



State of California

GOVERNOR'S OFFICE
SACRAMENTO 95814

EDMUND G. BROWN JR.
GOVERNOR

916/445-1915

April 4, 1979

Thomas F. Coleman, Esq.
Co-Chairman
National Committee for Sexual
Civil Liberties
1800 North Highland Avenue, Suite 106
Los Angeles, California 90028

Dear Tom:

Enclosed is a copy of the executive order we discussed on the phone this morning, which has been signed by the Governor. As you can see, we made the modification you requested.

I look forward to hearing from you later this month to arrange a meeting between appropriate representatives of the gay community and the State Personnel Board.

Very truly yours,

A handwritten signature in brown ink, appearing to read "J. Anthony Kline", with a long horizontal line extending to the right.

J. ANTHONY KLINE
Legal Affairs Secretary

Enclosure
JAK:er

Executive Department

State of California

FILED
in the office of the Secretary of State
of the State of California

APR 4 - 1979

MARCH FORG EU, Secretary of State

EXECUTIVE ORDER B-54-79

By *Rhea Duda*
Deputy

WHEREAS, Article I of the California Constitution guarantees the inalienable right of privacy for all people which must be vigorously enforced; and

WHEREAS, government must not single out sexual minorities for harassment or recognize sexual orientation as a basis for discrimination; and

WHEREAS, California must expand its investment in human capital by enlisting the talent of all members of society;

NOW, THEREFORE, I, Edmund G. Brown Jr., Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

The agencies, departments, boards and commissions within the Executive Branch of state government under the jurisdiction of the Governor shall not discriminate in state employment against any individual based solely upon the individual's sexual preference. Any alleged acts of discrimination in violation of this directive shall be reported to the State Personnel Board for resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 4th day of April, 1979.

Edmund G. Brown Jr.
Governor of California

ATTEST:

March Forgy Eu
Secretary of State

by *Michael S. Logan*
Deputy Secretary of State



NATIONAL COMMITTEE
FOR
SEXUAL CIVIL LIBERTIES

N/a

Thomas F. Coleman, Esq.
Co-Chairman

Dr. Arthur C. Warner
Co-Chairman

1800 North Highland Avenue, Suite 106
Los Angeles, California 90028

(213) 464-6666

March 15, 1979

Honorable Edmond Brown, Jr.
Governor's Office
State of California
Sacramento, CA

Dear Governor Brown:

Last night I attended the dinner sponsored by the Municipal Elections Committee of Los Angeles. I was happy to hear that you had sent a representative from your office to attend that dinner. I hope your representative reports to you, concerning the keynote address given by Assembly Speaker Leo McCarthy. It was a most moving speech and it directly concerns you.

In his speech, Speaker McCarthy urged gay people to seek executive solutions as well as legislative solutions to the problems facing gay people in society today. Specifically, he recommended the establishment of a commission on sexual minorities. He suggested that you issue an executive order prohibiting discrimination by state agencies, for reasons of sexual orientation. He also suggested that you establish such a commission on sexual minorities. He further urged that it is time for judicial appointments of openly gay people to be made.

I am enclosing a copy of the Sexual Law Reporter. In this issue I authored an article concerning gay rights through executive action. I would hope that you might find the time to read this article, or have one of your staff members do so. I would appreciate hearing from you, with respect to what I might do to assist you in developing a program of executive action in this area. I feel that the program of former Pennsylvania Governor Milton Shapp might serve as a role model. I am most eager to work with you or your staff members on such a program.

March 15, 1979

Honorable Edmond Brown, Jr.
Governor
State of California

I am mindful of the positive statements that you have made, with respect to gay employment rights, in both your Inaugural Address and in your State of the State message to the legislature. This is certainly a step in the right direction. However, the problems facing gay people in society today are so numerous that even ending employment discrimination is only scratching the surface. Therefore, I hope you would seriously consider establishing a statewide commission on sexual minorities. Such a commission could examine the multitude of problems and suggest various solutions to those problems. This could be done on a very modest budget, as has been done in Pennsylvania. The Chairperson of the Pennsylvania Council on Sexual Minorities is a member of this committee and is the President of the Sexual Law Reporter. We would therefore be able to assist you in a most meaningful way in establishing such a commission, or in formulating an executive order.

I hope to hear from you in the near future as to how I may be of assistance to you in using your executive power to help end discrimination against gay people.

