



The Freedom Files

A Pursuit of Justice Podcast

Feature Story for Episode #1

The Domino Effect: My Life as an Advocate

By Thomas F. Coleman

I'm the host of *The Freedom Files* – a Pursuit of Justice Podcast. The title of the show explains its focus – freedom and justice. But for whom?

At this stage of my life, my time and energy are being devoted to securing liberty and equal rights for people with cognitive and communication disabilities, with a special emphasis on people with developmental disabilities. This is a new frontier in my ongoing and lifelong journey of promoting access to justice for any number of disadvantaged segments of American society.

I thought it would be appropriate to use this first episode of the podcast series to introduce myself to the audience. So let's take a walk down memory lane as I share information with you about my personal background and my history as an advocate.

I was born in Michigan as Thomas Frank Coleman on March 15, 1948. ([#01](#)) I was the second oldest of the nine children of Murray and Kathleen Coleman. We were raised in a working class family. My dad was a door-to-door insurance salesman and mom stayed at home raising the children. We were a typical suburban nuclear family of the 1950s, ([#02](#)) and the 1960s, ([#49](#)) and the 1970s. ([#50](#))

Throughout my childhood I lived in Ferndale – a suburb adjacent to the city of Detroit. ([#02a](#)) I attended St. James Catholic School where I was

indoctrinated with rules of the Catholic Church. I was an obedient student until I became a teenager and started to question authority. By the time I graduated from high school (#03) I had a habit of challenging rules that seemed arbitrary or unreasonable. I honed and developed my skills as a critical listener and independent thinker during my undergraduate years at Wayne State University and in my first year at Detroit College of Law.

Then I was inspired to move to California. To Los Angeles in particular. I transferred to Loyola Law School. This was a pivotal time for me – a time when my legal and political advocacy emerged in a big way. This was 1972.

As a young gay man attending a Catholic university, I felt alone. I knew there must be other gay law students, but we were all invisible. As they say, we were “in the closet.” That soon changed. Someone posted a sign on the bulletin board that gay law students would meet at a certain date and location. It turned out to be a gay bar. I showed up and so did a handful of other students.



We reached out to gay students at other local law schools. After another meeting, we had a dozen students affiliated with what became the first Gay Law Students Association in the nation. (#04) Some of us decided to “come out” and be open about our sexual orientation. Others kept it private.

A few of the openly gay students decided to press the American Bar Association to support law reform. (#05) At the time, consenting adult sex in private was a felony in California and it was criminal in most other states. Within a year, we were successful in having the ABA adopt a resolution calling for these laws to be repealed. (#06)

After I became a lawyer in 1973, I devoted my legal practice to defending gay men who were harassed and entrapped by undercover police officers. (#07) Once arrested, they were threatened with conviction, loss of professional licenses, termination of employment and – get this – lifelong sex registration. Yes, just like rapists and child molesters.

BAY AREA REPORTER
SEX SOLICITING LAW
GOES DOWN
INFAMOUS 647(a) RULED UNCONSTITUTIONAL - 1979 -

By Paul D. Hardman

Last week the California Supreme Court issued a landmark ruling regarding sexual solicitation. The Court struck down the state's criminal statute 647(a) which prohibited the soliciting or engaging in "lewd or dissolute conduct."

The Court voted 6 to 1 to overturn the law (Justice Clark the lone dissenter). The ruling, written by Justice Mathew O. Tobrino, was contained in a 32-page brief and released Friday, September 7.

Los Angeles attorney Thomas F. Coleman, 31, who successfully challenged 647(a), told B.A.R., "This decision should just about put the vice squad out of business." He added that it is one of the "most important cases to come down to protect Gay people in years."

In the ruling the Court reviewed and analyzed all statutory interpretations applied to the subject in this century and then overturned them. The Court noted that the conduct prohibited by law was described in terms of "lustful, lascivious, unchaste, wanton or loose in morals and conduct."

"As construed by prior California decisions," Justice Tobrino wrote in his ruling, the interpretation, "does not meet constitutional standards of specificity."

