

LGBT History Project of the LGBT Center of Central PA

**Located at Dickinson College
Archives & Special Collections**

<http://archives.dickinson.edu/>

Documents Online

Title: Governor's Council for Sexual Minorities Meeting Agenda and Minutes

Date: July 7, 1980

Location: LGBT-001 Joseph W. Burns Collection

Contact:

LGBT History Project
Archives & Special Collections
Waidner-Spahr Library
Dickinson College
P.O. Box 1773
Carlisle, PA 17013

717-245-1399

archives@dickinson.edu



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA COUNCIL FOR SEXUAL MINORITIES
238 Main Capitol Building
Harrisburg, Pennsylvania

AGENDA

July 11, 1980

1. INTRODUCTIONS
2. LEGISLATIVE RESPONSE TO SODOMY REFORM - TONY SILVESTRE
3. PLAN OF ACTION: CORRECTIONS SYSTEM- MAJOR JOHN CASE
4. ANNOUNCEMENTS
5. PRESENTATION ON SEXUAL HARRASSMENT
HELEN SEAGER, DIRECTOR, COMMISSION FOR WOMEN
LOUISE ONCLEY, DIRECTOR, PLANNING DIVISION, BUREAU OF AFFIRMATIVE ACTION

COUNCIL MEETING DATES 1980-1981

- Sept. ^{17/80} 4, 1980 Thursday, Harrisburg, 1:30 PM
- October 4, 1980 Saturday, Pride '80 Conference, Harrisburg (Time to be announced)
- Nov. 24, 1980 Monday, Harrisburg, 1:30 PM
- Jan. 6, 1981, Tuesday, Harrisburg, 1:30 PM
- February 20, 1981, Friday, Philadelphia, 7:30 PM (Place to be announced)
- April 2, 1981, Thursday Harrisburg, 1:30 PM
- May 20, 1981, Wednesday, Harrisburg, 1:30 PM
- July 10, 1981, Friday, Pittsburgh 7:30 PM



COMMONWEALTH OF PENNSYLVANIA
PENNSYLVANIA COUNCIL FOR SEXUAL MINORITIES
238 Main Capitol Building
Harrisburg, Pennsylvania

N.B. THE NEXT COUNCIL MEETING WILL BE ON SEPT. 8, 1980, MONDAY, IN HARRISBURG IN ROOM G-12, FINANCE BUILDING AT 1:30 P.M. PLEASE MAKE EVERY EFFORT TO ATTEND. REPRESENTATIVES OF STATE AGENCIES ARE ASKED TO HAVE THEIR ALTERNATIVES ATTEND IN THEIR PLACE IF THEY ARE UNABLE TO BE AT THE MEETING. THE FOLLOWING DATES AND TIMES ARE PLANNED FOR COUNCIL MEETINGS THROUGH JULY OF 1981. PLEASE ADD THESE TIMES TO YOUR CALENDAR.

October 4, 1980, Saturday, Gay Pride-80 Conference, Harrisburg
(Time to be announced)

November 24, 1980, Monday, Harrisburg, 1:30 P.M.
January 6, 1981, Tuesday, Harrisburg, 1:30 P.M.
February 20, 1981, Friday, Philadelphia, 7:30 P.M.
April 2, 1981, Thursday, Harrisburg, 1:30 P.M.
May 20, 1981, Wednesday, Harrisburg, 1:30 P.M.
July 10, 1981, Friday, Pittsburg, 7:30 P.M.

MINUTES

Bethlehem
July 11, 1980

ATTENDANCE: Art Duprat, Helen Seager, Russell Cardamone, Leslie Phillips, Joseph W. Burn, Bob Steelman, Rick Balmer, John W. Case, Rose Weber, Tony Henry, Gerald J. Brennan, Louise Oncley, Tony Silvestre.

1. Legislative Response to Sodomy Response: Tony Silvestre.

The popular response and the journalists' response to the Supreme Court's recent decision which declared the state sodomy law unconstitutional has been focussed on the public aspect of sexual display as it related to the original case. Newspapers, especially in the western part of the state, greeted the decision with headlines such as, "Sex on Stage Comes to Pennsylvania". The legislature has responded to the case as a result of and certainly affected by these newspaper reports by introducing three bills. The first bill, S.B. 1474, would make illegal voluntary public sexual intercourse. As it is defined, public sexual intercourse means, "In addition to its ordinary meaning, intercourse per os or per anus with some penetration, however slight, any form of sexual relations with an animal, all without the requirement of emission, when any of the foregoing are not secluded from the sight, presence or intrusion of others."

This bill, introduced by Sen. Pecora, is presently in the Senate Judiciary Committee.

Two bills have been introduced into the House. The first, House Bill 2647, introduced by Mr. Dietz, reforms the sodomy statute by introducing language which would make sexual intercourse per os or per anus between any human beings illegal. This bill, then, would criminalize all anal sex between married people. In addition the bill would also make illegal any public display of sexual intercourse or deviant sexual intercourse. Public display is not defined in the act.

The final bill, House Bill 2650, simply makes illegal any public display of deviant sexual intercourse. And again, public display is not defined in the act. These two bills are presently in the House Judiciary Committee.

Our committee on judicial reform is presently studying these bills. And it is the opinion of the committee that the bills are unnecessary. The state's lewd conduct provision and the state's prostitution law would cover any public display of sexual activity, whether it is done for commercial reasons, that is, prostitution, or whether it is done in a way to affront or alarm people in public. Our committee will continue to meet and discuss our reaction to these bills.

