then the media will have forced judges to become second-class citizens. If a judge cannot attend a lecture by an author in a church, none of us is safe. A support of gay rights is a support of all civil rights!” Later, privately, Angela Bonin admitted to a member of the Boston/Boise Committee that her young daughter was being baited by other kids at her Brookline *elementary* school with the taunt: “Your daddy’s a faggot lover!”

THE TRIAL OF ROBERT BONIN

At any rate, in June 1978, Chief Justice Robert M. Bonin was tried on nine counts of judicial misconduct before five justices of the Massachusetts Supreme Judicial Court (SJC). There are actually seven justices on that bench, but the Chief Justice was in the hospital and the most liberal one disqualified himself because he was a personal friend of Bonin.

This trial was completely without precedent in Massachusetts history. The main witness against Bonin was Francis Xavier Orfanello, his chief assistant. Orfanello is slow-witted and always looking around for cues. He held his cushy job by appointment of Walter McLaughlin, to whom he remained intensely loyal. Orfanello testified that McLaughlin had promised to make him a judge on the Superior Court someday.

Orfanello accused Bonin of lying and then covering up his knowledge that he was contributing to the defense of kiddie rapists. He cried on the stand. Snivelling, he asked forgiveness because he said he was "a family man." When asked to whom he felt loyalty, he stated to "McLaughlin and God," in that order.

Two members of the B/BC testified. The Vidal tape was played. The SJC took the case and withdrew for deliberations.

In a matter of days, the justices found Bonin guilty of 3 counts of misconduct. Not the lying or the covering up, but they said he was wrong to take two secretaries with him from the Attorney General's office. As to his presence at the Vidal speech, they said it gave the *"appearance* of impropriety" (emphasis added).

The SJC had no power to remove Bonin from the bench. They could only censure him or disbar him. They censured. But this is nothing new. In the early '70s, Superior Court Judge Vincent Brogna was censured after he admitted to having been approached by another judge (who was later removed from the bench and disbarred) to fix a sentence for some friends. Brogna still sits on the Superior Court today. But, of course, as all Americans know, sentence-fixing and embezzlement are much more robust and "normal" crimes than sitting in a church filled with gay activists and their supporters listening to the heresies of Gore Vidal.

Calls for Bonin's ouster snowballed. He vowed to stay on. He could be removed by impeachment and conviction or by a shortcut method known as The Bill of Address.

Bill of Address is an archaic appendage to Mass, law whereby a judge can be removed as with impeachment, but Bill of Address does not permit the accused the chance to defend himself at a trial in the Senate. He is whisked away by mere majority vote of legislators.

A Bill of Address was introduced into the House of Representatives and zipped through. Even Elaine Noble voted in favor of Bonin's removal, further alienating the gay community. (When Noble's name had been mentioned at the Arlington Street Church lecture, there were hearty boos from all parts of the house.)

Then the Senate passed it. State Senator Alan Sisitsky — a leading proponent of court reform — told the press that if Bonin were driven from office simply because of the *appearance* of impropriety,

Massachusetts would become the laughingstock of the nation.

No sooner said than done.

Before the Bill of Address reached the Governor's desk for his signature, Bonin resigned. At his resignation he reiterated the statement he had made on the stand in his own defense. "I believe it was proper and appropriate for me to attend a lecture which was sponsored by a gay rights organization. I see no objection to a judge attending a lecture which is sponsored by a sexual minority or anyone else who espouses civil liberties. In fact, I think it is an obligation for a judge to hear the viewpoint of sexual, racial and other minorities." He accused his assailants of exploiting homophobia and anti-semitism to gain his removal.

Bonin's enemies gloated. The new Chief Justice turned out to be a former law partner of Robert Meserve, Bonin's prosecutor. He was a member-in-good-standing with the Irish pols. Fittingly, his name is *Lynch*.

Meserve's friends arranged for him to receive a special commendation for extraordinary service at a 1979 lawyers' convention in Texas. (He was once prez of a bar group.) There were lots of chops filled with happy slobber over Bonin's fall.

And Francis Xavier Orfanello? Having been proven a liar in court, he continued on in his job, gossiping with judges and reporting all to Walter McLaughlin. He's still awaiting the day when his treachery will be rewarded by the machine and he will assume the bench in his draping black robes, dispensing Justice to the Little People, wanting only one significant detail — The Kangaroos!

Meanwhile, back to getting the fags.

SUMMER RECESS

By mid-summer, none of the defendants in the cases had come to trial. Two major cover stories appeared in *The Real Paper* about boy-love. The first was about the street hustling scene and the difficult life of gay street hustlers. The second was a profile of Edmund Mede and the background on his case. Both were remarkably lucid and important pieces. Here, for the first time outside the gay press, was an effort to present the lives of gay people as victims of established power. This was new.

Noted German filmmaker Rosa von Praunheim, in the U.S. working on his documentary about the American gay movement, *An Army of Lovers: The Revolt of The Perverts,* came to Boston and did extensive filming with some of the Revere defendants, with Boston/Boise members, at the Bonin trial, with street hustlers, etc.

In July 1978, Rosa returned to Boston with a print of his controversial 1971 film, *It's Not The Homosexual Who Is Perverse But The Society In Which He Lives* to screen as a benefit for the Boston/Boise Committee in a gay male porno cinema.

1

As the '70s ended, over a quarter million lesbians and gay men marched through the streets of Washington, D.C., making real a dream of the murdered Harvey Milk. Such a demonstration would have been unthinkable 10 years earlier.

2

In June 1977, another gay paper, the *Gay News,* in London, U.K., had been tried and found guilty of an "obscene libel," for having published a poem about the erotic phantasies of a Roman police guard who watched some mad Galilean die on the cross.

3

In April, 1978, Intraversato pleaded guilty to oral sex with 2 teenaged boys in the Italian North End. Originally sentenced to 8 to 10 years for these "sex crimes," the sentence was later changed by Judge David Nelson after Dr. Donald Allen got probation for his acts of oral sex in Dec. 1978. Nelson altered the sentence to time served. Nelson was then promoted to the Federal District Bench.

4

A note on lawyers. In 1975, there were 24,028 practising attorneys in the Commonwealth. This averaged out to one lawyer for every 240 men, women, and children in Massachusetts. Since 1975, the estimated population increase of the state has been about 50,000 per annum. Yet there were 1000 new lawyers hanging their shingles out each year since 1975. This figures out to one new lawyer for every 50 citizens in the Commonwealth. Glut, anyone?

5

Saxe drew another hanging judge, Judge Roy, for her second trial. She pleaded guilty to manslaughter charges and went to prison. She is eligible for parole in 1981.





German film director Rosa von Praunheim shoots during B/BC meeting as well as elsewhere for his documentary AN ARMY OF LOVERS



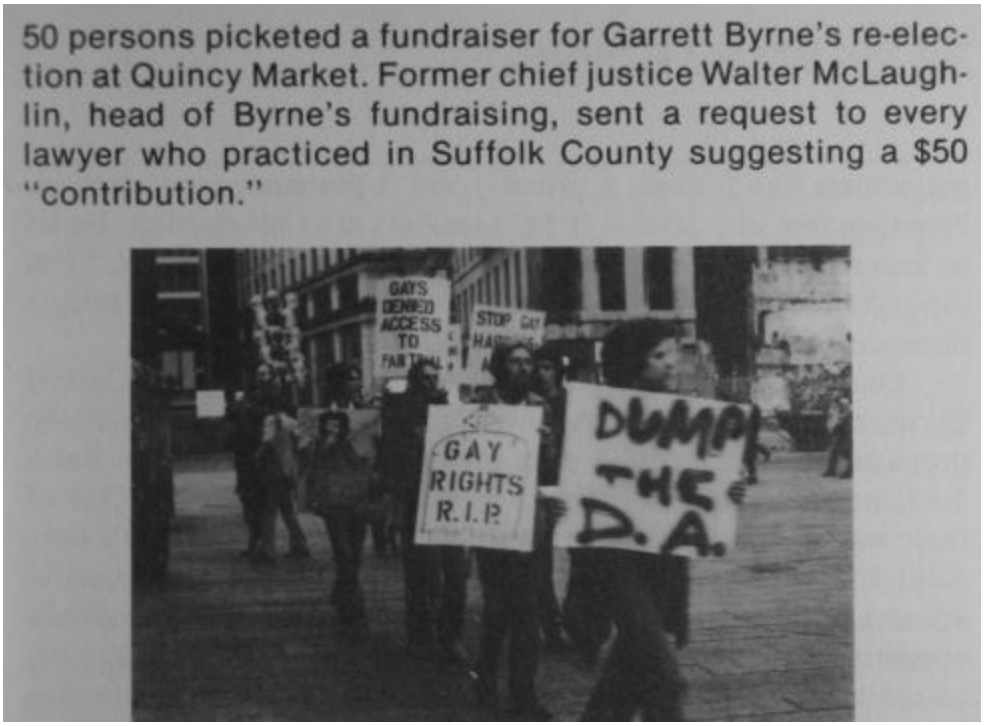
THE D.A.'S RACE

Meanwhile, Garrett Byrne, aged 80, was working hard to get reelected. His opposition comprised two men. One was Boston City Councilor Chris Iannella, a likeable middle-of-the-road Italo-American. Iannella is sensible, intelligent and a constant seeker of higher office. There is a reluctance on the part of Boston voters to promote any councilor to bigger jobs. (One exception was Louise Day Hicks. When Mrs. Hicks was elected — for one term — to the U.S. House of Representatives, it was said she would use the U.S. Congress, even the White House, as a mere stepping stone to The Mayor's office at City Hall. Her dream. Ironically, the provinciality of the Boston Irish knows no bounds.)

The other challenger was Newman Flanagan.

Mr. Flanagan had been an assistant D.A. under Garrett Byrne for 16 years. As it happened, he resigned from the D.A.'s office the day before the "sex ring" indictments were made public. We thought there might be a connexion; there wasn't. His campaign slogan was: "Newman Flanagan — A Man of Convictions."

Flanagan, an attractive Irish-American with a flamboyant personal style, is most notorious for his prosecution of Dr. Kenneth Edelin, a black gynecologist whom Byrne accused of "manslaughter upon a fetus" while Edelin performed a legal abortion upon a black teenaged girl at Boston City Hospital. Edelin's trial took place during the most racially tense period in the Boston school desegregation crisis. Flanagan also prosecuted Ella Ellison, a black woman who had been framed in a robbery get-away in which a cop was killed. Ellison's conviction was later reversed (as was Edelin's) and in Ellison's case, the Supreme Judicial Court reprimanded Flanagan for his *deliberate withholding of exculpatory evidence from the defense.* For more on Newman Flanagan, you can read William Nolen's 1978 book, *The Baby In The Bottle,* a candid but pro-Catholic account of the Edelin trial.



50 persons picketed a fundraiser for Garrett Byrne's re-election at Quincy Market. Former chief justice Walter McLaughlin, head of Byrne's fundraising, sent a request to every lawyer who practiced in Suffolk County suggesting a $50 "contribution."

Involved in the defense of both Edelin and Ellison, as well as counsel for one of the Revere defendants, was Attorney William Homans, noted Boston civil liberties lawyer. Yet Homans *endorsed* Newman Flanagan for the D.A.'s job and it is thought that Homans' widely-publicized endorsement of Flanagan made him *appear* to be the candidate for progressive reform. Since Flanagan had never run for public office before, he seemed a fresh face. In fact, Flanagan did not disassociate himself from Garrett Byrne's practices. His only real criticism of Byrne was that the man was too old. When queried by the Boston/Boise Committee, Flanagan did state that he thought that the Hotline had been an inappropriate police procedure — a safe enough position to take 8 months after the damn thing had been discontinued.

Flanagan subsequently won the primary vote, with the aid of the police union and the Catholic Knights of Columbus. In a one-party town like Boston, a primary win is tantamount to election. Flanagan met with several B/BC members after his election. He let us know how satisfied he was with his triumph at the polls. "I'm the best thing to happen to Suffolk County in 50 years!" he told us three times. He didn't list for us the other possibilities.

One of the discarded possibilities was another term for Garrett Byrne, even though the D.A. waged a hard campaign. His election propaganda included a 12-page tabloid paper featuring, in Easy-To-Read text, some of Byrne's memorable "clean-ups." One of these was his constant war against the Combat Zone (Boston's tatty Adult Entertainment District). Byrne also highlighted his successful attack against child molesting bus-drivers and other perverts. While appearing on a TV show, Byrne personally threatened Tom Reeves, co-chair of the B/BC. Byrne promised he'd continue harassing homosexuals. I suspect the old goat had his little heart broken when he wasn't returned to office to quietly die someday at his desk while in the midst of one of his numerous naps. R.I.P. Mr. D.A.

Chris Iannella, on the other hand, issued a remarkable statement of support — given the D.A.'s job is a nasty one. Iannella said that as D.A. he would be sensitive to the needs of various and diverse communities in Suffolk County and would never exploit popular prejudice against any minority for political gain. When you live in an Inquisition-like climate, any step toward enlightenment seems just an enormous leap. Iannella lost at the polls.

MRS. GREEN (FINALLY) MAKES THE SCENE

While gay activists were busy organizing voters for the primary, news came that the lovely Anita Bryant was on her way to Boston, a place no one thought she'd dare set foot.

Bryant was invited to Boston to sing at a "Pro-Life, Pro-Family" Rally to raise much-needed funds for the Senatorial campaign of Howard Phillips who was running in the 5-person Democratic Party primary. His opponents included Kathleen Sullivan Alioto (a former school committee member, now married to former San Francisco Mayor Joe Alioto, predecessor to George Moscone), Rep. Elaine Noble, and the ultimate winner, Congressman Paul Tsongas.

Some of you might remember Howie Phillips. His career runs like a raw scratch across the politics of the past 20 years. He began as a Young Republican. He was a loyal Nixon backer. (Curiously, his face even bears a resemblance to the Watergate President.) After Nixon's 1972 landslide reelection, Nixon appointed Phillips to *dismantle* the social-justice Office of Economic Opportunity, which Phillips proceeded to do until Congress reconvened and put a quick stop to him. Phillips has cultivated a reputation as one of the plump darlings of the New Right.

In this Senate campaign, Phillips was funded by Richard Viguerie of Falls Church, Virginia, the "Money Bags" of the new reaction. Phillips slinked back to Massachusetts, changed parties and threw his hat in the ring. Liberal black Senator Ed Brooke, the incumbent, was already being challenged in the Republican Party primary by another Viguerie-New-Right creature, race-baiting talk-show host Avi Nelson.

Anita Bryant Green, taking her first dip into exercising her political clout, accepted Phillips's invitation. She was booked, for a public appearance 1 September 1978, into the vast Hynes War Memorial Auditorium at the Prudential Tower (which used to be known on the gay-vine as "Boston's Erection"). The hall seats 5000. The price to hear Bryant was $10. Bring oranges. Or perhaps rotten vegetables.

In response to the provocation of Howard Phillips, feminist women and gay men organized the ad hoc September One Coalition. With only a week to organize prior to Bryant's appearance, there was great pressure to get things done quickly. We agreed to demonstrate in front of Hynes Auditorium while Anita chirped and follow that with a rally in nearby Copley Square.

Rep. Elaine Noble came to the organizational meeting of the Coalition. She volunteered to obtain from the city the various permits for the rally and demo. Something she never did.

A day after the community mass meeting, the split between "Good Gays" and "Bad Gays" surfaced. Some members of the conservative Gay Business Association, in league with Elaine Noble, were urging gay men and women to stay away from the demonstration. Elaine insisted there would be violence.

Conservative gay religion columnist Brian McNaught circulated a petition he had written reflecting the Good Gay sentiment. In this document (see appendix), he red-baited the September One Coalition, said it was a tool of the radicals and was luring gay people to certain violence against them.

In fact, these self-proclaimed Good Gays were completely out of touch with popular feelings in the community — as they often are. The organizers of the September One Coalition were aware of the deep anger against Bryant and Phillips. We were getting calls from all over New England pledging busloads of people for the demo. It was the Coalition's responsibility to provide a safe and effective means for gay men and lesbians to demonstrate their opposition to the duo of Bryant & Phillips. We met with city officials and made all necessary arrangements.

Elaine Noble took her strategy one step further. She held a news conference on radio and TV. She urged people to stay away from the rally. She said we should "keep a sense of humor." She lashed out at the September One Coalition for failing to obtain permits for the march and rally — without mentioning that she herself had promised to get them for us!