Very truly yours,



Thomas F. Coleman

TFC/bb

CALIFORNIA STATE PERSONNEL BOARD

801 CAPITOL MALL • SACRAMENTO 95814



September 19, 1979

Mr. Thomas F. Coleman, Co-Chairman
National Committee for Sexual Civil
Liberties
1800 North Highland Avenue, Suite 106
Los Angeles, CA 90028

Dear Mr. Coleman:

Enclosed please find (a) your tape from the first meeting with the Board members, (b) a transcript of the tape, and (c) a copy of the IPA proposal we submitted requesting funds to aid us in implementing equal employment for sexual minorities. We have also sent a carbon copy of this letter and the same three enclosures to the Advocates for Gay State Employees.

Please give me a call when we can be of further assistance.

Sincerely,

A handwritten signature in cursive script that reads "Jacquelyn Todd".

JACQUALYN TODD, Chief
Management Services Division
(916) 445-7452

Enc.

1 Irene Tovar: To meet with Thomas F. Holman, Cochairperson of the
2 National Commission for Sexual Civil Liberties and for purposes of
3 identification, why don't we introduce ourselves, and why don't we
4 start--(unintelligible)

5 I'm Tony Sylvestry, I'm with the Pennsylvania Council for Sexual
6 Minorities.

7 I'm Paul Hardman with the Priden Foundation.

8 My name is Rand Schrader, I'm the head of the City Attorney's
9 Health Section and the President of the Board of Directors of the Los
10 Angeles Gay Community Services Center, which is really why I'm here
11 today. As a footnote, because we're talking about personnel matters,
12 I'm the head of the City Attorney's attorney recruitment program;
13 personnel for gay persons.

14 Irene Tovar: In the City of Los Angeles?

15 Rand Schrader: For the City Attorney's Office, yes.

16 I'm Jay Cohorn. I'm a private attorney associate of Tom Coleman's
17 and I'm the associate editor of the Sexual Law Reporter.

18 I'm Al Smithson, a private attorney from San Diego. I'm on the
19 Board of Directors of the Gay Center in San Diego and Chairman of the
20 Board of Metropolitan Community Church of San Diego, also of the State
21 Central Committee.

22 I'm Tom Coleman; I guess one of the instigators of the meeting and
23 I'm Cochair of the National Committee for Sexual Civil Liberties and the
24 publisher of the Sexual Law Reporter, and also an associate of Jay
25 Cohorn.

26 I'm Burt Oliver, the Assistant Executive Officer of the Personnel
27 Board.

28 Ron Kurtz, Executive Officer of the Personnel Board.



State of California
Department of Justice
George Deukmejian
(PRONOUNCED DUKE-MAY-GIN)
Attorney General

855 CAPITOL MALL, SUITE 350
SACRAMENTO 95814
(916) 445-9555

July 2, 1980

Thomas F. Coleman
Attorney at Law
Center for Education and
Legal Advocacy
1800 North Highland Avenue
Suite 106
Los Angeles, CA 90028

Re: Opinion No. 80-511

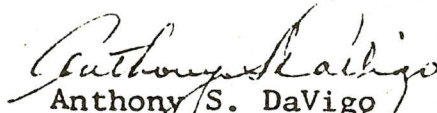
Dear Mr. Coleman:

Enclosed herewith is a copy of the above re-
ferenced opinion, dated July 3, 1980.

Thank you for your views and comments which
were carefully considered.

Very truly yours,

George Deukmejian
Attorney General


Anthony S. DaVigo
Deputy Attorney General

ASDV:elo
Enclosure

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TO BE PUBLISHED IN THE OFFICIAL REPORTS

OFFICE OF THE ATTORNEY GENERAL
State of California

GEORGE DEUKMEJIAN
Attorney General

OPINION	:	
	:	
of	:	No. 80-511
	:	
GEORGE DEUKMEJIAN	:	JULY 3, 1980
Attorney General	:	
	:	
ANTHONY S. DaVIGO	:	
Deputy Attorney General:	:	
	:	

THE HONORABLE WILLIAM CAMPBELL, STATE SENATOR, THIRTY-THIRD DISTRICT, has requested an opinion on the following question:

Does Executive Order B-54-79, providing that the agencies, departments, boards and commissions within the Executive Branch of state government under the jurisdiction of the Governor shall not discriminate in state employment against any individual based solely upon the individual's sexual preference, constitute an improper infringement upon legislative authority with respect to the state civil service?

CONCLUSION

Executive Order B-54-79, providing that the agencies, departments, boards and commissions within the Executive Branch of state government under the jurisdiction of the Governor shall not discriminate in state employment against any individual based solely upon the individual's sexual preference, does not constitute an improper infringement upon legislative authority with respect to the state civil service.

ANALYSIS

On April 4, 1979, the Governor of California issued Executive Order B-54-79, as follows:

"WHEREAS, Article I of the California Constitution guarantees the inalienable right