

# Outcome on gay rights vote expected to ripple across U.S.

By Barbara French  
Staff Writer

Supporters and opponents of the so-called gay rights measures, which San Jose and Santa Clara County voters will decide on June 3, are convinced the election is just one battle in a long-term political war.

"We know absolutely that these laws are just the beginning. Soon they (gays) will be making demands for all kinds of services," said Rick Harrington, the leader of Concerned Citizens Against the Sexual Orientation Ordinances.

On the other side:

"It isn't just gay rights they

are after," Rosalie Nichols, treasurer of the Santa Clara Valley Coalition for Human Rights, said of those opposing the proposed laws. "They want prayers back in schools, and are against abortion and sex education."

At issue are two ordinances that prohibit discrimination based on sexual preference.

The county's proposed gay rights ordinance is Measure A; the city's is Measure B. San Jose voters will cast ballots for both measures, while voters in unincorporated areas and other cities will vote only on Measure A.

Although all county residents



vote on Measure A, if approved it will only become law in unincorporated areas of the county. So, for example, it will not affect residents of the city of Santa Clara.

The proposed ordinances, patterned after similar laws in Berkeley, San Francisco and 44 other cities and counties across the nation, were adopted by the San Jose City Council and

county Board of Supervisors last summer following more than 30 hours of heated public hearings.

Proponents claimed the laws were needed to protect people from being denied employment or housing solely because they are gay.

Opponents countered with two arguments: that the laws are unnecessary and that they force society to accept a lifestyle that offends many people.

Neither ordinance, however, became law. They were forced to the ballot by a signature-gathering campaign mounted by Concerned Citizens. The volunteer organization, which

claims to draw supporters from 365 churches across the county, collected 84,000 signatures.

Four cities and one county have held similar referendums, beginning with Dade County (Miami) Fla., in 1977, but Measures A and B are the first gay rights referendums in California.

In 1978, however, California voters defeated Proposition 6, a statewide initiative allowing school boards to fire or refuse to hire homosexuals. Santa Clara County overwhelmingly opposed the proposal.

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# Gay rights ballot measure seen as one battle of political war

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The coming referendums in San Jose and Santa Clara County have long been billed by those on both sides of the issue as the first gay rights battle of the '80s.

Activists in the gay and fundamentalist Christian communities — here and across the nation — believe the election's outcome will be a sign of things to come.

"What happens here will ripple all the way across the U.S.," said Dean Wycoff, executive director of Moral Majority of Santa Clara County, Inc. "If homosexuals walk away with a victory in Santa Clara County, they'll have a foothold ... the cancer will spread."

Said Charlie Brydon, co-director of the 10,000-member National Gay Task Force, which is based in New York City, "The issues involved (in Santa Clara County) are national issues. What we're seeing is an effort by the radical right, in the guise of religious fundamentalists, to assert control in local politics."

Concerned Citizens and Moral Majority are the two committees opposing the measures.

Rick Harrington, a 28-year-old mortgage banker and housewares distributor, formed Concerned Citizens two years ago. The organization is run by Harrington, his wife, Jeri, and J. Clifford Harris, director of missions for 38 Baptist churches in the county. The group's campaign consulting firm is B.F.B. of San Francisco.

As of April 22, the most recent campaign disclosure deadline, Concerned Citizens had raised \$16,656. The group is relying on direct mail campaigns and precinct walking to reach voters, Harrington said.

Wycoff, a 29-year-old former supervisor for an air conditioning and refrigeration firm, is the executive director of Moral Majority, a politically active Christian fundamentalist group. The group was formed in January to make morality an issue in the gay rights referendums and to involve the Christian community in the battle against the proposed laws, Wycoff said.

It's aligned with Californians for



Dean Wycoff, right, executive director of Moral Majority, wants to "stop the cancer". On the other side, Charlie Brydon, left, says Measures A and B are opposed by "the radical right."



Biblical Morality, a statewide group of 1,000 ministers that formed last year to publicize the Biblical view on current issues.

Moral Majority has raised \$42,160 to fight the gay rights measures, with \$30,000 coming from Anita Bryant's Protect America's Children, Inc., of Miami Beach.

Moral Majority plans to reach voters through newspaper, radio and TV ads, and direct mail campaigns.

The Santa Clara Valley Coalition for Human Rights, known also as the Live and Let Live Committee and the Yes on Measures A and B Committee, is the main campaign committee supporting the proposed ordinances. The committee is locally run, but has received financial and other assistance from gay rights groups from various parts of the country.

The coalition expects to spend upwards of \$200,000 on its campaign and as of April 22 had raised \$78,896. It has received endorsements from numerous human rights, labor, women's and labor organizations. Its efforts have also been endorsed by the Santa Clara County Council of Churches, which represents 80 of the county's 600 churches.

Supporters and opponents of the June 3 referendums have a multitude of arguments defending their stands.

Among other things, opponents contend that the ordinances are unnecessary, that they will encourage homosexuals to flaunt and advocate their lifestyle, and that the measures will take away an individual's right to decide whether to associate

with homosexuals.

"I don't see where government has any right to tell me ... I have to accept homosexuality," Wycoff said. "That's taking away my right to use discretion."

Discretion, he adds, differs from discrimination.

"This is not a question of my rights vs. your rights," he said. "For me, and lots of other people, homosexuality is an immoral act."

Opponents also say that neither the city council nor the board of supervisors proved that homosexuals are discriminated against and therefore need legal protection.

James McEntee, director of the county Human Relations Commission, which introduced the gay rights measure here, said his agency is prohibited by law from investigating discrimination complaints based on sexual orientation. But in recent years the commission has received dozens of calls from homosexuals alleging they've been discriminated against because of their sexual preference, he said.

An attorney for San Jose said the city did not attempt to prove or disprove homosexuals are discriminated against, but that council members heard testimony from many homosexuals who said they've been discriminated against.

Supporters of the measures claim homosexuality is not an issue in the June 3 election.

"The issue is a person's right to privacy," said Johnie Staggs, chairman of the Valley Coalition.

"What it all boils down to is having every person judged on individual merit," Ms. Nichols said.

## What's in proposed gay laws

**Q. What are the so-called gay rights ordinances?**

**A.** They are Measures A and B on the June 3 ballot and would bar discrimination based on sexual orientation in employment, real estate transactions, and access to government services. Neither measure applies to religious organizations, except if the group receives county or city funding.

**Q. What is meant by sexual orientation?**

**A.** The county's proposal, Measure A, defines sexual orientation as homosexuality, heterosexuality and bisexuality. The city's proposal, Measure B, defines it as a person's sexual practice or preference.

**Q. If the measures are approved, who would they effect?**

**A.** Measure A would effect only those people who live in the unincorporated areas of the county, while Measure B would only effect San Jose residents.

**Q. Can an employer discriminate for job-related reasons?**

**A.** Employers must prove the discrimination is based upon "bona fide occupational qualification." Furthermore, the county measure exempts domestic services to be performed within a residential unit occupied by the employer.

**Q. Are all real estate transactions covered by the proposed law?**

**A.** No. The measures generally exempts persons who rent or lease rooms in the house they occupy.

**Q. How are complaints handled?**

**A.** The city proposal relies on civil remedies, or lawsuits. The county proposal provides civil remedies, but also establishes a mediation panel through the Human Relations Commission.