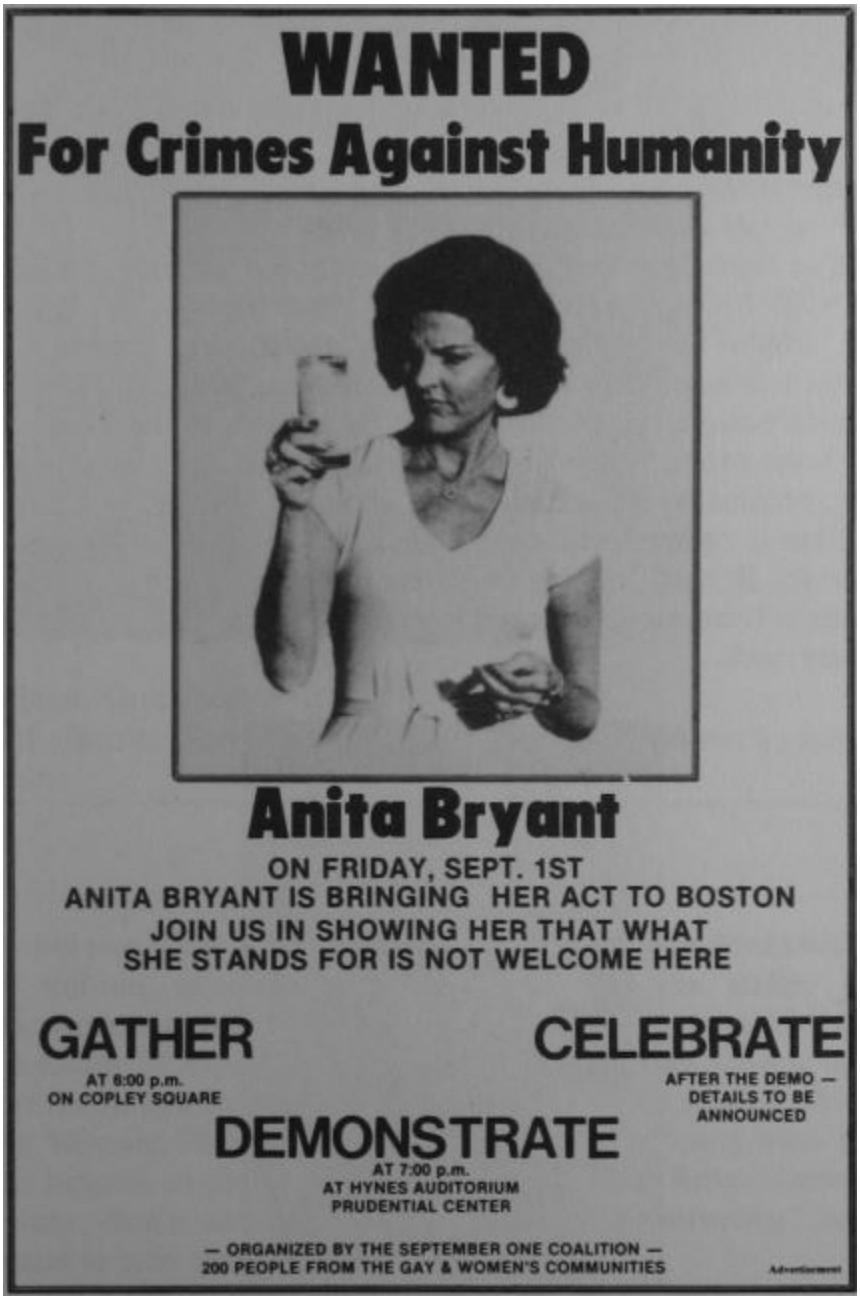
Meanwhile Candidate Phillips took to the airwaves to announce that the South Boston Marshalls — whom the Boston Police have publicly labelled the most violent group in the city — would provide "security" for Mrs. Green on her brief visit. The South Boston Marshalls are an all-white terrorist group of Roman Catholics from Southie who became notorious during the school desegregation crisis by attacking blacks and organizing gangs of white teens to stone buses and beat up black people.

BRYANT LAYS AN EGG

It so happened that Anita's concert sold only 78 tickets — mostly to homosexuals who intended to disrupt the songfest. Phillips, unable to put up the stiff surety for the hall, had to cancel. He blamed feminists and faggots for low ticket sales. Holding up an emergency issue of the *Gay Community News* (it featured a full-page ad: "Anita Bryant — Wanted for Crimes Against Humanity"), Phillips told the press that "militant homosexuals" were out buying "high-power rifles" to gun down him and La Bryant.

Bryant arrived in town and held a news confab. Right in the middle of it, Phillips told everyone to leave; he blamed this on "militant gays" who, he said, had just phoned in a bomb threat. Bryant then appeared at a small cocktail party for 25 people and sang the "Battle Hymn of the Republic." Then she sped away. It was a great victory for the September One Coalition. Anita had to cancel, one of the few times she has been forced to do so. Instead of raising money, Phillips was left with a stiff tab for Bryant's visit and was roundly condemned by all. His — like Anita's — are desperation politics, stock-in-trade of the "new" Right.

But the Phillips goons had their revenge. On Sunday, 3 September 1978, in the afternoon, the metal security bars to the windows of the offices shared by the *Gay Community News* and *Fag Rag* were smashed in. Both offices were ransacked and vandalized. Inside information leaked to members of the September One Coalition (from an alienated Phillips worker) indicated the South Boston Marshalls were the malefactors. Terror is their metier. As a matter of record, with all the talk about violence surrounding Bryant's visit, *the only actual violence that occurred was the trashing of the gay press.*

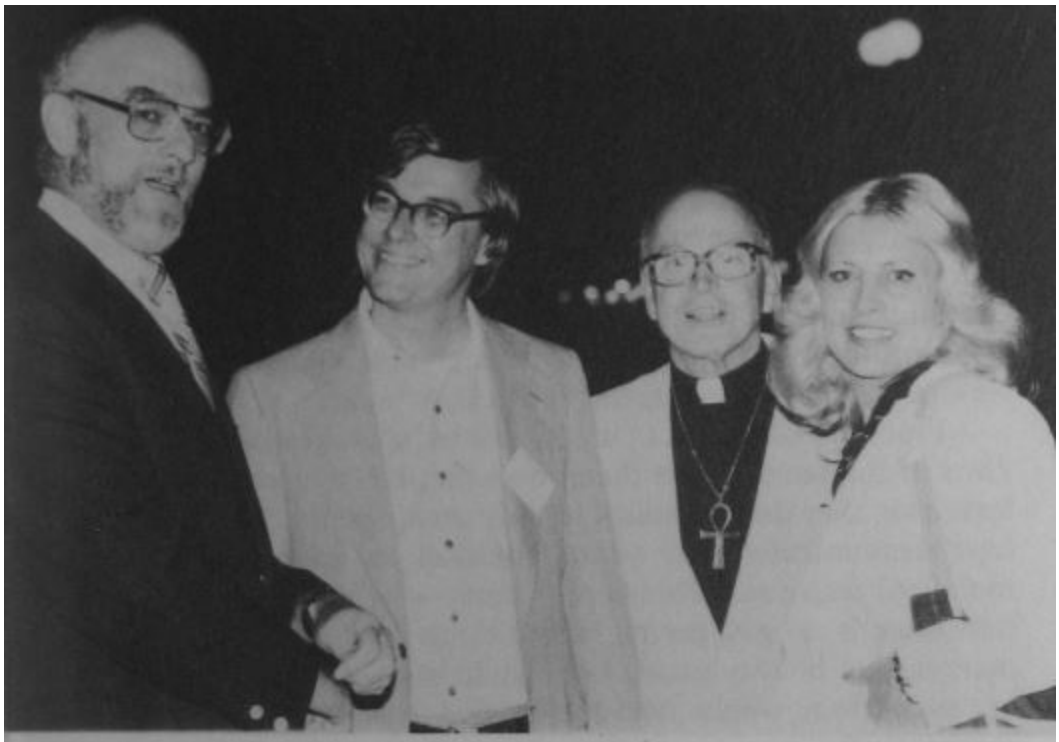


This ad appeared in a special issue of the GAY COMMUNITY NEWS.
Howie Phillips waved this in front of the press and spread lies that "militant" gays were out purchasing "high-power rifles" to off him and Anita.
No such luck.

The September One Coalition went ahead with its own rally, even after Phillips cancelled his show. 2000 people showed up at dusk. Robin Tyler, the extraordinary entertainer, flew in from Provincetown and gave a rousing performance. While Robin was in the middle of her act, Anita and her party came to the window of their hotel room, which overlooked Copley Square. Tyler, seeing them, pointed at Mrs. Green and shouted: "Anita, you are to Christianity what paint-by-numbers is to art!" The crowd screamed. Bryant, looking like a camp Marie Antoinette, hastily withdrew from view, perhaps worried over the fate of her own leathery neck.



This is how the GAY COMMUNITY NEWS and FAG RAG offices looked after supporters of Phillips and Bryant vandalized and ransacked them. With all the blather about gays stirring up violence, the only target of violence that weekend was the gay press.



At Sept. One Rally:
Robt. Bonin, Tom Reeves, UUA Rev. Bob Wheatly, Angela Bonin

Former Chief Justice Robert Bonin and Angela Bonin had, the day before, announced their support for the Rally. They volunteered to speak. Angela Bonin gave a moving history of oppression in Massachusetts and America, citing Bryant as the most recent in a long line of bigots. The ex-Chief Justice criticized both Howard Phillips and Elaine Noble for offering their tacky little lectures to the gay community about First Amendment protections. Bonin also ridiculed the notion of "counseling" homosexuals to turn them straight.

Elaine Noble was nowhere to be seen. Noble ended 1978 badly alienated from the gay community, the result of her own actions. She remained popular, however, with women and gay men,

in other parts of the state and nation. Perhaps because they didn't know.

On 19 September 1978, primary day in Massachusetts, liberal governor Mike Dukakis was defeated by right-wing challenger Ed King. King ran on a platform of lower taxes, no abortions and reinstating the death penalty. King then went on to win the general election. Howard Phillips came in 4th in a 5-way race for the Democratic nomination for Senator. Noble came in last. And Newman Flanagan triumphed in the D.A.'s race.

From the viewpoint of a gay activist, it looked like four more years of the same, unless the powers-that-be have learned that, at least now, they daren't attack in their usual fashion. If they do, we have demonstrated that we will unleash an angry and quickly-mobilized response. What is now clear — at least in Boston — is that there is no gay person whose rights won't be supported by mass action, be they accused of "child molesting," "public sex," or, even from within our community, "radicalism." We have shown that by organizing within the gay community alone, and not relying on the comforting and false promises of only-too-hostile legislators, foundations, priests and pols, we can stop a witchhunt, make it rebound upon those who initiated it, and use this as one more way to politicize gay men and women.

All this is important and good.

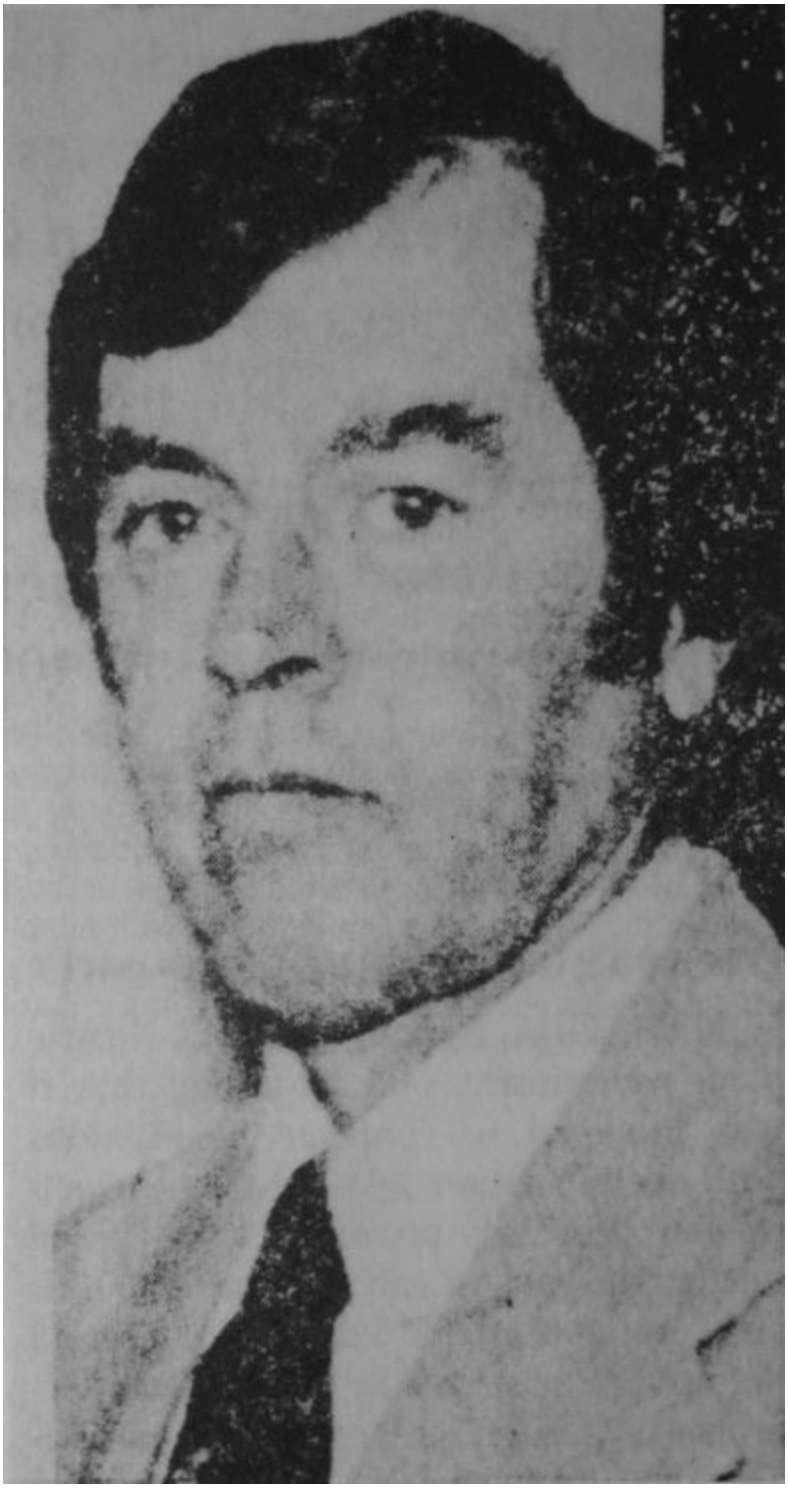
What is terrible and something I can never forget is the price of it all.

THE TRIAL OF DR. ALLEN

THE MOST EXPENSIVE BLOW JOBS

IN THE COMMONWEALTH

Since it is all too rare that a gay man accused of sex with a minor actually comes to public trial, I thought it was important to include the following section, an account of the trial of Dr. Donald Allen. Sensational charges, as those sprayed by D.A. Garrett Byrne in his “Revere Sex Ring,” rarely stand up to examination as serious concerns of the state and its citizens. Shady dealers like the D.A., can’t stand public inspection of their handiwork. Shoddy goods done with malice become all too visible. The trial of Dr. Allen demonstrates this clearly. It was a rape trial with full-blown billing. Despite some of the odd judgements made by the prosecution and defense alike,it was the state that was ultimately exposed as the assailant.



Dr. Donald Allen

THE TRIAL OF DR. ALLEN

It was fitting that the trial of Dr. Donald Allen (charged on four counts of blowing a 15-year-old male hustler) should have begun the same day as Boston's official "Brink's Week," which was 5 days of hoopla puffing the biggest heist this town has ever seen.[1]

The trial of Dr. Allen was another slapstick heist. Using the estimates of the Association of Trial Lawyers of America, the cost to the taxpayers of Massachusetts was around $250,000 for this four-week affair.

Dr. Donald Allen, a 51-year-old medical professional (his specialties were blood diseases in children and, later, psychiatry), was one of the men indicted in December 1977 as part of District Attorney Garrett Byrne's sensational "Revere Sex Ring."

Well, this "Sex Ring" turned out to be non-existent. The D.A. had been swept from office on primary day. And of the 24 men indicted, only 20 were ever arrested. Eighteen of them were demanding open trials. One pleaded guilty to blowing boy scouts in Charlestown. The other one, Arthur Preston "Pres" Clarridge, had made a deal with Byrne's office to snitch on the others. Garrett Byrne, I'm sure, thought they'd all roll over quietly and be sent away, as had been past practise. But this time, things went differently. There'd been a change in the weather.

The witchhunt launched by the D.A. wouldn't go away, even long after it was clear that he and his boys wished it would. The Revere cases, politicized by the work of the Boston/Boise Committee, were a focal point to create a resistance by a traditionally victimized class, i.e., male homosexuals. Robert Bonin lost his job as Chief Justice of the Superior Court for showing interest in the civil liberties aspect of this issue.

After a year of postponements, sought by D.A. and defense alike, Judge Joseph Ford of the Superior Court decided that there was no reason for further delay. He ordered the trial begun at once. This was Monday, 27 November 1978.[2] Garrett Byrne's 26-year-tenure of arrogance, malfeasance and favoritism was to come to an end with a seamy homosex trial. Good riddance. The farce was under way.

I say "farce" and this is not exact. As an observer to most of the proceedings, I decided that Dr. Allen's trial had three composite parts: it was 25% serious political trial (it would have been *all* political trial had it not been for the defense attorney's strange and pandering strategy), 25% Republic Studios 1940s B meller, and 50% *commedia dell'arte.*

DRAMATIS PERSONAE

Justice Joseph Ford: A veteran justice of the Superior Court. Fiftyish, balding, Mr. Ford seemed to be nodding off during parts of this trial. And who could blame him? A great one for poking around in the law books while testimony was heard. As Cole Porter wrote: "Brush up your Shakespeare." He told the Court: "They're changing the law so fast these days, I can't keep up with it!" And it's true! Mr. Ford, while referring to the apartment of Richard Peluso as a "male house of prostitution" — a sobriquet it got from the defense attorney and kept throughout the trial — actually said a "male house of prosecution," perhaps thinking not of the "sex ring" but of the "indictment ring" of Garrett Byrne's gang.

