

MORATORIUM FIRING

A historic, precedent-making lawsuit was filed on October 30 on behalf of Joe Richmond, a 21-year old San Franciscan. It presents these questions: Can an employee be fired for his participation in the October 15 Moratorium? Will the size of the November 14-15 Mobilization reflect the extent of public sentiment on getting out of Vietnam, or merely the position of a thousand large corporations which employ a majority of the private employees of this country? Does the United States Constitution permit an employer to control the political activities of his employees?

Today Joe Richmond, a student at San Francisco State College, filed suit in federal and state courts against Civil Service Em-

ployees Insurance Company asking for his job back. He was fired because he requested, was denied, and took the time off to demonstrate on October 15.

His attorney, Aubrey Grossman, said this lawsuit exposes a strange gap in the law. It is now well established that government cannot interfere with or coerce political activities, demonstrations, petitions to government, free speech, free press or free assembly. But there is no established law where the interference or coercion comes from the man's employer who controls his employment -- the life blood of the worker's existence.

Grossman went further, saying if Civil Service Employees Insurance Company can constitutionally fire Richmond for participating

in a demonstration, they can also fire him for refusing to demonstrate on an issue that the Company believes in -- or even for not voting the way they want. If their discharge of Richmond is constitutional, then under federal law they can call in their employees and demand, under penalty of discharge, that their employees vote for Nixon, Rafferty, Reagan, Eastland (or you name him).

Grossman said the theory of his federal court suit is that the First, Ninth and Fourteenth Amendments, which in words only restrict government, were intended to protect these fundamental rights against attack or coercion from all sources.

Richmond, explaining his

reasons for filing the suits, said, "I want my job back but, most important, I want to establish the uninhibited, uncoerced right of every American to demonstrate on November 14-15 for COMPLETE withdrawal from Vietnam NOW."

The Richmond lawsuits will have no direct effect on any employer except Civil Service Employees Insurance Company. It is Richmond's hope, however, that the filing of these suits will result in requests for time off, through unions and otherwise, on behalf of tens of millions of Americans, followed by similar suits if these requests are refused.

Grossman explained the filing of the state court suit by the fact that there is a unique California law preventing employers from coerc-

ing political activities of employees. Violation of this law can result in damages, injunctions and criminal prosecutions.

Richmond made a comment on the long-range social and political significance of the issue raised by the lawsuits. He said youthful, and older, radicals maintain that the government and the establishment are owned, run and controlled by the big corporations, and not the people. He said, "I will be interested to see if the courts prove the radicals right by conceding that the entire political process can be controlled by the big corporations through their control of jobs, and their right to demand that their employees support the political line of the owners of these corporations."

GOONS GANG GAY GUERILLAS

San Francisco cops violently attacked and broke up a demonstration of the Committee for Homosexual Freedom last Friday, arresting 13. The confrontation took place in front of the San Francisco Examiner Building where the gay group gathered to protest an article which slandered the city's homosexuals.

The demonstration began at noon and consisted of peaceful picketing until about 12:40. At that time two plastic bags of dark blue printers' ink were thrown from an upper window of the Examiner Building. One bag landed in the street just

off the curb, the other in front of the large glass door of the building. The demonstrators responded by tracking their feet through it, leaving blue footprints on the sidewalk. Stevens McClave, 24 years old, who many consider the Abbie Hoffman of the Gay Liberation Movement, put his hands in the ink and raised it in full sight of those present. Others complied, then they began putting indigo hand prints on the glass door and stone wall of the building. Again his example was followed, and soon the walls and windows were covered with ink.

At that time there were only three uniformed cops at the scene, only flabby policemen. One of them entered the Examiner lobby to point out individual protesters. It can be assumed that he was fingering people for later arrest, for about five minutes later a police van arrived, parking in an alley next door.

A squad of police exited and burst into the crowd, seizing McClave. A tug-of-war followed when his fellow demonstrators held him to prevent arrest. Suddenly, the cops struck wildly at heads, and with special incentive, at crotches with their three foot long nite sticks.

When McClave was finally dragged off into the waiting paddy wagon, he screamed to the Pig, "Kill a queer for Christ."

The fighting continued, however. After Karen Hurrick shouted that she had been maced, police

knocked her to the ground, beat her, and dragged her off to the van. Cops arrested several others, and tried to move the crowd further down the street.

The protest was declared an "unlawful assembly" and the order was given to disperse. Then the cops attacked again, bloodying heads and arresting several other people. The captured were frisked with something approaching sensual appreciation. The rest of the demonstrators were chased down 5th to Howard Street.

Gay Liberation decided to disperse and later regroup at the Glide Methodist Church, where the problems of legal help, bail, and future tactics were discussed. They decided to take a picket line to City Hall and send a delegation to speak to Mayor Alioto at his office.

CASUALTIES

Those arrested were Stevens McClave, 24, Dave Brower, 19, Darwin Diaz, 35, Nick Cheshire, 26, Jack Ransom, 26, Al Alvaraz, 27, Marcus Overseth, 25, Leo Lawrence, 36, Paul Nies, 19, Mishia Da Brinski, Michael Carboni, 25, Mike Cooke, 30, and Karen Hurrick, 21. Michael Carboni suffered a broken rib from the confrontation, and Darwin Diaz had a dental plate knocked out.

Charges against the demonstrators ranged from "malicious mischief" -- a misdemeanor -- to "battery on an officer" -- a felony. By Tuesday, all felony charges had been dropped, except against Nick Cheshire. Sergeant Sol Weiner claims that his hand was bitten by Cheshire, Cheshire says that Weiner swung at him back-handed, and hit him in the mouth.

BACKGROUND

In an interview before his arrest, Stevens McClave called the Examiner article which led to the demonstration, "totally sensational, scandalous yellow journalism. . . malicious and irresponsible." He referred to a story by Robert Patterson on gay bars in the Saturday, October 15th Examiner. Supposedly an expose, Patterson used terms like "fags", "queers", "semi-males", and "woman who aren't exactly women." He lamented the lack of

police power to "clean up" the situation.

McClave said that representatives of his groups were "physically ejected and verbally abused" in an earlier attempt to speak to Examiner editors about Patterson's article.

"We all know violence -- we all know repression in isolated circumstances," McClave said. He went on to say, "Too many homosexuals are hidden and can't counter the oppression. We use the word 'Gay', capitalized, to instill group identity and pride."

COUNTER-ATTACK

When the group arrived at City Hall, less than two hours after the initial confrontation at the Examiner, they began picketing again. These guerillas left the body of demonstrators to see the Mayor, only to find that he was conveniently out of town.

Once CBS cameras arrived, the entire picket line filed inside City Hall, mounting the long marble stairs to Alioto's office. They walked inside, immediately occupying the floor. A string of three cops struggled to accompany the protestors. Once inside the Mayor's office, one of the cops went straight to a phone and called headquarters: "We are now in the Mayor's office," he said, "and now we have a sit-in."

Assistant to the Mayor, Mike McCone, refused to listen to the protest, demanding that they put all grievances in writing. Once a list was drawn up it was presented to him. No comment was made, and McCone left the room. Three of the original group remained after the office closed at 5:00 p.m. They were handcuffed and taken away to join their brothers in jail. Arrested at the Mayor's office were Jim Connolly, 29, Stephen Matthews, 24, and Larry Clarkson, 19. When the charges were read Matthews shouted "Power to the People", before he was escorted from the office by police.

By Tuesday night all those arrested on Friday were out of jail. Initial hearings were scheduled for Wednesday. Most of the demonstrators plan to plead "not guilty."

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