The case, Don Barry Pryor v. Los Angeles Municipal Court, (Supreme Court # LA 30901), involved a San Francisco resident, who, while on a visit to Los Angeles, solicited another man to engage in a sex act, which Pryor contended was to be performed in private. The solicited man turned out to be an undercover police officer who then arrested Pryor.

The incident occurred on May 1, 1976. Pryor, who is about 30 years of age, was charged and tried for violating Penal Code section 647, subdivision (a). This section declared that a person is guilty of disorderly conduct, a misdemeanor, "Who solicits anyone to engage in or who engages in lewd or dissolute conduct in any public place open to the public, or exposed to public view."

It was that particular wording which the Court construed (because of past decisions) to be unconstitutionally vague. However, rather than merely throw out the law, which would have given the legislature the opportunity to re-write it, the Court re-constructed the statute to conform to constitutional standards.

In so doing, they rejected all prior interpretations of the statute and adopted a very narrow and specific construction. As now construed, no one may be charged unless the person knows or should know of the presence of persons who may be offended by the conduct which is now limited to actual touching of the genitals, buttocks, or female breast, for purposes of sexual arousal, gratification, annoyance or offense.

"There is no way that a vice cop can qualify as an offended party under these guidelines," Thomas F. Coleman, Esq., declared. Coleman was the attorney who petitioned the Court to overturn the statute.


Coleman, at age 31, has already had eight of his cases published by the appellate court and has become a recognized expert in the area of sex law. He is the publisher of the prestigious *Sexual Law Reporter* and maintains his offices in Hollywood, California.

It is particularly significant that the Court reviewed the statutory terms "lewd and dissolute" and noted that they were not "technical legal terms" but words of common speech. In ordinary usage, they do not imply a definite and specific referent, but apply broadly to conduct which "the speaker considers beyond the bounds of propriety."

The Court went on to rule that all the definitions which have been used over the years by lower court judges and prosecutors were "subjective" and dependent upon the speaker's "social, moral and cultural bias." The term "dissolute" is, according to the Court, "if anything, even less specific;" while the word "lewd" implies a sexual act, "dissolute" can refer to nonsexual acts which exceed subjective limits of propriety.

As the Court noted, narcotics addicts have been labeled as "dissolute."

The Supreme Court soundly criticized the lower courts, police and prosecutors for



Attorney Thomas F. Coleman, who challenged 647(a) before the California Supreme Court. The Court overturned the "solicitation for sex" statute September 7.

I vowed to challenge the so-called criminal justice system that was ruining the lives of thousands of gay men each year in California alone. From 1974 to 1979 I was relentless in my crusade to challenge the lewd conduct law and its discriminatory enforcement. (#08) Finally, in 1979 I won a victory in the California Supreme Court. (#10) The law was declared unconstitutional. New judicial requirements would make it nearly impossible for the law to be used in the future as a tool for harassment.

In addition to my role as a legal advocate and defender, I also assumed a role as editor and publisher. I assembled a team of volunteers (#08a) and for five years published the *Sexual Law Reporter*. (#09) It was a vehicle to educate lawyers, judges, and law students throughout the nation about issues involving sexual civil liberties. Not just for gay men and lesbians, but for all adults regardless of sex, sexual orientation, or gender identity. Education was part of the process of promoting equal rights and justice for sexual minorities.

My personal life also incorporated my gift of strategic thinking. It was in

1980 that I met the love of my life. Michael Andrew Vasquez. After dating and courtship for a year, we decided to get married. Once engaged, we wondered where we would have the ceremony. After all, in 1981 there was no nation on the planet where same-sex marriage was legal.



I put on my thinking cap. Where? Where? I suggested to Michael that we should remove ourselves from the jurisdiction of all nations. So we decided to marry in international waters. (#11a) We chartered a ship and took more than 200 people out to sea where we exchanged our vows beyond the territorial limit of the United States. (#11b) We have been happily married ever since. We did renew our vows in 2008 when same-sex marriage

became legal in California. Michael and I now live in Palm Springs. This year, on October 17th, we will celebrate our 40th wedding anniversary.