Assistant D.A. Thomas Peisch: Had this trial been conducted in the anticipated manner (the D.A. attacking homosexual acts, the defense defending them), Tom Peisch would have played the heavy. He is far from the type. Originally from Vermont, Peisch has the up-country equivalent of the face of an archangel, perhaps just before the fall. Thin, red-haired, the Asst. D.A. is youthful, wiry and intense. Peisch was the youngest member of Mr. Byrne's federally-funded Suffolk County Investigations and Prosecutions Project (SCIPP), a/k/a the "Get Revere Squad" since so much of their energy was spent indicting people in that city. With the coming of the new D.A., Mr. Peisch has left service to the Commonwealth and has joined the law firm of Burns & Levinson.[3]

Lawrence O'Donnell: Dr. Allen's defense attorney. Mr. O'Donnell is strictly from Central Casting, part Ernest Borgnine, part Lionel Stander, but all bark. He has the face any afficionado of Irish Heritage could love. His manner, alternating between rudeness and intimacy, in combo with his booming voice, would make him as much an appropriate fixture in a barroom as in a courtroom. I have no doubt that Mr. O'Donnell is a highly skilled and successful criminal lawyer. But his theatrics, as well as the *logic* of his strategy, left me thinking that perhaps Mr. O'Donnell was *trapped* in a movie left over from the era of the Hays Office.

Dr. Donald Allen: Defendant. Nice looking but a cold fish. No passion here. The press photos made him seem more attractive than in person. Black, straight hair. (One courtroom benchwarmer whispered: "Obviously a dye job.") With so many "personalities" in the courtroom, Allen seemed a bit of a wallflower. It was easy to forget he was there at all, as though these crazy proceedings were for themselves and had nothing to do with sober, serious people. When several members of the Boston/Boise Committee introduced themselves to Allen at the end of a day of jury selection, he stiffened noticeably and flashed cues that he wanted nothing to do with us. After we got a smell of his defense, it became real clear why.

The Families: In this legal spectacle, in which deviancy was on trial, there was much show of heterosexual normalcy through breeding capacities. Mr. O'Donnell had his three sons, all lawyers, in constant attendance. Dr. Allen's own gorgeous and healthy children (5 of them) faithfully filled the front pew day after day. Allen's ex-wife and her current spouse were also there. As was Allen's current (and obligatory) "female companion," another icy creature. These folks had no lines. They were merely decor, and as such were an important visual backdrop to the defense drama, providing

the obvious (and, they hoped, endearing) contrast between the defense's numerous Healthy, Happy Heterosexuals and the Commonwealth's Wretched, Degenerate Homosexuals (all of them state's witnesses).

The Jurors: It was a jury largely of Mr. O'Donnell's choosing. Fourteen women and two men. Three women were black. One male was Protestant (Lutheran). All the white females (11) were local Roman Catholics. At the order of Judge Ford, the jury was sequestered. Toward the end of the four-week trial, I noticed some of the jurors were putting on the pounds — no exercise and rich hotel food. It took a week to get this panel of 16. Over 90 prospective jurors were passed through to get this number, and an extensive voir dire (comprising over 30 questions) was asked to those who hadn't been excused for other reasons. Among those given voir dire — one question asked religious affiliation — there were *no* Jews, Unitarians, free-thinkers, agnostics or atheists. It was Mr. O'Donnell's strategy to go after what he perceived to be a conventionally-minded jury, with lots of women who might be impressed by Dr. Allen's background, family and credentials. As the trial began, I thought it was somewhat odd to see 12 middle-aged women sitting in the jury box (the alternates were off to the far side) as the final arbiters on what was legally a matter of statutory rape but really came down to what men do between themselves sexually.

Court Officers: My favorite was the guy who, upon hearing for the umpteenth time the reading of the indictments ("said defendant did knowingly take into his mouth the penis of a 15-year-old") looked at the spectators and made jerk-off motions into his mouth. Less humorous was the incident involving Clover Ceres. Clover, a *Fag Rag* staffer and a Boston/Boise activist, attended the trial one day wearing one of his usual rubbishy schmatahs. While watching the proceedings from the front row, Clover, a great believer in the powers of the Mother Goddess, decided to "send some energy" to the witness — the 17-year-old ex-hustler who was the alleged victim of Dr. Allen's blow jobs. Judge Ford, seeing Clover, hands cupped, mouthing incantations, freaked out. " *What's that person doing*? I won't have that in my courtroom! Remove him at once!" Three burly Court Officers pounced on Clover and literally lifted him from his seat. Clover screamed: "You can kill me but I'll come back in another life and *get you!*" They took him into a lock-up room next to the court and roughed him up. One *Fag Rag* wag suspected that Clover had mis-aimed the energy and had hit the Judge.

The People's Chorus: These were the Courthouse Ghouls, mostly old people for whom Courtroom Drama is Real-Life TV. They float through the Courthouse like bad air and settle wherever there's action. I recognized some of the sour-faced ones from the Bonin trial. A few, particularly the old men in their loud shirts, gaudy ties and racetrack hats from the '40s, were Madame Defarge-types, authoritarian and ready to see Dr. Allen burnt at the stake. Many were personal friends of the D.A. One told me — this during "Brink's Week" — that he recalled the actual Brink's robbery trial back in the late '50s. He said was the last case D. A. Byrne prosecuted in person. The Bunker Hill Beatings trial[4] was in progress in another courtroom on the same floor, and the Ghouls slinked to and fro.

Mrs. Robert Green: Anita Bryant was not there in person but the *odour* of her homophobic self-righteousness hung over the trial like a smog. I was reminded of Southern politics where, until quite recently, the way to win election was to "out-nigger" your opponent. The analogy here was to "out-queer" the opposition. O'Donnell got full measure out of this tactic, Peisch less so because, even though he and the Commonwealth *deplored* the sex acts alleged and all those involved in them, he was asking the jurors to believe *his* "perverts." It was clear at the start of the trial that no matter which side "won," hypocrisy would be the real victor and little would change as a result.

O'DONNELL v. PEISCH

Tom Peisch said that the Commonwealth would prove that on four separate occasions, Dr. Donald Allen went to the apartment of Richard Peluso at 242 Mountain Avenue and, while there, did go with Gary into the bedroom and sucked the boy's cock for which he paid Peluso. Any sex with any 15-year-old in Massachusetts, whether it is forced or consensual, is by law "rape and abuse upon a child" and is a felony in this state and can bring up to life in prison.

In his opening statement, O'Donnell countered that Dr. Allen had only gone to the Peluso apartment twice. That was to interview Gary as part of his research on male hustlers. *He was writing a paper!* Well, my dear, I nearly screamed when I heard this! Ever since my days in the Boston University Student Homophile League (circa 1970), I have known that one of the favorite lines used by those who are closeted and/or are just coming out but who feel they still need a "cover" to make "respectable" their going to gay meetings, bars, discos, porno shows, etc., is this chestnut: "O, I'm just doing research for a sociology paper on deviancy." It's been an in-gay joke for years![4a] Yet here was Mr. O'Donnell pulling this very same number in this Superior Court Show Trial! Would it wash with the jurors?

The first order of business was busing the jurors out to 242 Mountain Avenue to see the vacant former apartment of Richard Peluso. This was at the request of the defense. From this tacky, 5-room ordinary apartment, Peluso was supposed to be operating a fabulous "international boy-sex-for-hire ring," or so said the D.A. It wasn't much of a sight to see ; your typical unit in a double tripledecker. Back in the courtroom, O'Donnell pinned up on the wall a huge floorplan to Peluso's apartment, indicating where the alleged blow jobs had occurred. This was real Perry Mason stuff.

Peisch called the state's first witness — Richard Peluso. Now 39, and serving a day-to-life sentence as a "sexually dangerous person" at the Treatment Unit at M.C.I.-Bridgewater, Mr. Peluso was cool and business-like and, I suspected, on medication.[5]

Peluso testified that he remembered "Don" being brought to his apartment by Arthur "Pres" Clarridge on several occasions. While there, Don went with Gary into the bedroom and, before departing, left money in a bureau drawer, tucked down under some clothes. (Peluso's prices? $20 for sodomy. $10 to suck cock. Peluso got half, the boy the other half.)

The important point that no one brought out (for obvious reasons), but essential to debunking the silliness about this being any kind of serious prostitution set-up, was that this so-called Male House of Prostitution was run on *The Honor System*! Guys left the appropriate amount tucked in the underwear and Peluso never made a fuss. An unconventional way to run a racket *if* you insist Peluso was a "Master Male Pimp," as O'Donnell maintained.

Richard Peluso ("Richie" to the boys) was a credible witness and, all in all, a rather average and likeable man. Not at all the ogre the press, police and attorneys had made him out to be. He admitted that in his 12 years at the Revere address, he'd probably had sex with up to 200 adolescent males, perhaps fewer. So who's counting? Even 200 is not that many, an average of about 1.5 sex contacts a

month, a low figure when you consider how many boys were *dropping in on him* on a regular basis for sex and even, like Gary, bringing younger brothers along.

For three days, Richie Peluso sat in the witness box, dressed in the same light blue suit. And for most of those three days, O'Donnell tried, in a vicious and pandering way, to discredit not only Peluso's testimony but to defame him as a person, to slander homosexuals as a class and to smear anyone who would defend the right to sexual privacy of men and boys. If you did not think sex between a man and an adolescent boy was out of the ordinary, then there'd be nothing to get hopped-up about in the matter of Richard Peluso. His misfortune was, apparently, that he lived in Massachusetts instead of, say, Morocco.

O'Donnell's intention was to portray Peluso to the jurors as a satanic Jim Jones-like programmer[5a] who "turned boys against the Creator," taught them to have sex with men, and then exploited them.

The lie was put to O'Donnell's dramatic cross-examination by Peluso himself, who never allowed himself to rise to O'Donnell's baiting.

"Where did you 'nail' little Jimmy _____ the first time?" Jimmy was me teenager named in the three indictments to which Peluso had pleaded guilty, getting consecutive 15-to-25-year sentences as well as day-to-life.

"Frank Damiano [the school bus driver] brought him over."

"You take boys through a period of indoctrination, don't you?"

"Yes, I do, sometimes."

"A kid who is God-created to love women!"

"Jimmy wanted it."

"You're telling me Jimmy _____ seduced you?"

"Yes."

"How?"

"He asked Frank Damiano if he could have sex with me."

O'Donnell suggested that Peluso fed Dr. Allen's name to the police in order to "cover-up for the big names" who had been to his place to score with boys. Peluso denied this but *did* acknowledge that he did not tell *all* the names to the police.

Mr. O'Donnell's conduct was highly improper during his scream-filled cross-examination. He often turned to the jury and said things like: "slimy pervert," "you're disgusting," and on one occasion he asked for a recess "because I'm going to throw up!" Mr. Peluso said he thought he was "a good friend to the boys," something neither Peisch nor O'Donnell could accept though in fact a statement supported by one of the teenagers who later took the stand.

It was only *after* Peluso's meeting "Pres" Clarridge in 1974 that things changed around 242 Mountain Avenue. Clarridge starting *paying* Peluso for the sex he was having with the boys at Peluso's apt. Peluso didn't demur — he was always borderline broke what with beer, food, fishing equipment, air hockey and grass for the boys. And it was "Pres" Clarridge who began bringing other paying men to the apartment at 242 Mountain Ave.

After his three days on the stand, Peluso seemed to be a sad and sympathetic man who had been manipulated by just about everyone: by the boys he entertained (from whom he at least got some fleeting affection); by Clarridge who got him into something way over his head; by the police who whisked him off to jail and put the pressure (life in Bridgewater) on him to name names; and by the D.A. who coached him rigorously for this testimony, lest there be hell to pay. Dr. Allen had his family and his high-power State Street lawyer for support and concern no matter what happened to him. Who

was around to help Richard Peluso?

With all the official heat on him, Peluso was in no position to defend boy-love and his past behavior. Though it was clear he *thought* he had done nothing wrong, *he had to say otherwise.* One of the first acts of contrition required to begin to get out of the "Sexually Dangerous Person" category is to *admit* you are an SDP. If you refuse, you are a lifer at Bridgewater. Hence, when O'Donnell asked Peluso if he was a "master male pimp," "perverse," etc. Peluso *could not deny it* without jeopardizing early release from Bridgewater. Local headlines read: "Admitted Procurer . . .," "Self-Confessed Master Male Pimp . . ." etc.

O'Donnell closed his cross-examination of Peluso with injunctions to the stern Christian Deity.

"Do you have some understanding of god?"

"Yes, I do."

"Do you think of Adam and Eve?"

"Yes."

" *Your whole life is made to interfere with God's* way!"

"Objection!" by Peisch. Sustained.

And later: "Do you see anything wrong with your way of life before your arrest?"

"Yes sir, I did."

"Thinking of God, what steps did you take to stop?"

"None."

". . . Will you agree that now you will testify that the acts with kids were harming children?"

"Yes, sir."

"And won't you admit: *'I am a liar!'*?"

"I am not a liar!"

"*Then you are not forgiven!*" said like the first Irish Pope.

O'Donnell quickly turned in disgust and plopped into his chair.

"THE VICTIMS"

Dr. Allen's alleged victim, Gary, was the next witness. At the time of the trial, Gary was 17. He was lanky with black hair brushed back in a fashionable cut. His testimony was blatantly coached.

His story: he'd met Peluso when he was 13. Shortly after their meeting, they had sex. Gary then brought Frankie around. Frankie was another hustler, also a witness against Dr. Allen, called later to corroborate Gary's story. Frankie had had sex with Peluso in a 3-way with Gary. Frankie also regularly had sex with Pres Clarridge at Peluso's.

Gary testified that on four occasions he met "Don" — whom he identified as the defendant — and on those four occasions, he went with Don into Peluso's bedroom. Don closed the door and then blew him. Actually, on their first date, they did a "69," which Gary described for the benefit of the jury.

After these four incidents, Gary and Frankie had seen Don once on "The Block" (a cruising area in Boston's Back Bay) and once at Together, a Boston gay disco where Don gave Gary $100 to help him out. Gary had run away from home and needed money for lodging.

During direct examination of Gary, Peisch tipped his hand a bit. Gary admitted that while in police custody for the past year, he had grown a full, black, bushy beard.

"And what happened to that beard, Gary."

"I shaved it off, sir."

"And who asked you to do that?"

"*You* did, sir."

After O'Donnell's rough treatment of Peluso, we expected a two-fisted treatment of Gary. He was, after all, the witness on whom the state would make or break its case. But O'Donnell handled Gary with kid gloves.

Gary's portrait of Peluso was sympathetic and endearing. "I went to Richie's to talk, for something to do. Richie was a good person."

O'Donnell asked Gary if he thought having sex with Peluso was wrong. Gary paused. "No. I didn't think so."

"Do you *now*?"

A longer pause. "No. I was younger. I. . . no." All the jurors were riveted to Gary as they would be to no other witness. You must remember Gary had been locked up in a DARE (child custody) house under police scrutiny since January 1978. They did let him out on weekends so he could go to the gay bars.

Frankie was called as the next witness. Frankie is the son of a Metropolitan District Police lieutenant. Prior to the trial, there had been some speculation that Frankie, so pivotal a witness in so many of these cases, would be kept away from this and all subsequent trials at the request of his father.

No dice. Frankie was there — in his brand-new bright blue Air Force uniform! Short-haired and handsome, Frankie lamented that on this particular day (9 December.) "I would have finished Basic Training. But I had to come back for this trial."

Frankie had enlisted in October 1978 for one year of active duty — what he and his father had likely thought would be the maximum duration of all these "Revere" trials. He told the court he'd had his uniform for less than two weeks.

Frankie was not a cooperative witness. It was obvious he had been told to offer as little information as possible. Slow, uncertain, he spoke with great reluctance and some apparent hostility to his examiners. His chronology of events differed sharply from those of Peluso and Gary.

On cross-examination, O'Donnell closed in on Frankie. Had he told the Air Force recruiter about his past homosexual hustling? No.

"Don't you think the Air Force would want to know about your behavior at Peluso's apartment?"

"Objection!" by Peisch. Sustained.

Even the Courthouse Ghouls didn't buy O'Donnell's makeshift morality. They'd read about the federal appellate ruling *that very day* in the Matlovich case and they now knew that homosexual activity per se was no longer going to be grounds for automatic military discharge. But no matter Frankie's expectations about his nascent military career, O'Donnell did *his* best to get him the boot. Later in the trial, O'Donnell called the fat Air Force recruiter who had signed up Frankie. He testified that Frankie, under oath, replied NO to the inquiry about past homosexual activity. Having learned the truth, the fat recruiter would now recommend Frankie's immediate dismissal. It wasn't clear which upset the fat recruiter more: Frankie's past hustling or that he'd lie about it to agents of dear old Uncle Sam.

O'Donnell continued his grilling.

"How did you learn about what was going on up in Richie's apartment?"

"My girlfriend told me. She lived below him. Gary just told me to go up, so I went up."

Frankie couldn't recall who was there at the time. The place was often crowded with adolescent boys. "Frank Damiano would park his school bus out front" and bring the kids up to Peluso's.

When Richie suggested to Gary and Frankie that they could make some money by "turning tricks" with some of the men who came to his apartment, both boys quickly agreed.