2. Corrections Committee Report: Major John Case.

Ronald Marks has recently been appointed Commissioner of the Bureau of Prisons. Our committee, along with the council's chair, will meet with Commissioner Marks to discuss issues facing sexual minority populations and others in prisons. Among the issues being discussed with the Commissioner are the revision of the course content presently in use for corrections officers, the development of additional courses adding material on lesbians in prison and transsexual concerns, the development of a program on the prevention of institutional rape, including a manual on such information and training for corrections officers and social service personnel, the provision of counselling services for sexual minorities in prison, especially those people who have been victims of rape, a review of the probation/parole and pardon programs as they impact on sexual minority persons, and finally a review of the impact of the new censorship procedures on gay materials and the development of appropriate recommendations.

It is expected the meeting with the new head of corrections will occur before our council meeting. Any council members or others having input in this area should contact Maj. Case or Tony Silvestre.

3. Announcements:

The chair has been informed that Capt. Rodriguez has retired from the State Police and therefore will no longer serve on our council. The chair has sent a letter thanking the Captain for his assistance and support in our work and the commissioner of the state police will be requested to appoint a new representative of that agency.

Council work groups are urged to meet before our September meeting. Meetings of the welfare work group, the drug and alcohol work group and the corrections work group are already scheduled. Committees dealing with employment, aging and Third World concerns and health will be requested to establish their schedule of meetings as soon as possible.

Members of the health committee will meet with Secretary Mueller on July 28th.

4. Presentation on Sexual Harrassment: Helen Seager, Executive Director, Pennsylvania Commission for Women; Louise Oncley, Director, Training Division, Bureau of Affirmative Action.

A videotape of a program, "Under His Thumb," was shown to council members. This award-winning program presented on Channel 11 in Pittsburg, reviewed actual cases of sexual harassment and the effects on the workers. Ms. Seager described sexual harassment as including verbal abuse that women in the work force are often faced with, and/or physical abuse. According to Ms. Seager, nine out of ten women who work report sexual harassment. These women face first being blamed themselves for provoking the harassment, facing a threat to economic security as well as a threat caused by the harassment. The problem is not new, evidence of it has been found from the earliest days of women joining the work force. Lesbian women especially face a problem on harassment, very often because they are the first women in non-traditional jobs. Secondly, they are often perceived as not having the protection of men and therefore vulnerable. Third, because they are often seen as man-haters that need to be tamed. And fourth, because as women without any visible men, they are seen as needing male attention. The two strategies that were discussed at the council include legal strategies and survival strategies. Legally, some protection is developing for women who have been sexually harassed.

According to some cases, it is clear that sexual harassment is indeed considered a violation of laws that protect against sex discrimination. Very often it can be shown that a male employer was treating his female employees differently, that is, expecting sexual favors. His action can be interpreted as a violation of the Civil Rights Code and an act of discrimination based on sex. Secondly, E.E.O.C. regulations have defined sexual harassment as an unacceptable employment practice and a violation of personnel rules. This interpretation can give women recourse without the courts. This interpretation and definition of sexual harassment can be helpful to lesbians and gay men since much of the activity provisioned under this personnel code includes activities that would involve or include speculation about an individual's sexual life, harassment, or embarrassment caused by workers related to an individual's sexuality. In other words, E.E.O.C. regulations may have as a side effect direct protection for lesbians and gay men in employment. Other protections include the fact that many compensation boards are now granting awards, including unemployment compensation or worker's compensation if the

worker has lost her job because of sexual harrassment or if the worker has been forced to quit because of sexual harrassment. In addition a worker facing harrassment may file a civil suit which may call for punitive damages against the employer or may charge an employer with criminal charges such as assault, battery, rape, attempted rape, indecent exposure, extortion, kidnapping, racketeering, misuse of public funds and other charges. These last strategies, although not being widely used at this point, may indeed prove very useful.

In addition to legal strategies, there are survival skills that people have found helpful. The first recommendation is that victims of sexual harrassment be assertive and refuse to comply and even refuse to seem to comply to demands by employers. Workers should not make excuses for their refusal since these excuses may be used to show the worker's willingness to participate in the acts demanded by the employer. Workers should seek support from other victims and thereby end their isolation as well as strengthen their case against their employer or other workers. Workers should keep records, including quotes, dates, their feeling and reaction to the harrassment. These records can be useful in any legal or personnel strategies. Records should also include positive statements of a worker's conduct and performance. Employers will very often, when receiving a complaint of sexual harrassment, fire an employee claiming that the worker was incompetent. Workers should also complain to their union or to their personnel committee about the harrassment. At the same time they should seek support from women's groups since the process of legally dealing with harrassment may take many years and they may need support through that process. A number of organizations are accepting complaints about sexual harrassment. Persons with complaints should go to the Human Relations Commission or, in Philadelphia, to the Women's Alliance for Job Equality, or in Harrisburg to the Task Force on Sexual Harrassment of the Harrisburg Rape Crisis Center.

Council members, very impressed by the presentation by Helen Seager and Louise Oncley, agreed that the area of sexual harrassment has many potential uses for lesbians and gay men. The chair of the council invited the presenters to present their material again in October at the state-wide Gay Pride-80 Conference.

The meeting adjourned at 9:30 P.M.