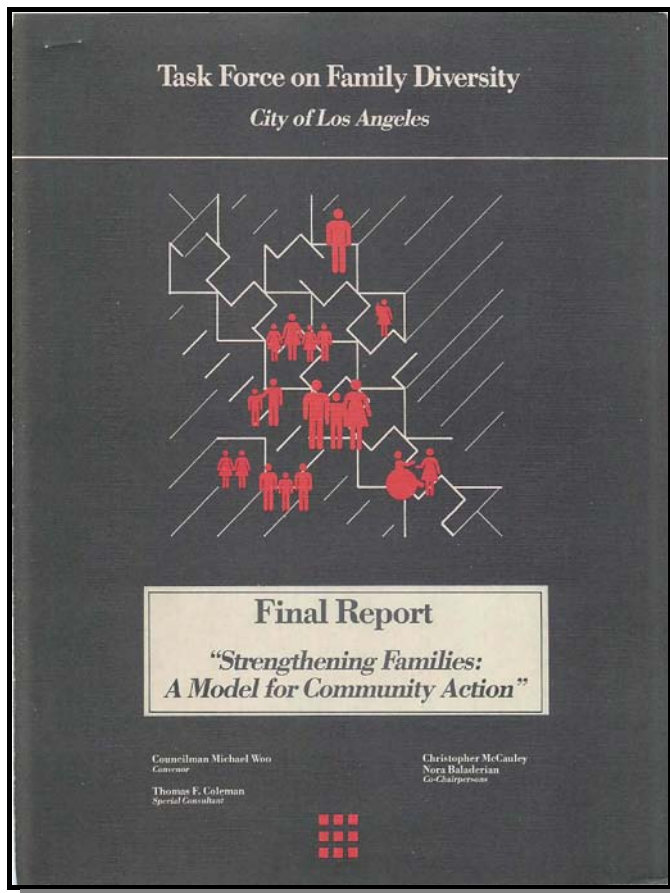
Shifting our focus back to the 1980s, that decade saw me advocating for the right of privacy, domestic partner benefits, greater legal protections against hate crimes, and promoting respect for family diversity.

I served as the executive director of the Governor's Commission on Personal Privacy in California. (#12) We issued a report in 1982 with recommendations that eventually came to pass, including legal protections against sexual orientation discrimination in employment and housing and legal recognition of unmarried families.

From 1984 to 1990, I served on the California Attorney General's Hate Crime Commission. (#13) Out of that project came legislation that added legal protections against hate crimes targeting seniors, people with disabilities, and sexual minorities. (#13a) This was the first hate crime statute in the nation to afford protections for the LGBT community and the

first that included people with disabilities.

In the mid-1980s, I included family diversity in the scope of my advocacy. I pushed hard for equal rights and benefits for unmarried couples and nontraditional families. For a few years I taught a class on “Rights of Domestic Partners” at USC Law School. (#14) This was the first class of its kind anywhere in the nation.



At my urging, Los Angeles City Councilman Mike Woo convened a Task Force on Family Diversity to study ways in which the government could improve the lives of a variety of family types – including unmarried couples with or without children. (#17) The report stimulated many reforms in Los Angeles and prompted similar studies in other parts of the nation. (#18)

I also worked with the California Legislature to promote the use of inclusive definitions of family in state laws as well as public and private employee benefits programs. (#16)

I built a coalition of individuals and organizations that successfully lobbied the Los Angeles City Council to make the city the largest municipality to offer domestic partner benefits to public employees. (#15) Over the years, dozens of other cities would follow suit.

The media became a way to spread the word on family diversity. I wrote an op-ed for the Los Angeles Times (#19) and pitched stories to journalists in other newspapers like the New York Times. (#20)



One of my family diversity promotional brainstorms in 1990 got the attention of the media from coast to coast. (#21) I discovered a way for unmarried couples and people living in nontraditional households to register as a family unit with the California Secretary of State. A gay male couple registered. (#22) So did a single man who was the guardian of three boys from Guatemala. (#23) The boys were so proud of the family registration certificate. When they were interviewed by a CBS news reporter, they joyfully exclaimed: “Now we are officially a family.”