Frankie then admitted to being sodomized, but forcefully denied that he had ever engaged in Anal Sex. The courtroom filled with titters. Asked again, Frankie acknowledged sodomy but denied Anal Sex. Rising laughter. Judge Ford, ever paternal, leaned over and informed the witness that sodomy and Anal Sex were regarded as the same thing. Frankie was crestfallen: "O." No wonder these cute little bunnies didn't know they were victims; they didn't even know the name of the crime!

CONFLICTING TESTIMONY

Arthur Preston "Pres" Clarridge, former Assistant Headmaster at the posh Fessenden School in West Newton, was the next witness.

Clarridge, in his late 40s, looks like a mix of Wally Cox and Buck Henry. Using his handy school office calender for 1977, Clarridge testified he took Dr. Allen to Peluso's apartment on four separate occasions. His dates differed from each of those given by Peluso, Gary and Frankie.

O'Donnell zeroed in on the deal Clarridge had made with the D.A.'s office. Clarridge had agreed to be a state witness in all grand jury and trial proceedings in these "Revere" cases. In exchange, the D.A. promised to drop the "rape and abuse" charges and, at some future time, Clarridge would plead guilty to a lesser though unspecified charge.

"And you expected this deal?"

"I never know what to expect."

"You've been free as a bird since December, 1977!"

"It's inhibited me, but I'm free to go where I want... I pray I don't go to jail."

"You use the word 'pray.' Did you ever have occasion to use that word in the House Of Prostitution?"

"I don't recall."

O'Donnell tried to establish that the Headmaster of the Fessenden School knew about Clarridge's sexual activities and, implicitly, sanctioned them as long as no scandal arose. Judge Ford excused the jury at this point and queried O'Donnell about his intentions in this line of questioning. O'Donnell hesitated: "I don't want to give the school a black eye." Ford: "I wondered." Session resumed and O'Donnell referred to Clarridge (to his face) as *"Miss* Schoolma'am."

Clarridge remarked on his concern for safety while at Peluso's. "I asked him if I was safe. He said he did not have my name written down anywhere. Peluso told myself and the boys not to talk about personal matters." That's why, Clarridge said, he was so surprised Dr. Allen told Gary he was a psychiatrist.

During Clarridge's testimony (as with all the others), there were long, tedious recesses. Justice, if she loves nothing else, adores long "gaps in the action" (as the TV sports announcers say). Not a thing to do but wait. The lawyers, in their natty pin-striped suits and tight vests, move about the courtroom and latch onto other lawyers and police detectives. I thought of piranha, in a well-fed interlude, smoothly gliding in a tank.

STEAMY DETAILS

No sex trial could be complete without revelations of "embarassing details" — like the big black mole on Dr. Allen's cock, or the extensive probings into the sexual techniques of Peluso and Clarridge.

I think part of the terror of such a trial is this: one of the primary fears closeted homosexuals have is *being exposed* in a situation in which they have no control, family, at school, at work,; etc. To have your sex life revealed, under threat of penalty, in court and then headlined in the press is the ultimate!

We heard tell of Pres Clarridge's "Sex Kit," a sad little gym bag he'd carry with him to Peluso's and use while scoring with Frankie. During a police inquiry, Frankie revealed that the Sex Kit contained: reefers, matches, candles, a towel, a tube of lubricant, and a pair of "girlie panties" (My companion remarked: "Well, there goes *his* scene!") Mr. O'Donnell couldn't resist "pervert baiting" Clarridge on the Sex Kit.

"What else did you have in the Sex Kit?"

"Mouthwash, a Polaroid, toothbrush . . ."

"A paddle?"

"No paddle.

"Ping-pong balls?"

"No ping-pong balls."

"Any rope to tie people up?"

"Occasionally I may have had ropes."

O'Donnell turned full-front to the jurors and said, as though deeply disgusted: "Ropes!"

"Ladies panties?"

"Yes. I probably did."

O'Donnell uttered: "That's all." It was clear he was glad to be through with the slime.

The unopened Sex Kit was offered as an Exhibit for the jury's perusal in their deliberations. During his final argument, Mr. O'Donnell told us that the Kit also contained a sex movie called "2 Boys In A Motel." *Then he actually lifted up the Sex Kit and punched it!*

On re-direct, Peisch asked Clarridge if he had seen Dr. Allen since both of them were indicted. Clarridge admitted he had run into him at The Bar, a Boston gay disco. "I said: 'How do two intelligent people like us get mixed up with a guy like Peluso?' And Allen said: 'I didn't think we'd get caught . . .' "

There was no re-cross. So with this grubby (and elitist) act of contrition (more bad '40s movie dialogue) the Commonwealth rested its case.

DR. ALLEN TAKES THE STAND

Donald Allen was the first witness in his own defense. Carefully, and at length, he established his credentials: pediatric hematology, foremost "exchange transfusionist," research into blood diseases in his field work in Uganda and Thailand, psychiatry, a published study on masturbation, etc.

On a special Saturday session, Dr. Wardell Pomeroy and Dr. Webster were called as defense witnesses. Pomeroy, co-author with the late Dr. Alfred Kinsey of the two standard works on sexual behavior in America, testified about the risks and hazards involved in undertaking scientific sexual research. Pomeroy also established that the kind of Dr. Allen said he was doing — interviewing male hustlers at Peluso's — was both legitimate and much-needed.

Dr. Webster, a plastic surgeon, had physically examined the defendant and testified that Dr. Allen neither had a tattoo on his body (as Gary had told police detectives) nor had he ever had one. The black mole on Allen's cock was revealed here (to be made much of during O'Donnell's closing argument).

On cross-examination, Allen said he had never threatened Clarridge but admitted telling Pres: "You ought to spend the rest of your life in jail." The source of Allen's anger wasn't probed, whether he was upset over Clarridge's boy-loving or that he sang for the D.A. to save his own skin.

The defense rested. Ford admitted: "The nature of this litigation is difficult to try." It certainly was for him, poring over his law books, worried that any conviction out of his courtroom might be overturned on appeal (as had happened to him in *Commonwealth* v *Welcome,* a precedent that weighed heavily at this trial).

CLOSING ARGUMENTS

O'Donnell thanked the jurors for being patient and open-minded during this long trial. And he said: "We should thank the people of the Commonwealth. Every guy gets his day in Court." A grim prophecy — but great news for the law business. He then set out to discredit all of the prosecution witnesses. They were unbelievable, he argued, because they were perverts (Peluso and Clarridge) and because The-Pervert-Peluso-Had-Programmed-The-Boys. What follows are highlights from O'Donnell's closing:

"If you believe Peluso, you have to believe Charles Manson . . . pollution-personified of degeneracy . . . spent his whole life interfering with The Creation . . . Mr. Pollution, Mr. Degenerate . . . programming and changing identities of young human beings, turned them inside out to go against the Act of Creation . . . indoctrinated these young people like animals in a circus. If you vote to free Peluso [jurors did not have this option] there isn't a boy in this Commonwealth who is safe, or in New York, New Hampshire or Connecticut. Peluso knows a lot about life sentences. He *gives* life sentences to Gary, to Frankie . .. That's a monster! He challenges The Creator. *He's got to be stopped!* Shouldn't someone concern himself with how to *get* a monster like this? That was the high purpose of the defendant. There are diabolical, satanic people like Peluso who train people like animals" — and, here's my favorite line — " *They function only with their glands!"*

Glands?

Histrionics over, O'Donnell attacked the lack of specificity in the timing in the indictments, Gary's poor memory (he insisted Gary would have remembered that big black mole on Allen's cock if he had sucked on it), the motives for Peluso and Clarridge to lie and cover-up. He defended the virtue of his client's reputation — mostly by emphasizing Allen's heterosexual history. "Dr. Allen is *not a degenerate*! *There they are*" — pointing at Allen's shiny clean offspring — "They are his best defense. He is the only one in this case that can show the world: I AM A HETEROSEXUAL! I'VE RAISED CHILDREN !" By the time O'Donnell finished saying this, he was literally jumping up and down. It was a command performance. The jurors were transfixed. Even Judge Ford was kept awake; he called a recess.

Peisch played counterpoint to O'Donnell. He was soft-spoken, direct and "rational."

"YOU have no choice but to find *that man* guilty. We've proved that beyond all doubt." He too deplored the activities of Peluso and the others but asked that the state's witnesses be believed. "Peluso's tale violates the sensibilities of any decent citizen . . . those unthinkable activites at Mountain Avenue" — which he had lavishly detailed the past four weeks, with photos. Gary "participated in some of the most loathsome activities imaginable." As for Frankie, his admitted perjury was transformed by Peisch into noble action for Garrett Byrne; the "testimony has cost Frank his Air Force career. . . . You don't have to approve of what they did, their lifestyle, but you can still *believe* them."

Peisch attacked Allen's hiding behind his credentials. "Doctors benefit from social approval. To the common person, they benefit from an exalted role." Dr. Allen, Peisch alleged, was using "his

white coat to wriggle out of his legal problems. He's done you a disservice. He's not to be believed." Asst. D.A. Peisch slipped into his own '40s B-movie script, referring to Allen's testimony of how he had seen patients bleed to death in Uganda and Thailand, he said: "There was blood all over the floor of 242 Mountain Ave., and he never did anything to *heal* these people." As to Allen's WASPy Wellesley background and swell family, Peisch said that in Dr. Allen we saw where "the murky world of Revere combined with the bright lights of Wellesley." It was not Peluso's fault completely: "Such an operation cannot exist without customers like *that man*." And then, like George Wallace (who topped the list of hopefuls in Boston in the Presidential primary of 1976) Peisch asked the jurors to convict and "send them a message."

"By your verdict, you will send a message that when young men like Gary and Frankie have the courage to tell the truth and when it is corroborated, the defendant will be found guilty. And another message: that in Suffolk County, such conduct as this defendant engaged in will *not be tolerated*!"

The following day, Wednesday, 20 Dec. 1978, the jurors were instructed on the law by Judge Ford. Four of them were eliminated from the final panel of twelve. Both men, however, wound up on the jury.

The predictions of the Courthouse Ghouls (whom Tom Peisch told me were seldom wrong) were mixed. The older reactionaries (largely Irish) were certain of swift conviction and a long jail term. The brighter of the spectators (who tended to drift in as the case progressed) thought Allen's impressive medical credentials would get him off.

The jury apparently suffered a similar split in opinion. They deliberated *for three days*. The Judge, eager to get the trial done before Christmas, urged them on. The jurors sent down for further instructions. All involved were amazed. A statutory rape verdict had never taken so long. O'Donnell moved for a directed verdict. Ford said no.

Then, at 12:15 P.M. on Friday, 22 December 1978, the jury finally came in. Verdicts? Guilty on all four counts. Some jurors cried. Judge Ford promptly sentenced Dr. Allen to 5 years probation. Allen could have gotten life in Bridgewater. It was assumed that this sentence was a signal to those 16 men still awaiting trial (most accused of blowing Frankie or Gary) to plead guilty and walk out of the courtroom. This would make them fast felons and save the state much money, time and embarrassment.

The State Board of Registration for doctors is now prosecuting to lift Dr. Allen's medical license. As of July 1980, this matter had yet to be resolved, and Dr. Allen was still practicing. The study Dr. Allen still maintains took him to Peluso's is finished and awaits a publisher: "Male Prostitution: A Psycho-Social Study 1975-1977."

The All-Christian jury was dismissed to go home to celebrate the birth of their savior. "Justice," in its weird, mutilated way, had once again been exacted in Massachusetts.

The only upbeat note in all this is that the Garrett Byrne clique — everyone in that office connected with inventing "The Revere Sex Ring" was swept from office: the old goat himself,[5b] Tom Dwyer, Jack Gaffney and Tom Peisch. Don't get angry, get even, and to some extent, these gents have paid for their overreaching.

But Boston is a town of clones. There are more just like them waiting to fill their slots in government. Except for nice talk from the new D.A., there are few indications things will change. What new creature is slouching to the bench, ready to tilt the scales of justice in our unhappy Commonwealth? In this bleak suburb of Dublin, things always look darkest just before a storm.

THE WAR FOR LIBERATION

THE WAR FOR LIBERATION

After the trial and conviction of Dr. Donald Allen, the new District Attorney, Newman Flanagan, assigned Asst. D.A. Tom Butters to handle the disposition of the remaining "Revere" cases. Butters had spent most of his previous time in the D.A.'s office working with the Major Drug Offenders Unit, not the Suffolk County Investigations & Prosecutions Project (SCIPP).

Two of the men originally arrested, Whitney Chase of New York City and Thomas Colvin of Baltimore, Maryland, were not extradited from their local jurisdictions. This was not for want of the Suffolk D.A.'s trying. The attempt to extradite Colvin was particularly revealing.

Colvin was accused of one count of indecent assault and one count of unnatural acts. The indictments placed these alleged offenses in 1976. Since that time, Colvin had moved from Massachusetts to Maryland.

A Baltimore City Court judge denied the Massachusetts extradition motion in September 1979. It was denied for a number of reasons. The judge cited the indictment's failure to pinpoint specifically the date of the alleged illegal sex acts. Judge Allen said: "It seems basic to the requirement of due process that one accused of crime in a foreign state at least be advised of when the crime was committed."

The Judge continued: "Of even more concern to this court is the question of due process aside from the question of fugitivity." Judge Allen went on to express concern for Colvin's constitutional rights and protections in light of Asst. D.A. Jack Gaffney's threat *to add 10 years* to the jail term if Colvin fought extradition. He noted that the "Revere Sex Ring" cases had become a *cause celebre* in Boston and that Suffolk County officials had not supplied sufficient information in a similar extradition proceeding in Whitney Chase's New York hearing.

Judge Allen cited the removal of Chief Justice Robert Bonin "as a result of publicity generated by his attendance at a social function in connection with this case." The Judge concluded: "This court finds *as a fact* that the petitioner faces prospective unconstitutional treatment if he is forced to return to Boston for trial. *The conduct of the Massachusetts prosecutors in this case approaches monumental arrogance. Abuse of prosecutorial process is rampant throughout the case*" (emphasis added). One Boston attorney characterized this court's ruling as unprecedented in its direct criticisms of the operations in Garrett Byrne's office. In other words, the Boston D.A.'s behavior was at last recognized as a national disgrace and a legal outrage.

Well, better late than never.

As for those cases which remained here in Suffolk County, two were nol prossed. This meant that the charges were dropped after the state admitted that there had been faulty police work and insubstantial evidence in the investigation.

In two other cases, the men had the charges continued without a finding. This meant all charges would be dropped after a year if these men were not arrested in this time for similar offenses. The case of Donald Heres actually went to trial in late 1979. Because the alleged victim refused to testify, the state's case fell apart and Heres was acquitted. Of all those accused, Heres was the only one to go to trial and win acquittal.

Ten more men were offered deals by Asst. D.A. Butters. It was: plead guilty to one count of rape and abuse of a child under 16 and get a few years of unsupervised probation. By refusing the offer, these men faced trials, possible convictions and long prison sentences (depending on which judge and prosecutor were assigned each of the cases). All 10 agreed to the deal.

Ed Mede, one of the defendants who accepted this bargain, had this to say: "This does not prove my guilt. It proves the injustice of the whole system. I could not go on paying my attorney through a long trial. I have already lost my means of livelihood because of this case. I did not want to face life in prison because of the whim of a biased judge or juror. The crime of plea bargaining goes on every day because of the messed up court system which is unfair and arbitrary. I go free while another man accused of merely intending to have sex with a 14-year-old is given 10 years. I believe it is a victory for the gay community that I am free and that not one of the 24 so-called Revere cases has resulted in prison for anyone."

Mark Davis, one of those who agreed to this plea bargain, later changed his mind and resumed his plea of not guilty. As of this writing (July 1980), more than 2½ years after his original indictment, Davis awaits a trial.

Arthur Preston Clarridge, the one who made the deal with Byrne's office to be a state witness against the others, similarly waits to find out what the new D.A. now expects of him. Clarridge, according to a female relative who was in constant touch with the Boston/Boise Committee, was torn over his decision to cast his lot with the D.A. In retrospect, his choice demonstrates the faulty premises on which his decision was made.

THE RICHARD BEARSE CASE

About that case Ed Mede referred to — the 10 year sentence for merely *intending* to have sex with a 14-year-old — it's exactly what happened to Richard Bearse.

Bearse, a 39-year-old Framingham shop-owner, was indicted for *touching* a teenaged football player. His case went to trial in December 1978. The judge was a 70-old senescent gent named McCooey[6] who retired immediately after this trial (though he was later recalled to the bench for more stop-gap service to speed along the backlog of court cases). The evidence against Bearse indicated a set-up job by the boy's mother and police. The mother of the alleged victim told Bearse's female employee: "I'll have his shop, his house, everything." Both Bearse and the teenager admitted they had only touched each other about the neck and shoulders. The boy admitted he had a raging hard-on throughout.

It was clear Bearse was to be found guilty. A friendly court clerk confided to Bearse that he'd be lucky to get off with 10 years in prison. Bearse chose to flee. He left the courthouse just before he was to be sentenced, drove his car to New York City and caught a plane to Holland, where he remains. His case has become the focus of international attention.

Bearse's case was not an isolated event demonstrating the freakish aspects of Massachusetts legal practice when applied to homosexual men. Though not involving any *age* of consent matters (but explicitly involving legal notions *of* sexual consent), another strange trial took place in Springfield, Massachusetts, in the fall of 1978.

THE KEN APPLEBY CASE

A West Springfield man, Kenneth Appleby, who had lived in a consenting sado-masochistic relationship with his lover, was arrested after this lover took money, ran away to New York City and told police there fabulous stories linking Appleby to mass murders.

West Springfield police promptly raided Appleby's house and seized 103 S&M toys which they paraded in front of the press and called "torture devices." They also seized a picture of Kaiser Wilhelm and a voodoo doll with handcuffs fastened around its waist. The press went wild. The D.A. moved in with backhoes to dig up the yard and promised he'd find at least 10 corpses.

He found none. Reporters spread police speculation that Appleby was everything from the operator of a secret voodoo underground neo-Nazi movement to a homosexual gun-nut torturer and murderer. Police picked up Appleby's previous S&M lover, who was working as a street hustler. They rushed him before a grand jury. Appleby was then indicted on 3 counts of assault and battery by means of a dangerous weapon. Appleby, 28 at the time of his arrest, was ultimately convicted on just one count — that he had hit his boyfriend once lightly with a riding crop after they had argued about a dish of ice cream that had melted one hot summer night while they watched television. Appleby was given the maximum sentence for this "crime," 8 to 10 years in prison.

THE GEORGE JACOBS CASE

Since Massachusetts, like other states, had its own brand new anti-kiddie porn law, police were eager to use it to get convictions of gay men. In September 1979, a Woods Hole (Cape Cod) man, George Jacobs, was arrested and charged with two counts of intending to distribute kiddie porn. Jacobs was also indicted on one count of unnatural acts with a 14-year-old visitor from the island of Guadaloupe.

George Jacobs, 53, is an internationally known photographer. He has several book titles to his credit. His arrest, as was later admitted to me by Jim O'Neil (the Barnstable County Asst. D.A. who prosecuted the case), U.S. Postal Inspector Bud Peterson and L.A.P.D. Detective Lloyd Martin was a classic police set-up. In Los Angeles, Det. Martin got his hands on an ex-con boy-lover named Ralph Bonnell. Bonnell agreed to (or was coerced into) working with police to get other boy-lovers. Jacobs was high on the list.

Massachusetts State Trooper Mike McComiskey had had Jacobs and his home under surveillance for over two years, dating from the time the Kiddie Porno Panic was launched in 1977. But McComiskey was unable to get any evidence against Jacobs. Police strategy shifted to getting a friend of Jacobs, preferably another boy-lover, into the house. Bonnell had met Jacobs years back. Bonnell was then flown, at government expense, from L.A. to Boston, where he was picked up by Bud Peterson of the Prohibited Mailings division of the U.S. Postal Service. Inspector Peterson drove Bonnell down to Jacobs's home. Bonnell then popped in for a 5-hour visit, chatted, looked at some pictures, rejoined Peterson and told all. Police immediately got warrants to search Jacobs's house and for his arrest.

Inspector Peterson told me that it is essential to the government's strategy to get boy-lovers in such a situation that they will choose to snitch on other boy-lovers. More laws, like the anti-kiddie-porn laws, help such a strategy. By creating new areas of legal jeopardy, more leverage and more power are given police and investigators to get information about what happens in gay men's homes.

Postal Inspector Peterson also told me that his office has received memoranda from the office of the U.S. Attorney General as well as the U.S.^President informing that the attack on boy-lovers and consumers of kiddie porno was going to be a top law enforcement priority in the 1980s.

Despite the nationally-coordinated entrapment of George Jacobs, it was the Commonwealth of Massachusetts which assumed responsibility for trying him.

Jacobs, who had worked as a professional photographer for decades, told me that though he had processed photos which might be classified as child erotica (which included those below the Massachusetts age of consent) at no time did he process work for any more than 10 people, all of whom he knew. The Barnstable County District Attorney's office, on the other hand, claimed police seized over 92,000 slides of kiddie porn. In conversation, however, the Asst. D.A. admitted to me that he had neither counted the slides nor looked at all of them. The Commonwealth only needed a few duplicate slides to make their case. Intent to distribute is usually demonstrated in court by possession of multiple copies.

George Jacobs pleaded guilty in January 1980. He received sentences totalling 39 years in prison. At sentencing, 37-year-old Judge Augustus Wagner told Jacobs that what he had done was worse than murder — that familiar refrain. Jacobs will likely serve considerably less than 39 years, something more on the order of 1½ years; the rest of the sentence was suspended. His attorney, coincidentally, was Thomas Butters, who had left the D.A.'s office after disposing of the Revere cases to rejoin the law firm of Moulton & Looney.

The line about sex with minors and/or pix of kid erotica being a crime worse than murder is a standard right-wing judgement. Among those who have used it are: Anita Bryant, Det. Martin, Judianne Densen-Gerber, D.A. Robert Leonard, Judge Wagner, Judge McCooey as well as many others. Such crazy talk sounds like grandstanding, aimed at the press and the galleries.

Not so. The scary thing is: *these creatures really mean it*. Richard Peluso is still in prison, doing a life term, for having admitted that he blew a 13-year-old who asked him to do it. Jacobs received 39 years. Over 100 men remain in Massachusetts prisons as state punishment for non-forced sex with minor, and how many are at this moment under indictment for similar acts, I do not know. But there are scores of them at any given time. Meanwhile, in San Francisco, Dan White assassinated Mayor George Moscone and gay Supervisor Harvey Milk with malice and forethought, was found guilty only of 2nd degree murder and was given the maximum 7 year sentence, of which he will likely serve only 4 years (which include cozy conjugal visits). Back in 1977, four high-school thugs bludgeoned gay activist Richard Heakin to death with bats as he left a gay bar in Arizona. At their trial, the judge let them off and told them not to do it again. The reactionary press, clerics and pols *really do* prefer killing people to sucking their sex organs. Thanatos reigns as the god of Amerika's strange culture. Sex-negativity from cradle to coffin.

POLICE SEIZE LISTS OF GAY MEN

What was particularly sinister about the police entrapment of George Jacobs was that, along with over $20,000 of photographic equipment (which, as part of his plea bargain, Jacobs agreed to forfeit to the state[6a]), the police also grabbed Jacobs's address list of at least 180 names. About this same time, police in New York City busted a male prostitution service working out of the Chelsea district. This the press dubbed "The Beeper Boys," because the boys wore electronic beepers on their belts for quick calling. According to cops, this service employed some minor males (they never specified how many, if any). Police said they seized *3000 names* of men who who patronized "The Beeper Boys." One cop was quoted as saying the list read like a "Who's Who."

But the biggest haul of gay names was yet to come. In November 1979, using a fake complaint involving an unknown 14-year-old, Det. Lloyd Martin of the L.A.P.D. Sexually Exploited Child unit (yes, him again!) raided the Athletic Models Guild (AMG) Studios. AMG is the oldest (1946) and largest photographic studio specializing in male erotica, largely of the soldier/sailor/ beefcake/jockstrap variety. AMG does virtually all its business via mail orders, which made it an obvious and attractive target for zealous crusaders like Det. Martin and the crew in charge of postal inspections (one of whom, in the Chicago office, had the nerve to tell me, in justifying the attack on the kiddie pornographers, that "Benjamin Franklin was the first postal inspector!")

Police stole $100,000 in cash from AMG as well as the studio's mailing lists which are thought to be the world's most comprehensive compilation of consumers of gay erotica.[7]

What did aggressive investigators and prosecutors intend to do with these thousands upon thousands of names of gay men? A clue came when, in January 1980, *The Wall Street Journal* reported that the U.S. Postal Inspector for New York City, Mr. Martin Locker, had arrested two men, one of them a priest, by soliciting them through ads he had placed in *Fetish Times* and another specialty magazine with promises of Swapping kid porn pix. It has been speculated that the names of both of the arrested men were first found on George Jacobs's seized mailing list. The "mystery priest" was later said to have been the one who led police to arrest Ronald Drew, a New York schoolteacher on kiddie porn charges as well as Marvin Matthow, a popular television clown and magician, on similar offenses. The dominos were tumbling over, one on top of the other.

The war on pedophiles and consumers of kiddie porn appears to be going ahead full steam. In May 1980, a boy-lover from western Massachusetts (who is currently under indictment for allegedly having blown a 14-year-old) told me that his information led him to think that government agencies had set up a phony "Boy's Camp" on the model of the actual one busted in Tennessee in 1973. "Applications" were being sent out to adult male boy-lovers (using the seized lists?) asking them to be "sponsors" of the boys and also asking if the men would like photos of the boys they were sponsoring. The whole thing smelled of official entrapment.

What the actual police utilization of those thousands of seized names will be one can only guess. But the police practise as revealed in the Jacobs case (and eagerly admitted by all authorities who participated) can only, at this time, augur ill tidings for those working against this spasm of

increasing state repression. Each new law, and particularly sumptuary law, creates a new class of proto-criminals. The police then mark the easy victims. Snapping up the boy-lovers and kiddie pornographers gets cops and D.A.s great headlines and easy convictions. Until enough outrage builds over this obvious entrapment and religious zealotry posing as law enforcement, the police and prosecutors seem to have a free ride.

THE JOHN GETSINGER CASE

But the police scenario, as they have constructed it, does not always work in the exact way it was planned. The public is not *always* so docile and easily manipulated by state lies. The precedent set by the probation sentence given Dr. Donald Allen provided, at least in Massachusetts, intelligent and non-hysterical judges (the few who exist) a new way to approach issues of intergenerational homosexual relations when they come to the attention of law enforcers.

This was seen in the fall of 1979 at the trial of John Getsinger. John Getsinger, a married schoolteacher and Franklin County (Mass.) Tennis Champion from South Deerfield, was arrested and charged with having an affair with a 14-year-old boy. The police alleged that the affair had been going on *for over 17 months* prior to the arrest.

Getsinger pleaded guilty to about half of the multiple charges against him. What's important about his case is that the accused had enormous community support. It was clear to Getsinger's friends and colleagues that the relationship with the boy had been a long-standing mutual arrangement and one that was positive in its effect. Over 70 people wrote letters to the court supporting Getsinger. The alleged victim's father wrote to the court and assured Judge Kent Smith that the boy had in no way been harmed and was doing quite well with friends and at school.

After Getsinger's guilty pleas, Judge Smith held hearings on the sentence. The state made a motion for incarceration. Their argument was both novel and bizarre. The D.A. agreed with the defense's claim that Getsinger was a model citizen. But the very fact that he *was* a model citizen made him a typical "child molestor." And the prosecution cited studies full of gobbledy-gook. Their implication was that any good citizen was a potential "child molestor," a notion which enjoys a highly-informed Freudian consciousness (unintentional, I'm sure), but one which more deliberately plays into the hands of the McCarthy-like witch-hunters ("a red under every bed").

The D.A. asked Judge Smith to "resist public clamor" in behalf of Getsinger. This was a weird perspective. Getsinger's friends, neighbors and fellow-workers had shown their support by their presence in the courtroom and by writing to the court. These acts of personal concern and human sympathy the prosecutor characterized as "publics clamor."

Two years earlier, at the height of the anti-gay panic in 1977, the "public clamor," at least as relayed by the press, Bryant and Densen-Gerber, had the shoe on the other foot. *Their* "public clamor" was a cruel hysteria whipping up hateful passions, based on religious superstitions and ignorance, demanding that Something Be Done To Curb,This Homosexual Menace. But here in the local courtroom, citizens demonstrated that they could tell shit from shine-ola and weren't struck dumb by police lies and state intervention into private affairs.

What was clear was that neighborhood people and community activists were not automatically bowled over by official scare-mongering. Given the opportunity to judge for themselves on these matters, they possessed enough common sense and decency to be able to decide among themselves if any "child abuse" — another favorite late '70s buzzword — was involved in an adult-minor relationship. This development is enormously encouraging and must be a keen disappointment

to those Kiddie-Savers who would mobilize prejudice against a rather common (and in most cases self-expressive in the best sense) form of male affection and sexuality.

Judge Smith, who had been a highly-respected defense attorney before reform Gov. Michael Dukakis appointed him to the bench, gave Getsinger a suspended sentence. In reaching his decision in favor of a suspended sentence, Judge Smith indicated he had been impressed by the handling of the much-publicized sex case involving Congressman Fred Richmond.

CONGRESSMAN RICHMOND'S CASE

U.S. Representative Richmond, a wealthy white Jewish man, is the Congressman for a predominantly black and Third World district in Brooklyn, New York. In early 1978, Richmond was arrested in Washington, D.C. He was accused of picking up black teenaged boys and having sex with them. It was also suggested that one 15-year-old he had scored with was providing him with other black youths for sexual purposes.

In a bold move, Richmond, instead of the usual Capitol Hill pro forma denials, admitted he had engaged in such behavior. He sent out a newsletter to his constituents in which he confessed a moral lapse and he promised to be a Good Fellow in the future. As to the legal deal negotiated, Richmond faced no Criminal penalties after he agreed to enter a counseling program for 6 months.

Black Christian groups in his district organized to defeat Richmond in the 1978 Democratic primary. A Black Christian minister was put up against the Rep. And the smear campaign began. Richmond's opposition was an odd alliance of Black religious fundamentalists and the white Roman Catholic hierarchy who were out gunning for the Congressman because of his firm stand against "parochiaid," i.e., giving federal monies to subsidize Catholic schools. Bumper stickers appeared throughout Brooklyn: "Fred Richmond Is A Child Molester."

Richmond spent great gobs of money and won the primary and later the general election. He still sits in the Halls of Congress. There was one bit of fallout, however; Richmond publicly announced that he would neither sponsor nor support the national gay rights bills then (and still) awaiting action by the U.S. Congress, thereby punishing other homosexuals for having been caught at his own playful pastime. Thus the political price of revealed hypocrisy.

Even though Getsinger remained stigmatized as a felon and could no longer work as a teacher, the positive developments surrounding his case were significant straws in the wind. It would appear that District Attorneys, police and the press can no longer take for granted that they can whip up "outraged community response" for their own ends over charges of adult sexuality involving minors. Peoples' responses to highly-charged issues concerning pedophilic relations are diverse and increasingly well-informed. As pedophile groups have long been saying, what is important is not the *fact* of an intergenerational affair but the *quality* of the relationship. Some law enforcers are becoming aware that it is a terrible thing to involve a minor in a police investigation and drawn-out courtroom trial. There are many boy-lovers who, having gotten caught up with the law, have chosen to plead guilty to spare their young friends the awful humiliations of police probing and appearance as a state witness.

I do not want to suggest that opposition to intergenerational sex has become any less irrational or any less outspoken. But those who have been traditionally victimized, those men who are sent to disappear in prisons and "treatment centers," are now beginning to fight back. This is new. And this growing resistance has provoked a new kind of reaction.

OPPOSITION TO BOY-LOVE COMES FROM ALL QUARTERS

At an organizational meeting held in Philadelphia in the spring of 1979 to plan the national Lesbian & Gay March on Washington, the demand for full sexual rights of minors and the abolition of all age of consent laws triggered the greatest controversy. The original demand to end statutory rape laws was withdrawn and a demand focusing more on the needs of youth was substituted.

When a gay activist prominently associated with the North American Man-Boy Love Association (NAMBLA) was selected as a featured speaker at the gay march on Albany in the spring of 1980, he was baited by a lesbian group in New York City. The group used this man's selection as an excuse to boycott the march altogether. An editorial in the fall 1979 issue of *Lesbian Tide* condemned boy-love. The editors said they opposed any attempt by male homosexuals to get the age of consent laws lowered as this would inevitably promote the sexual exploitation of little girls.

The hysteria generated over the issue of boy-love was used by some within the U.S. Socialist Workers Party (SWP) to pull back from support of the Lesbian & Gay March on D.C. Over the past 10 years, the SWP has endorsed mass actions for "gay rights." But "gay rights" has increasingly become a sanitized issue. Nobody but the sex radicals talks about Gay Liberation anymore, and the resistance of the boy-lovers has become the cutting edge for those still dedicated to liberation for homosexuals. Since 1979, the SWP has dropped gays altogether and told their cadres to get factory jobs and get back into industrial organizing with "the workers," all of whom are, presumably, happy, healthy, heteros.

At any rate, the NAMBLA contingent (both men *and* boys) was present at the national march on D.C., 14 October 1979. They had banners and passed out flyers. This was probably the first time boys and boy-lovers had marched together behind their own banners in any national American demonstration.

Another unsuspected attack came from the pen of A1 Goldstein, editor of *Screw* magazine. Goldstein and his magazine have long been favorite targets of govt, harassment and prosecution. He has been taken to court a dozen times on various obscenity charges. It was *Screw* magazine which financed *GAY,* a pioneer gay lib paper in New York, edited by Jack Nichols and the late Lige Clark. Though *Screw* itself is an unabashed hetero sex exploitation rag, Goldstein has enjoyed the presumed reputation as a defender of sexual liberation. But, as he was hasty to announce, he draws the line at boy-love.

Goldstein ran two consecutive editorials in his magazine in May 1980 attacking pedophiles whom he called "despicable psychological cripples." After he had obtained some of NAMBLA's pamphlets and flyers, this purveyor of tits 'n cunts wrote that he felt "as though I had fallen into a manhole [!] and wound up immersed in the lowest slime of mankind." Is the degenerate state of het tyranny made evident when a pornographer won't stand up for the rights of boy-lovers? Or is Goldstein's standard het ignorance and privilege making itself manifest?