Next came my quest for singles’ rights. Marital status discrimination had been on my equal rights radar since law school days. But it was not until the 1990s that I was able to devote time to this cause. Millions of unmarried individuals and households would benefit from my relentless advocacy for singles’ rights.

In October 1989 I convinced the Los Angeles City Attorney to convene a Consumer Task Force on Marital Status Discrimination. He asked me to lead the study. (#26) Discrimination against single people soon became a favorite topic for the media, with stories appearing in newspapers from coast to coast. (#25, #27, #28, #29)

Work I did with the California Insurance Commissioner on marital status discrimination by insurance companies also got media attention which raised public awareness of this previously hidden problem. (#30)

We are 40% of the nations workforce We are 47% of the nations's households

82 Million Unmarried Americans Deserve to Know Why

We are forced to pay a disproportionately high share of taxes.
The current debate on tax reform ignores us.
The Democrats put all their emphasis on tax reform for "working families"
The Republicans want to repeal the marriage penalty for some joint filer but keep the marriage bonus for most joint filers
We are required to pay the same in social security taxes but we get fewer benefits than married people do.

We must pay up to 60% in death taxes if we leave assets to a parent, child, relative, or domestic partner, while a married person can leave an unlimited amount of wealth to a spouse tax free.
We cannot file a joint return with a member of our household.
We cannot take a dependency deduction for the child of a domestic partner even though we in fact support the child
The platforms and websites of both major parties say nothing about single people

Let's Break the Silence about UNFAIR TAXATION of Unmarried Americans

The American Association for Single People is coming to Washington D.C. from May1 - May 3
We're on a Fact-Finding Mission
& we're seeking answers to these questions
We have a request for you:

[Members of Congress Party Officials Unmarried Taxpayers]

Meet with us. We have written to you. We would like a response to survey you received.

Reach out to us. Tell us why unmarried voters should support your party and your candidates.

Join AASP. Send in the coupon below Help us create a collective voice for unmarried people.

www.UnmarriedAmerica.com
The nation's voice for unmarried workers, consumers, taxpayers and voters

The American Association for Single People is a nonprofit and nonpartisan educational organization. We promote equal rights for unmarried individuals, couples, parents and families.

Any adult can become a member of AASP by making a tax-deductible donation of \$10 or more. You will receive newsletters keeping you advised of our progress as we fight for your rights. You will also have full access to our website which is the most authoritative source of information for and about single people on the Internet.

Whether you live alone, have a domestic partner, are a single parent, or live with a relative, join AASP and become part of a movement for equal rights.

I want to join.

Name _____
Address _____
City _____ State _____
Zip _____ e-mail _____

Here is my tax deductible donation fee:
 \$10 \$25 \$50 _____
 Method of Payment:
 Check MC Am-Ex Discover
 Number _____
 Expiration Date _____

Mail this coupon & your donation for:
 AASP, 415 E. Harvard Street
 Suite 204
 Glendale, California 91205
 (888) 295-1679

We respect your privacy. We do not share our membership data with outside sources.

Credit card donations also may be made in a secure manner through our website or you may call us.

My life changed dramatically in 1999 with the launch of the American Association for Single People. (#30a) My sister Diane designed the logo. With financial backing from Lloyd Rigler, a wealthy businessman and philanthropist, AASP was formed. We had a membership division and a political division. (#30b) As AARP was a collective voice for seniors, we wanted AASP to be the same for single people.

We developed a civil rights agenda for single people. (#31) We focused on financial penalties imposed on singles in America. (#32) We attracted endless media attention to this novel political movement. (#33) We took out full page ads in the Washington Post to get the

attention of Congress. (#34) My sister Diane designed the ads. We gave greeting cards to unmarried members of Congress for National Singles Week. (#35) We created a brochure highlighting discrimination by the federal government. (#35a) I directed and supervised several employees at AASP. (#51)

Perhaps our greatest media achievement – one that attracted the attention of the business community – was getting an Unmarried America cover story with BusinessWeek Magazine. (#36)