Behind most of this fear and antipathy lie serious questions few wish to deal with today. What are the significant differences between the sexes and how is society to allow expression of sex needs without instituting legal repressions? Over the past 10 years, the movement has developed within legislatures (and in court decisions) to be more sex-democratic in writing and enforcing laws. In some areas of legal protections, this equality has had a progressive thrust.

But Americans are not so good at noting important distinctions, especially in the absence of understanding about matters of human behavior. Curiously, one result of correcting the condition of inequality between the sexes has been *to increase the power of the state.* This is an area of direct conflict between men and women in general and boy-lovers and middle-class feminists in particular.



Members and supporters of the North American Man-Boy Love Association participated in the Lesbian & Gay March on Washington, 14 October 1979.



Men are, at this moment, the primary consumers of sex materials, het & homo. Current information (as well as common sense) discloses that men use sex materials for information about sexual possibilities and for masturbatory release. Of course, the degree of intensity of the sex-matter relates to the needs and expectations of the consumer.

Straight middle-class feminists who have organized against "porno" maintain, without any basis, that Porn-Causes-Rape. They say it causes het men to rape women and faggots to rape little boys. The new laws fobbed onto the country as a result of the great Kiddie Porno Panic of 1977, which were supposed to save little girls from rape, have been used to date almost exclusively to harass and imprison faggots.

This is not new. In 1885, the British Parliament, acting in response to a similar panic over White Slaving, passed the Criminal Law Amendment Act. The Purpose of the legislation was to halt the sexual trafficking in young girls. The first step taken was to raise the age of consent from 12 to 16. There is no indication that this new repressive law did anything to hinder alleged prostitution of adolescent females. But because of the inclusion of the little-noticed Labouchere Amendment, this law was used against the men in the celebrated Cleveland Street Scandal as well as against Oscar Wilde, since it proscribed *private* intra-male sex acts. Many gay men in the U.K. have been arrested and imprisoned by this law. It wasn't substantially altered until 1967. Even in 1980, in the U.K., the age of consent for het fucking is considerably lower than for homosexual tricking.

Here in Massachusetts, lesbian Representative Elaine Noble was active in altering the Commonwealth's statutory rape laws to "protect" boys as well as girls. What this does is expand the idea that rape — traditionally regarded as a crime of a man against a woman — now includes the notion that adult men regularly sexually assault minor males. In the absence of any general understanding about relations between boys and men, it seems both hasty and deliberately repressive to expand state powers to this extent. And in a climate of increasingly well-organized reaction to gay liberation, it is clear that new police powers will be aimed mostly at the faggots. Which I believe has been demonstrated in the wake of new rape laws and anti-kiddie porn laws. It is clear that many women fail to understand that it has been the gay men who pay the heavy price for each new morality law.

THE LAW, NOT GAY MALE SEXUALITY, IS THE PROBLEM

The notion of equality before the law can be an inspired one (except to anarchists for whom *the law is the crime)*. In cases involving youth sexuality, it invariably becomes a matter of repression.

It is a pity that the feminist movement has lately seen the surge forward in its ranks of women wildly hostile to all forms of male sexuality. Their message to men is simple. They want to instill guilt about sexuality, hoping to cripple the males. Faggots in particular — and the sex radicals among them — are targetted for blame thereby avoiding the more obvious and compelling need to explore the dynamics of their own hetero relations and their secret sex phantasies. The goal of this anti-sex anti-porno contingent was written by a male live-in companion to one of the foremost female anti-porners. He suggested, in a gay periodical, that gay liberation must be subsumed to the women's struggle and that the only great achievement faggots could offer women would be to teach straight men how to ejaculate without erection. He claimed hard-ons hurt and were a nuisance.

What is clear is that there is much need for discussion between gay male radicals and activist women, both straight and lesbian. From our work with the Boston/Boise Committee (the Committee, though dominated by males, did have female members), we learned that women who touched on the issue of man-boy love could be divided into the same categories as men. A politician like Elaine Noble used the witchhunt for her own political ends without taking into regard the needs of the community at large. Child Saver types (like Bryant and Densen-Gerber) were part of the reactionary vanguard. But most importantly, local women working with the Daughters of Bilitis, the National Jury Project, and the Metropolitan Community Church, were able to sit down and discuss with the men the facts of man-boy love. All attitudes and positions got aired. And after thorough discussion and understanding of the state's use of sexual ignorance of sexuality to get gay men, many women actively supported the goals of the B/BC.

A candid discourse on male and female sexuality, and a criticism of sexism and sexual repression in both the gay and lesbian communities, is badly needed. We could all benefit. I suspect, too, that many straight women regard faggot sexuality as similar to straight straight men's aggression, even though faggot and straight male sexuality are widely disparate. Some antipathy toward boy-lovers (and kiddie pornographers) is perhaps provoked by women's perception of the *freedom* of male sexuality. I suspect some of the attacks on male promiscuity and boy-loving are founded on this perceived freedom.

Sexuality in adolescent males differs dramatically from that of their teen sisters. This is generally ignored. To be Politically Correct these days, boys and girls must be regarded as equals and their needs treated as similar. This of course denies important distinctions in sexual biology. It is interesting to note how ignorant anti-porners and professional kiddie Savers are of the history of sex science and sex research. Det. Lloyd Martin, who teaches a college-level course on sexuality and "child abuse" told me he has never read either of the Kinsey volumes on sexual behavior.[8] Martin felt he didn't have to read Kinsey, much less any other revolutionary writer on sexual behavior. He already knew all he cared to know: Sex Is Rape.

The bomb in Kinsey's revelations about male sexual behavior is still waiting to go off. It's a pity reactionary forces have been powerful enough over the years to prevent bringing social institutions more into line with our expressive behavior. But they have, and, of course, one periodic tactic has been to launch these panics over drugs, promiscuity, pornography, homosexuality, and pedophilia.

Each panic gives them more laws and greater powers to fend off the forces of sexual liberation.

Kinsey, in his volume on male sexual behavior, spent considerable energies examining adolescent sexual histories. He concluded that it is common for the male to reach the *summit* of his sexual capacity at age 16 or 17, not any later. Yet this is the age when many states still deny youth any legal sexual contact with others. As far as the state is concerned, the years of growing male sexual activity, 13 through 16, *must* remain years of sexual denial and frustration. This must make the Pope happy. But certainly not the kids. Det. Martin and other Christian fundamentalists would raise the age of sexual consent to 18 (which it is in California) and restrict all sexual activity to heterosexual copulation in the missionary position between lawfully-wedded (to each other, that is) man and wife.

Age of consent statutes are whimsical and change with the fashions in state repression. They are a perfect tool for terrorizing a specific sexual minority. In an age like ours which fancies itself rational and human-needs oriented, no clearer demonstration of society's repressive function could be had than that of the masses of male pedophiles (mostly boy-lovers) currently in prisons and "treatment centers" for non-violent sex offenses.

It seems just idiotic to advocate the retention of *any* age of consent laws. Similarly, it is ridiculous to maintain the pretense that existing laws are "equitably" applied on both males and females, homosexual and heterosexual, when all kinds of diverse relationships fall under the punitive jurisdiction of age of consent laws. We have become stupid and dogmatic in our cosmetic efforts to appear sex-democratic.

The Canadian gay movement has had as a national position the abolition of all age of consent statutes. The North American Man-Boy Love Association (NAMBLA) has similarly called for an end to all age of consent laws. NAMBLA also demands the immediate release from prisons and "treatment centers" of all those convicted for statutory sex offenses.

Apologists for the state and existing legal repressions know full well the proprietary interest of The Family in children. The concepts of Family (het nuclear variety) and of childhood are fairly recent bourgeois constructions. The current ideal concept of The Family and its pattern of authority are proto-fascist, which is one reason why the proto-fascist state is so eager to prop up The Family with every benefit the state can bestow. As the institution of The Family collapses, the sole resort of the state and its agencies will be outright terror upon those who do not conform.

Some gay people may deceive themselves into believing that we are increasingly accepted among those who have the power in this society. It is clear that this false notion of acceptance has a price to it, and the price is an escalating and highly coordinated official attack on the fringes of our community.

The dialectic of liberation is not always an easily discerned thing. There are certainly strong progressive movements among homosexuals. With each thrust forward comes reaction. Yet it is impossible to foresee what reactionary horror will be unleashed by the heterosexual tyrants to penalize us for acts of liberation. The het tyrants have plenty to choose from: social proscription, indictment, enforced poverty through stigmatization, medical experimentation, castration,[9] and execution. All we can be certain of from past experience is that each action we take as a movement, each step for homosexual liberation, will at some point be twinned with a quite literal attack upon homosexuals in an attempt to decimate our community and to scare those who would take the next step forward into retreating.

There is one clear indication of progress toward homosexual liberation, and, contrary as it seems, that is the growing number of arrests of boy-lovers and other pedophiles. What the police may see as

a state license to "clean-up" the sexual non-conformers is in fact an act of desperation for a social order based on sex repression. To be armed *only* with the terror of the law is to have small power indeed. Resort to the brutality of the state is usually the line of last defense. There also appears to be a greater willingness, on the part of those accused of statutory sex offenses, to challenge the state's authority in matters of sexuality. This is new, and a direct outgrowth of the gay liberation movement. The spirit of resistance is contagious. That's why police and D.A.s want to snuff it out. That so many boy-love cases are going to courts for trials is a sign that more subtle and traditional ways of repression have broken down. Social pressure alone no longer completely inhibits people.

An analogy to the panic against recreational drug use is fair. Fifteen years ago, state officials were dragging people into court for possession of one joint of marijuana. In many areas, such petty harassment has ended, but it took some doing, massive resistance and outrageous penalties for those early victims of the state panic. It is undisputed that recreational use of proscribed drugs in the U.S. is at an all-time high. Yet at the same time, there are indications that what's been called "drug abuse" is on the decline. What this demonstrates is that if people have information and access, they can judge what's best for themselves and in their own interest. I hope that as mass-mobilized resistance builds, this current "sex abuse" state panic will subside and people, under and over the age of consent, will as casually ignore the sex laws as they do the drug laws.

Against the strong current of repression, as advocated from the spectrum of old-line religious reactionaries to new-wave antisex feminists, organizing the pedophiles is not easy. Boy-lovers in particular are aware of the severe penalties states inflict for such a sexual orientation. Yet, by this recognition, their struggle is the vanguard for those, who like myself, wish to dismember the structure of present-day oppressions.

The case of homosexual boy-lovers is the most clear cut of any on the political horizon today. Most boy-lovers are certain their relationships with boys are positive and playful. By and large they are correct. As Tom Reeves has pointed out, man-boy love is usually an act of mutual rebellion against the tyranny of heterosexual norms being pressed in on them from all sides. Man-boy relations are infused with liberating energy. As to the hypocritical agents of repression, their position on man-boy love couldn't be more to the contrary.

And yet, things can change. Dr. Edward Brongersma, a former Senator in the Netherlands, a lawyer and well-known European advocate for pedophiles, was in New York City in March, 1980. He spoke with a group of NAMBLA members. Brongersma said that in the 1940s and '50s, the situation vis-a-vis homosexuals and gay pedos in the Netherlands was almost as bad as it is in the U.S. today. There were repressive laws, terrible police practices, cruel sentences, etc. But the gay groups began organizing and undertook the slow process of instructing the public, the judiciary and the medical community. It paid off. Though Holland isn't heaven, the change has been so great that it would be impossible to launch an anti-gay witchhunt there now. Holland enjoys the reputation of perhaps the most sexually enlightened Western nation, particularly as regards child-adult sexuality. Yet problems remain. Brongersma has written: "Section 247, which deals with indecent conduct with a child younger than 16, is a legal monstrosity. Fortunately the number of convictions [in Holland] based on this article is noticeably falling, due to the tendency of Public Prosecutors to dismiss. But this policy of dismissal is not uniformly followed from district to district, or even within one district by different prosecutors. Because these cases are so emotion-laden, there can be great differences in outcome. One prosecutor considers these acts very evil, while another is quite liberal. This means that there is a great danger of legal uncertainty and uneven dispensation of justice."

While Holland grows more liberal, the United Kingdom's witchhunt against pedophiles and

particularly boy-lovers rivals that in the U.S. The Pedophile Information Exchange (PIE) has been repeatedly harassed over the years, their meetings banned, their magazine, *Magpie,* seized. In 1979, PIE's leaders were charged with "conspiring to corrupt public morals." It's as though Tom Paine were still on the lam, one step ahead of the Crown's agents, all for the terrible crime of advocacy.

As to the issue of boy-love, the sex radicals are isolated from just about everybody else. And yet the position of the sex radicals is the only one that's consistent with an overall goal of homosexual liberation. It is clear to the sex radicals that turning to the state for redress is not only a waste of money and energy, *it contradicts the work one should be doing.* Increasing state power in any area undercuts *all* efforts at liberation. Those posing as sexual liberationists who seek aggrandizing state power to allegedly ameliorate existing evils serve only the long-range interest of the National Security State system. Poisonous middle-class values, so pervasive in the "respectable" wings of the gay and feminist movements, are life-denying, usually to anyone who lives differently. Middle-class respectables can't stand that life railed with violence, contradictions, unpredictable breakthroughs and a touch of magic. They are too busy operating on a crisp and formal agenda with existing power, their very respectability and operating room *given them* by the perceived outrageousness of the sex radicals whom they regularly denounce.

Yet we who would negate state power by running bigger risks, dare to break its shackles. When the Boston/Boise Committee held its first community meeting to develop strategy, a radical member suggested that one demand should be the immediate resignation of the D.A. Horrified cries issued from more middle-class members. No, they said, we'll never be able to negotiate with him on such a radical demand. The demand stayed in. Within nine months, though he hadn't resigned, we helped sweep him from office.

The strength of the sex radicals comes from *our* world view. *We* see gay liberation as central to destroying existing property arrangements, which at present include family and sex relationships, as well as current patterns of exploitative authority. There isn't a clearer or more interesting or more significant demonstration of the negating power of the gay liberation movement, when it doesn't fudge its original anger and momentum, than the rising of the boy-lovers.

The July-August 1972 issue of *The Body Politic* includes a path-breaking article by collective member Gerald Hannon. It's called "Of Men and Little Boys." After publication, there were cries from reactionaries for the Crown to prosecute. At that time there was no prosecution.[10] Hannon includes a sentence I'd like to use to close, an image which captures what the struggle for homosexual liberation all about: "The activists of tomorrow are more than likely in someone's arms today." The so-called molestation of the young *is* the start of politics..

1

The Brink's Job, a film by William Friedkin, was lensed in Boston with much publicity and media hype. Friedkin's next film was the anti-gay Cruising, which triggered demonstrations all across the country, including the largest one right there in Boston.

2

The same day, across the continent, Dan White, an Irish-American ex-cop, in more homophobic violence, murdered San Francisco Mayor George Moscone and gay Supervisor Harvey Milk.

3

Mr. Thomas Burns, a senior partner of the firm, is, by coincidence, younger brother of the late gay novelist John Horne Burns. Small world.

4

The Bunker Hill Beatings case: 3 white adult males were on trial for attacking with bats and clubs a group of black Philadelphia school children in broad daylight as they boarded their bus after visiting the historic Bunker Hill Monument in Charlestown. This was just another — though admittedly severe — incident which has given Boston the reputation as the most violently racist city in the U.S. All three of the accused were acquitted.

4a

In late 1977, when the gay porno Cinema Follies burned down in Washington, D.C., killing 8 men, family and friends of the deceased gave interviews explaining why the men they knew might be in such a place. A minister was said to have been there saving lost souls. Another man, a writer, was said by a colleague to be "doing research" for a book on "gay lifestyles." Or, as Anita Bryant called them, "gay deathstyles."

5

In an interview with me a year later at Bridgewater, Peluso confirmed that on his first day of testimony he had been given drugs. He refused further druggings on the remaining 2 days of his testimony.

5a

The Reverend Jim Jones was leader of the Peoples Temple cult. After cult thugs murdered Rep. Leo Ryan in Jonestown, Guyana, Jones ordered cult members to drink a cyanide potion. Over 900 persons died. This mass suicide-murder had taken place days before this trial began and was very much in the press and on people's minds.

5b

Incoming right-wing Gov. Ed King promptly appointed Byrne, along with his old-time crony Walter McLaughlin, to sit on a committee that screened and recommended all future judicial appointments.

6

The prosecutor's name was Mr. Monopoly. I know: this reads like an outtake from *Bleak House*.

6a

Asst. D.A. O'Neil told me he was pleased to get the stuff for the Crime Lab. "They don't have a color processor."

7

Since the cops didn't have their alleged 14-year-old to use in any indictment, AMG was ultimately fined under a California State Dept, of Labor provision for failing to pay unemployment insurance on the beefcake models.

8

Both Kinsey volumes have been out of print in the U.S. for years. The volume on female sexual behavior was available for a longer time and even had a low-priced paperback edition!

9

In 1979, a female Maine State Representative introduced a bill requiring castration for men guilty of statutory sex offenses with minors. Dr. John Money, the noted sexologist, proposed instead that pedophile sex offenders be treated with massive doses of anti-androgen (to kill the sex impulse) and be counseled into a brand-new — and somewhat older — sex object choice. The bill to castrate was tabled. All this in 1979.

10

It was The Body Politic's publication of Hannon's 1977 article "Men Loving Boys Loving Men" which rekindled the hysteria in Ontario and which led to the raid on TBP's offices and the indictment of three of their corporate officers. Though acquitted at trial, as of this date (Aug., 1980), the Crown is making an appeal for further prosecution. Unlike in the U.S., Canadian law does not forbid double jeopardy.

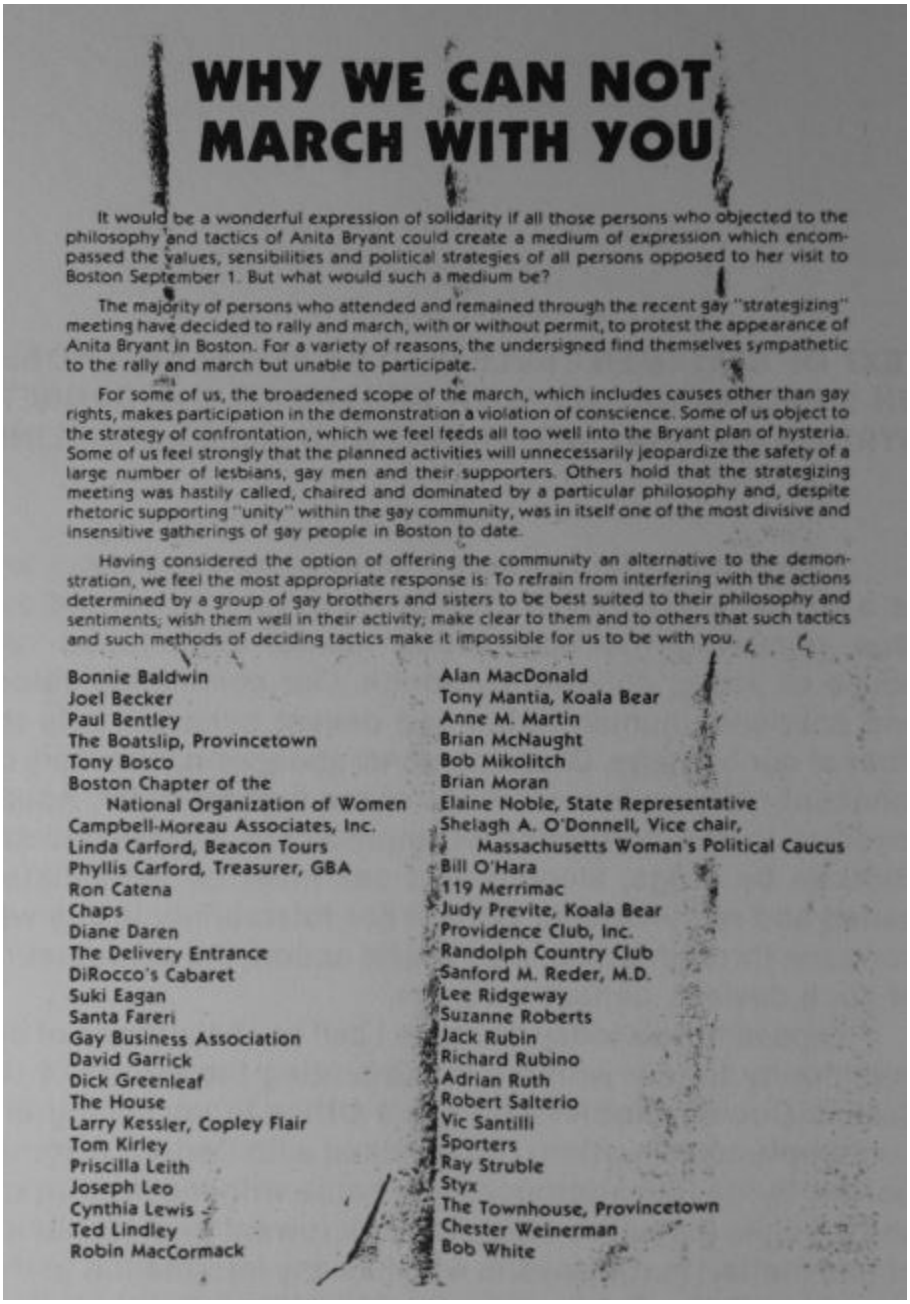
DOCUMENTS

TEXT OF STATEMENT RELEASED BY REP. ELAINE NOBLE ON 9 DECEMBER 1977 WITH REGARD TO D.A. GARRETT BYRNE'S ANTI-GAY WITCHHUNT AND ILLEGAL HOTLINE.

I have called this news conference as a legislator and as a concerned citizen to express my deep concern and outrage regarding the scandalous sexual exploitation and abuse of young children by adults. Our community values and cherishes human rights and decent behavior. It is the fiber of our heritage. Gross personal abuse and affrontery on innocent children is a sacrilege of the highest order. Adults involved in the corruption of unprotected, impressionable children by drugs alcohol, and sex must be immediately halted and reprimanded. We will not tolerate nor in any way condone through lack of aggressive action, the perpetuation of such deviant, defiant behavior.

I speak to you today because I call on the citizens of our community to join with me in supporting the efforts of the Suffolk County District Attorney's Office in unraveling this contemptuous situation. I have talked with District Attorney Garrett Byrne this afternoon. He shares with me my outrage and pledges his entire office to work toward final resolution of this matter. I urge anyone who has any information to this case to call the D.A.'s office at 367-2455. Any information will be held in strict confidence.

Thank you and please, help all of us get to the bottom of this nightmare. The welfare and safety of our children is at stake.



WHY WE CAN NOT MARCH WITH YOU

It would be a wonderful expression of solidarity if all those persons who objected to the philosophy and tactics of Anita Bryant could create a medium of expression which encompassed the values, sensibilities and political strategies of all persons opposed to her visit to Boston September 1. But what would such a medium be?

The majority of persons who attended and remained through the recent gay "strategizing" meeting have decided to rally and march, with or without permit, to protest the appearance of Anita Bryant in Boston. For a variety of reasons, the undersigned find themselves sympathetic to the rally and march but unable to participate.

For some of us, the broadened scope of the march, which includes causes other than gay rights, makes participation in the demonstration a violation of conscience. Some of us object to the strategy of confrontation, which we feel feeds all too well into the Bryant plan of hysteria. Some of us feel strongly that the planned activities will unnecessarily jeopardize the safety of a large number of lesbians, gay men and their supporters. Others hold that the strategizing meeting was hastily called, chaired and dominated by a particular philosophy and, despite rhetoric supporting "unity" within the gay community, was in itself one of the most divisive and insensitive gatherings of gay people in Boston to date.

Having considered the option of offering the community an alternative to the demonstration, we feel the most appropriate response is: To refrain from interfering with the actions determined by a group of gay brothers and sisters to be best suited to their philosophy and sentiments; wish them well in their activity; make clear to them and to others that such tactics and such methods of deciding tactics make it impossible for us to be with you.

Bonnie Baldwin
Joel Becker
Paul Bentley
The Boatslip, Provincetown
Tony Bosco
Boston Chapter of the
National Organization of Women
Campbell-Moreau Associates, Inc.
Linda Carford, Beacon Tours
Phyllis Carford, Treasurer, GBA
Ron Catena
Chaps
Diane Daren
The Delivery Entrance
DiRocco's Cabaret
Suki Eagan
Santa Fareri
Gay Business Association
David Garrick
Dick Greenleaf
The House
Larry Kessler, Copley Flair
Tom Kirley
Priscilla Leith
Joseph Leo
Cynthia Lewis
Ted Lindley
Robin MacCormack

Alan MacDonald
Tony Mantia, Koala Bear
Anne M. Martin
Brian McNaught
Bob Mikolitch
Brian Moran
Elaine Noble, State Representative
Shelagh A. O'Donnell, Vice chair,
Massachusetts Woman's Political Caucus
Bill O'Hara
119 Merrimac
Judy Previte, Koala Bear
Providence Club, Inc.
Randolph Country Club
Sanford M. Reder, M.D.
Lee Ridgeway
Suzanne Roberts
Jack Rubin
Richard Rubino
Adrian Ruth
Robert Salterio
Vic Santilli
Sporters
Ray Struble
Styx
The Townhouse, Provincetown
Chester Weinerman
Bob White

THE ABOVE WAS WRITTEN BY BRIAN McNAUGHT AND SIGNED BY THE "GOOD GAYS" DENOUNCING ACTIVISTS IN THE SEPTEMBER ONE COALITION.

Ed: Text from the above poster:

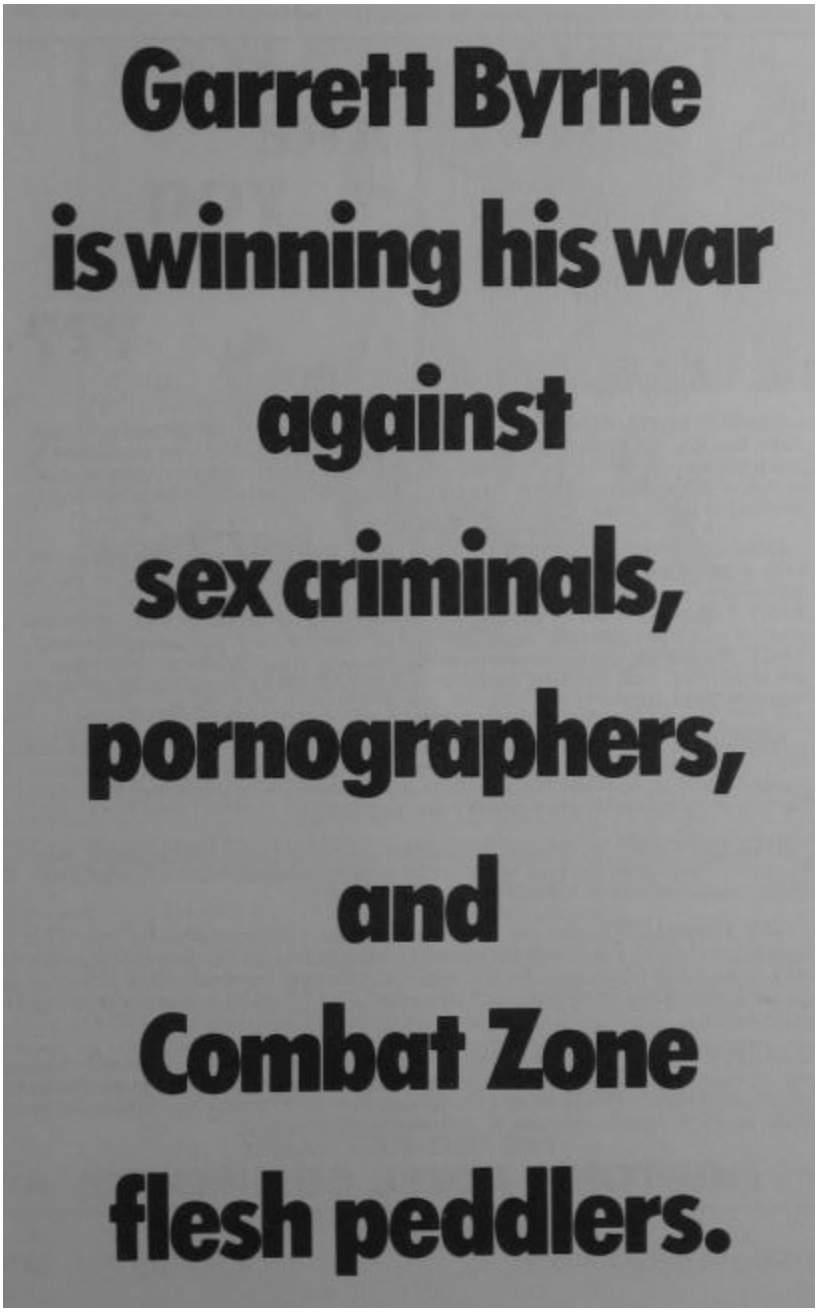
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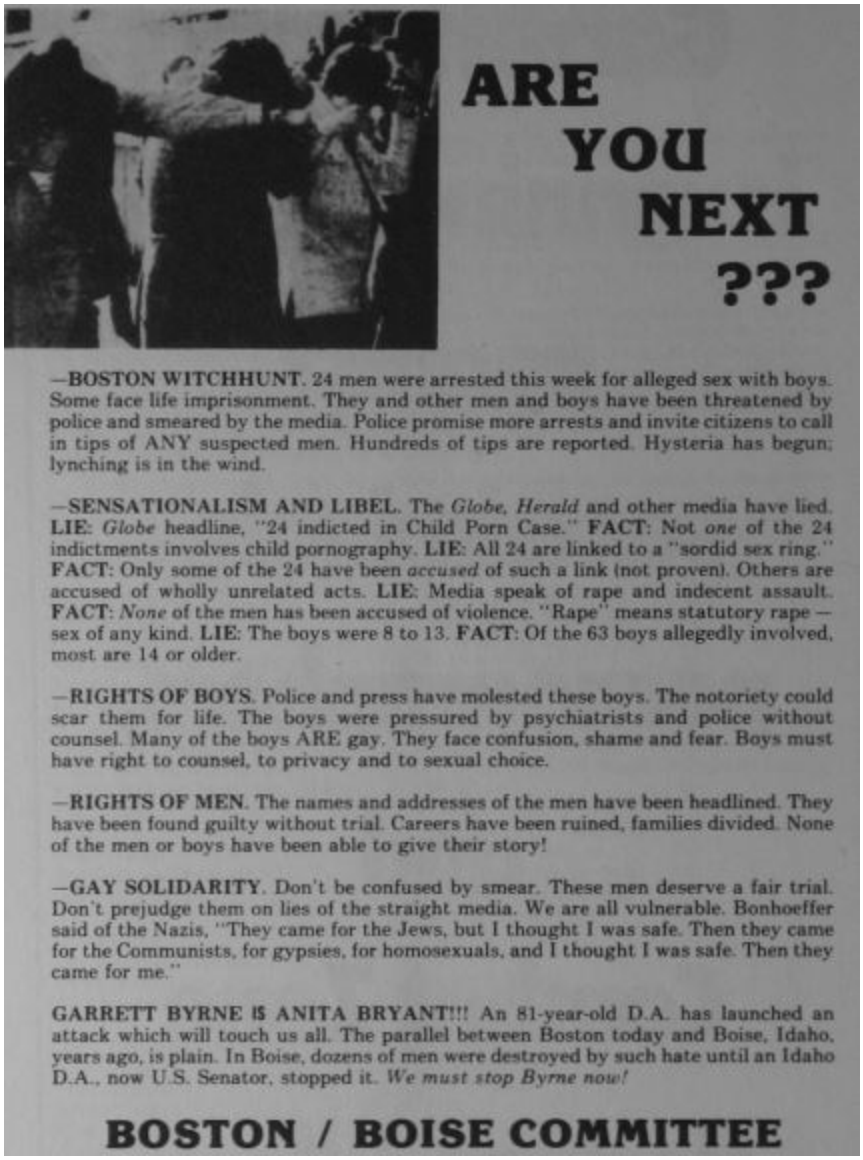
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AN AD FOR D.A. GARRETT BYRNE'S REELECTION CAMPAIGN



ONE OF BOSTON/BOISE'S FLYERS.

Ed: Text from the above poster:

—BOSTON WITCHHUNT. 24 men were arrested this week for alleged sex with boys. Some face life imprisonment. They and other men and boys have been threatened by police and smeared by the media. Police promise more arrests and invite citizens to call in tips of ANY suspected men. Hundreds of tips are reported. Hysteria has begun; lynching is in the wind.

—SENSATIONALISM AND LIBEL. The Globe, Herald and other media have lied. **LIE:** Globe headline, "24 indicted in Child Porn Case." **FACT:** Not one of the 24 indictments involves child pornography. **LIE:** All 24 are linked to a "sordid sex ring." **FACT:** Only some of the 24 have been accused of such a link (not proven). Others are accused of wholly unrelated acts. **LIE:** Media speak of rape and indecent assault. **FACT:** None of the men has been accused of violence. "Rape" means statutory rape — sex of any kind. **LIE:** The boys were 8 to 13. **FACT:** Of the 63 boys allegedly involved, most are 14 or older.