Diane and Cameo Ask Me to Help Emma

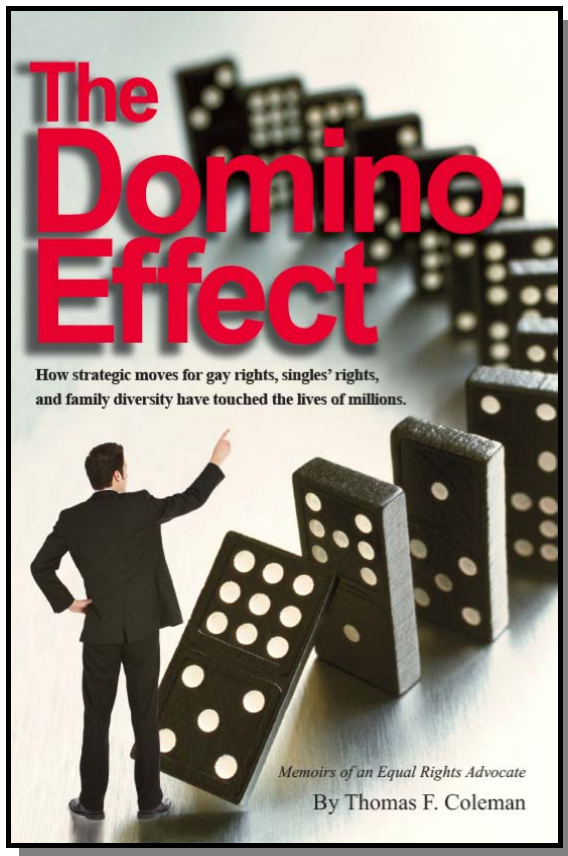
A new and more somber cause surfaced in 2004. While Michael and I were in the process of moving back to Los Angeles from Hawaii, I received a phone call from Diane and her daughter. (#37) Cameo's best friend had disappeared. They asked me for help. A quick investigation revealed that she had been abducted in the middle of the night, by a company hired by her

parents, and taken against her will from her home in Michigan to a locked boarding house for troubled teens in Montana. Child protective services in Michigan confirmed that the young lady was a victim of abuse. (#38)

Despite the authorities in Michigan getting a court order for her return, the local sheriff in Montana and the boarding school, Spring Creek Lodge, ignored the order. I kept up the pressure, threatening media exposure, and enlisting the help of the Attorney General of Montana. The girl, who was suicidal at the time, was finally released.

As a result of that experience, and after discovering that the same thing was happening to thousands of teens throughout the nation, we started an Emancipation Project. Diane designed the logo for the project. (#40) We would advocate for the end of the trafficking and private confinement of abused teenagers. (#39) We developed brochures. (#41) We published reports. (#42) And we generated media attention. (#43) After years of agitation and with the help of Congressman George Miller, the network of abduction services and so-called boarding schools were eventually shut down. (#44)

In 2008, I hit the pause button on my decades of advocacy. I spent a year digging through my archives to write a book of my professional memoirs. I wanted to share stories of various phases of my life as an advocate – victories and defeats, excitement and disappointment, and behind-the-scenes planning that propelled the cases and projects that advanced these causes.



The book – *The Domino Effect* – was released in 2009. (#45) We had a book release reception at which I thanked many of the people mentioned in the book who had participated in the various projects over the years. (#46) It was a great experience to gather together people with whom I had worked on the causes of the 1970s, 1980s, 1990s, and into the first decade of the new millennium. (#47) These friends and colleagues enjoyed spending time with each other and reminiscing. (#48)

I thought that the publication of this book would signal my retirement from civil rights advocacy. I felt like Argentina’s First Lady, Evita Peron, must have felt when she exclaimed:

“Have I said too much . . . there’s nothing more for me to say to you.” As it turns out, there actually was and is much more for me to say and do.

The next episode of *The Freedom Files* will explore the most recent phase of my civil rights advocacy: conservatorship reform. For the last eight years I have focused on injustices to hundreds of thousands of adults with cognitive and communication disabilities who have become entangled in guardianship and conservatorship proceedings. And always looking for solutions.

Until next time, I wish you the very best in your own personal quest for freedom and justice – for yourself, your loved ones, or those you may decide to help whether it is in big or small ways.