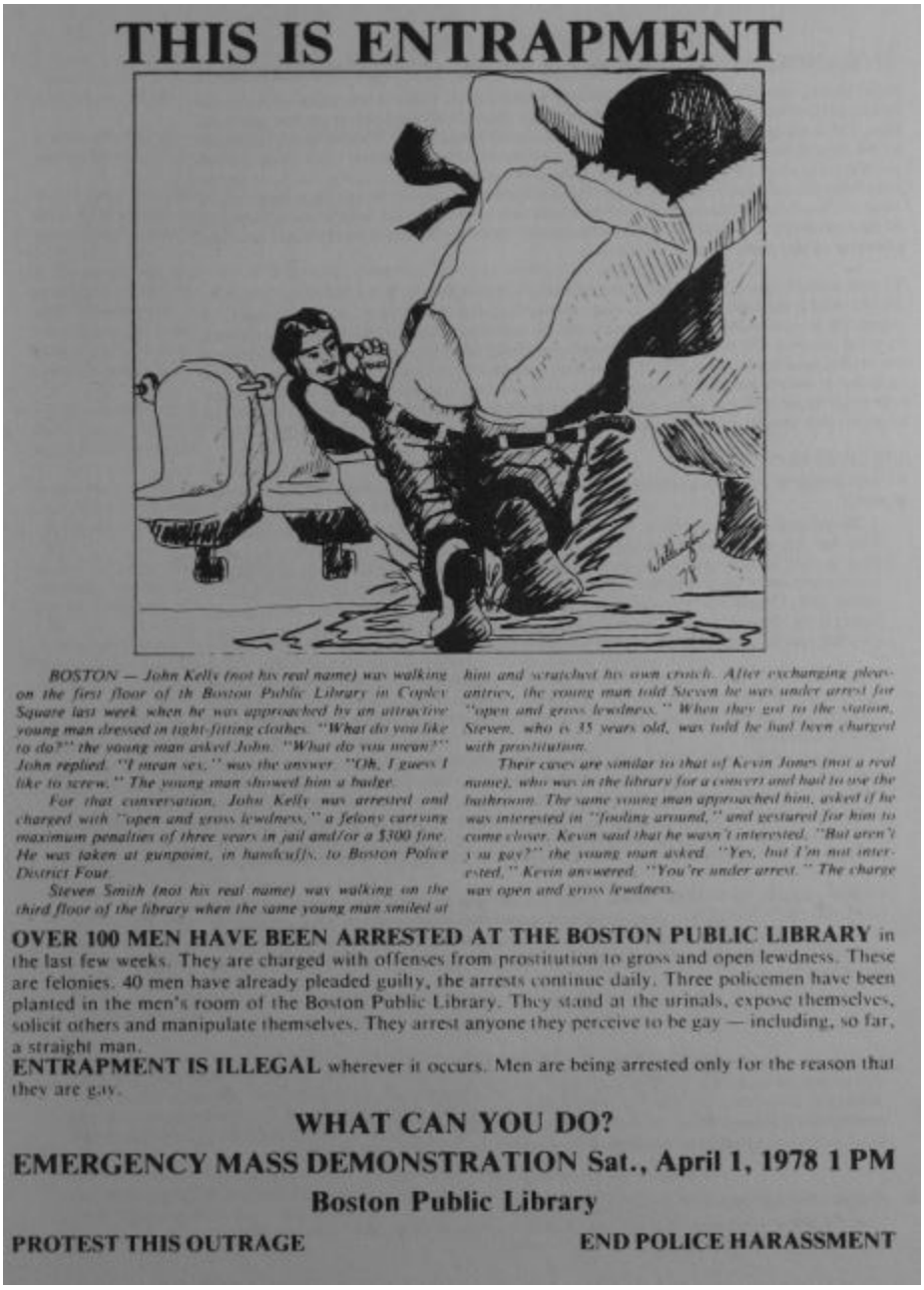
—RIGHTS OF BOYS. Police and press have molested these boys. The notoriety could scar them for life. The boys were pressured by psychiatrists and police without counsel. Many of the boys ARE gay. They face confusion, shame and fear. Boys must have right to counsel, to privacy and to sexual

choice.

—RIGHTS OF MEN. The names and addresses of the men have been headlined. They have been found guilty without trial. Careers have been ruined, families divided. None of the men or boys have been able to give their story!

—GAY SOLIDARITY. Don't be confused by smear. These men deserve a fair trial. Don't prejudge them on lies of the straight media. We are all vulnerable. Bonhoeffer said of the Nazis, “They came for the Jews, but I thought I was safe. Then they came for the Communists, for gypsies, for homosexuals, and I thought I was safe. Then they came for me.”

GARRETT BYRNE IS ANITA BRYANT!!! An 81-year-old D.A. has launched an attack which will touch us all. The parallel between Boston today and Boise, Idaho, years ago, is plain. In Boise, dozens of men were destroyed by such hate until an Idaho D.A., now U.S. Senator, stopped it. We must stop Byrne now!



FLYER FOR BOSTON LIBRARY PROTEST

Ed: Text from the above poster:

BOSTON — John Kelly (not his real name) was walking on the first floor of the Boston Public Library in Copley Square last week when he was approached by an attractive young man dressed in tight-fitting clothes. "What do you like to do?" the young man asked John. "What do you mean?" John replied. "I mean sex." was the answer. "Oh. I guess I like to screw." The young man showed him a badge.

For that conversation. John Kelly was arrested and charged with "open and gross lewdness," a felony carrying maximum penalties of three years in jail and/or a $300. fine, He was taken at gunpoint, in handcuffs, to Boston Police District Four.

Steven Smith (not his real name) was walking on the third floor of the library when the same young man smiled at him and scratched his own crotch. After exchanging pleasantries, the young man told Steven he was under arrest for "open and gross lewdness." When they got to the station, Steven, who is 35 years old, was told he had been charged with prostitution. Their cases are similar to that of Kevin Jones (not a real name), who was in the library for a concert and had to use the bathroom. The same young man approached him, asked if he was interested in "fooling around," and gestured for him to come closer. Kevin said that he wasn't interested. "But aren't you gay?" the young man asked. "Yes. but I'm not interested," Kevin answered. "You're under arrest." The charge was open and gross lewdness.

OVER 100 MEN HAVE BEEN ARRESTED AT THE BOSTON PUBLIC LIBRARY in the last few weeks. They are charged with offenses from prostitution to gross and open lewdness. These are felonies. 40 men have already pleaded guilty, the arrests continue daily. Three policemen have been planted in the men's room of the Boston Public Library. They stand at the urinals, expose themselves, solicit others and manipulate themselves. They arrest anyone they perceive to be gay — including, so far, a straight man.

ENTRAPMENT IS ILLEGAL wherever it occurs. Men are being arrested only for the reason that they are gay.

WHAT CAN YOU DO?

EMERGENCY MASS DEMONSTRATION Sat., April 1,1978 1 PM

Boston Public Library

PROTEST THIS OUTRAGE END POLICE HARASSMENT

BOSTON/BOISE COMMITTEE, Box 277 Astor Station, Boston, Mass. 02123

SUGGESTIONS FOR MEDIA ON HANDLING ALLEGED SEX "CRIMES" INVOLVING GAY MEN

Grave errors, outright falsehoods and extreme sensationalism characterized much of the recent Boston area media coverage of charges made by police against 24 men accused of sex with adolescent boys. The coverage amounted to trial by media and the bitter atmosphere of public outrage generated by the coverage would have been appropriate to a brutal murder case, certainly not to cases in which no violence or coercion was alleged. Many of the men and some of the "victims" suffered threats, loss of employment, loss of all social support from neighbors and friends and general harassment as a result of the coverage. Other gay men, not involved, were nevertheless subjected to the homophobia of the community as a result of the "public outcry" which the District Attorney noted had been generated by the media reporting of the cases.

We urge each newspaper, radio station and television station in Greater Boston to adopt voluntarily the following suggestions as rational guarantees to protect civil rights and to uphold the integrity of responsible journalism in reporting sex cases allegedly involving gay men. While these views are made from the perspective of the gay community and specifically relate to cases involving men such as the recent ones mentioned above, some of them may be applicable to some heterosexual or gay female situations as well. In any case, the suggestions are for *cases where violence is not involved and where evidence is frequently based on emotional personal testimony.* Especially in such cases, persons must be given every possible chance to exonerate themselves before being judged guilty.

SPECIFIC SUGGESTIONS

A*. Safeguards for the rights of defendants and victims. (Both are likely to be real victims in a variety of ways.)*

1. Do not publish the addresses or exact employment of the accused. Do not emphasize personal data that has no proven relationship to the "crime," but which might be linked by biased readers, such as Boy Scout work, foster parenthood, etc. Do not publish the photographs of persons accused of such "crimes," unless they volunteer to be photographed. Such safeguards are far more necessary in these cases than in the case of other "crimes" because of the general homophobia in some segments of the population which often leads to irrational and vicious personal attacks, violence and malicious gossip.

2. Do not publish police "hot-lines" which call for anonymous or other general tips concerning sex among men or among men and boys. Insist that the police requests for publicity be limited to cases at hand and that such public calls for action include warnings against gossip, hysteria and guilt by association.

3. Do not publish police "leaks" or other unproven statements about impending arrests of unnamed men who may be prominent ministers, social workers, foster parents or politicians. "Tip-

of-the-iceberg" comments by detectives and district attorneys should be recognized as politically motivated and fear mongering. They are usually without merit (as such statements in the "Revere" cases have proven to be without merit) and they have a chilling effect on the rights of all gay men, especially those involved legitimately with youth in their work or personal lives.

4. Do not describe the "victims" in such a way that they may be readily identified by peers. Ask police how the "victims" have been questioned and whether they are now in police custody. If so, ask to interview them to determine whether their rights and needs have been served. Specifically, inquire whether they have had been provided genuinely neutral legal counsel and psychological aid.

5. Give equal space and prominence to stories that deal with alleged police harassment or mishandling of such cases or to stories which indicate the other side — that is, which give evidence of likely innocence. Give particular prominence to cases where serious errors have been revealed in the original stories or where cases have been dropped for lack of evidence. Persons accused of rape in front-page headlines deserve more than tiny back-page retractions.

B.*A responsible approach to investigative reporting.*

1. Avoid yellow journalism style and use of obviously biased words which have no place in objective news reporting: "prey," "sex den." "sordid."

2. Use of the term "homosexual" or "gay" as an adjective modifying "sex crime," "sex case," "prostitution," and similar words is unnecessary and evidences bias. Similar "heterosexual" cases are not so identified.

3 Be sensitive to the tremendous homophobia in our society. Do not pander to it any more than one would pander to racism or other extreme prejudices.

4 Ask direct and probing questions of police, bureaucrats and elected officials involved in the case. Such persons sometimes depend on sensationalism, including charges later modified or dropped or juicy details which never have to be proved in order to get media mileage.

5. Do not publish statements of "unnamed detectives" or other unidentified sources without checking them out. They may be politically motivated or stem from the personal homophobia of these persons (often rampant). This is especially true for details which will never have to be disproven or proven in court, but which damage the reputation of the accused. This is particularly true when the unnamed source is, in turn, quoting a third party who cannot deny or verify the statement.

6. Insist on seeing the indictments in order to be precise about the nature of the accusations. Only the sloppiest journalism could have linked 24 cases with "child pornography" when no such accusation was made!

7. Do not fall into the police-laid trap of linking unlinked "crimes" simply because they

are *announced* to the media at the same time. This is the worst form of guilt by association. It is also the misuse of the media by district attorneys and others to further their careers.

8. Ask the authorities the nature of the investigation, the nature and timing of questioning of witnesses, and the sources of the complaints: the "victims," their peers, their parents, neighbors, known prostitutes, police.

9. Insist on precise information about the ages of the victims and the dates of the alleged acts. Be precise in use of age terms like "children," certainly not appropriate when used for a person who was 15 at the time of the alleged act and who is now 22.

C. *A clear and informative description of the alleged offenses.*

1. Clearly differentiate among the types of alleged sex offenses, explaining to the public the complicated terminology of these.

a. "Rape and Abuse of a Child" does not involve force, violence or any form of coercion. In heterosexual cases, it is always specifically referred to as *statutory* rape, and is should be so identified with regard to homosexual cases. "Child" is defined variously as under 14 or under 16 or under 18.

b. "Forcible Rape" does involve violence and coercion and is extremely rare among gay men and adolescents (since adolescent boys are usually as strong or stronger than the men), but it should be identified as such when the accusation has been made.

c. "Intent to Rape" does not have to involve even touching the alleged victim — "erotic intent" is enough!

d. Statutory rape of a male minor does NOT have to involve penetration of mouth or anus of either partner — touching is sufficient if perceived by a witness to be sexual in nature. Such cases invite the broadest hysteria and homophobic reactions. A boy mowing the lawn of a gay male couple may enter their house for a lemonade and the parents could bring charges that would be sufficient to prosecute on the assumption of intent to rape.

e. "Prostitution" and "Soliciting" are vigorously prosecuted among women, while their customers usually go free (and unnamed), the opposite is often the case among gay men and boys, where the client is prosecuted and the prostitute is coerced into state testimony.

f. "Lewd and Lascivious Acts," "The Unnatural and Unmentionable Act." "Contributing to the Delinquency of a Minor," etc., are similarly vague and need explanations. The public should be informed that a person may be charged for *each single act* alleged and that the *same* act may be prosecuted as all of the above "crimes" (except forcible rape), so that one man accused of several similar acts with one teenaged boy might face 100 life sentences.

2. Indicate the heavy possible penalties for the alleged crimes: life imprisonment is possible

for several of the above, and 5-10 years is often the minimum sentence. Anyone serving any sentence for any of these crimes may be judged a "sexually dangerous person" by court-appointed psychiatrists and then may be held for from one year to life, or until he is ruled no longer dangerous.

3. "Prostitutional Rings" are not the same thing as individual hustling, and neither necessarily involve "child molestation" or "child pornography." Be precise and correct in headlines, captions, summaries and all other descriptions of the behavior of the alleged violators.

D.*Independent verification of news.*

I. Before printing stories of this kind on a major scale and solely on police evidence, several diverse sources should be checked to verify that the charges have some merit, and several gay sources should be contacted for a reaction to the tone of the story. No one person speaks for our community.

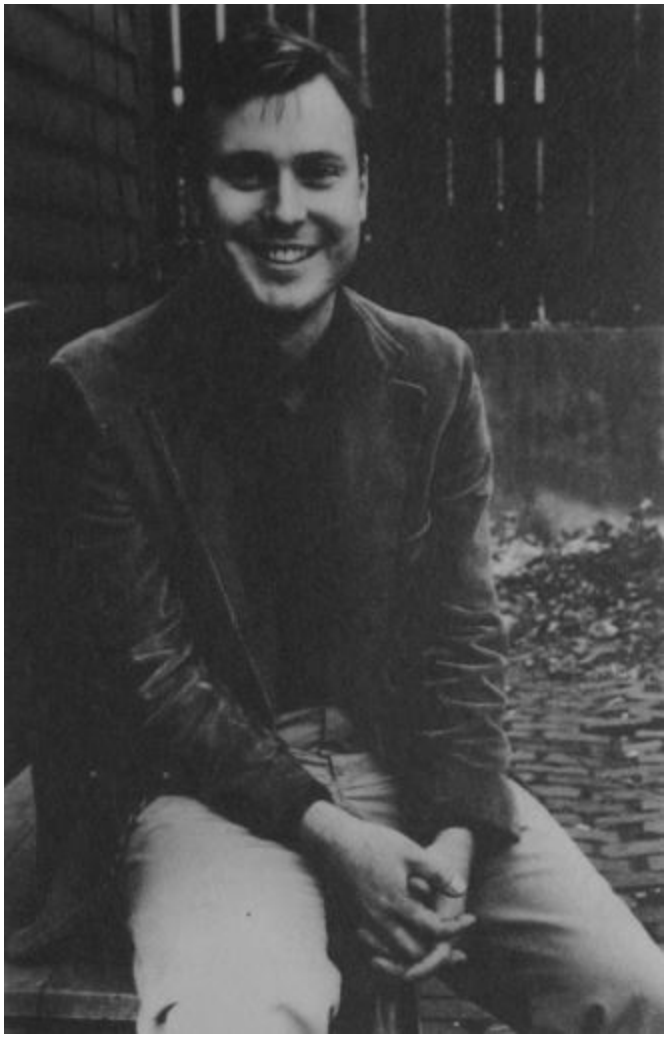
Lesbians and gay men have their own media and other institutions. We are a diverse group, but WE ARE AN IMPORTANT COMMUNITY within the larger Boston society. Some of us are consumers of products you advertise, most of us see your media, and a few of us contribute to your media or work for you. We can and will use all our available power in common self-interest if the media are not responsive to these reasonable suggestions. We will not tolerate erroneous charges and the damaging impact of such sensationalism upon our brothers and sisters. Our Boston/Boise Committee is made up of nearly 120 gay and straight men and women including working people of all ages and professions. We also include representatives from such major organizations as Metropolitan Community Church, *Gay Community News, Fag Rag,* Homophile Community Health Service, Dignity, the Libertarian Party and the Civil Liberties Union. We are united in our anger that the rights of the 24 recent defendants and the alleged "victims" have been irreparably harmed and that the shocking misrepresentations of the media have made fair trials in these cases unlikely if not impossible. We call upon you in fairness and for the sake of professional integrity to follow these suggestions so that such wrong will not be done again.

Please sign and check one of the following:

1. As an individual media person, I agree to follow the above suggestions _____
2. Our organization (Name:_____) will follow the above suggestions.
3. We make the following further suggestions:

SIGNED: _____

Media:
Date:



Mitzel was born in Ohio in 1948. In 1967, he attended the organizational meeting of the Cincinnati Mattachine. His activism, over the years, has included work with the Boston Student Homophile League, Gay Male Liberation, *Fag Rag* and the the *Gay Community News,* for which he writes regularly. Mitzel wrote a monthly column for the Philadelphia *Gay News* for 3 years. His work has also appeared in many gay periodicals as well as in anthologies. Other titles by him include: *Sports & The Macho Male; Myra & Gore; John Horne Burns: An Appreciative Biography; Skylines; A Short History of Moderrn Capitalism Through Its Ladies;* and a collection of fictions, *Some Short Stories About Nasty People I Don't Like.* Under the name Bunny LaRue, he has published two curious chapbooks. Mitzel resides in Boston. As he is committed to the eradication of dullness, he can't imagine life without gay liberation.

[Note: Mitzel died in 2013]

a TVM ebook
2016