Saturday Evening

"REPEAL OF THE HOUSTON CROSSDRESSING ORDINANCE"

By Phyllis:

All of those who have been here since Wednesday night participating in all the activities, please stand. All right. We've learned a lot, and there's been a lot of empowerment going on. For those of you, for one reason or another, either you were out of town or you had to do your j-o-b during the day or whatever, I want to do a quick recap on what happened Wednesday night. Those who were able to arrive early went with us to the Courthouse Club in downtown Houston, Texas, and we had a nice couple of cocktails and a light buffet. We were one block from one of the largest courthouse complexes in the United States. On Thursday morning, we started our committees, and we had six committees in the morning that each met for an hour-and-a-half. And we had three committees that met in the afternoon. Some of them went for three whole hours. The same process repeated for Friday. Thursday afternoon, we had Judge Eric Andel, the 358th Family Court, speak. Thursday night, we went to the Courthouse Club and had a terrific sit-down dinner. We were very well hosted at the Courthouse Club, and I had a lot of fun when I went in because I saw some people that I practiced law with that are peers of mine. When they saw me come in they waved, and I waved. And several people said, "is your law conference going on right now?" And I said, "Yeah." And they said, "good, go for it." And that was a lot of fun.

Friday, our speaker was Judge Alice Oliver-Parrot, who's the Chief Justice of the First Court of Appeals, in Texas. Last night our speakers were Raymond Wayne Hill as in the Supreme Court case City of Houston vs. Hill, and the Supreme Court called him a "citizen provocateur". We also had the wonderful entertainment of Wendy Parker, and that was followed by the entertainment of Phyllis and Colleen Heard, and her gig jammed until about 11:30 last night. This morning we went about our business and started our committees, and we had 45-minute committee reports on the current status of the law and on the need for and strategies for progressive change. We started off with Military Law. On Health Law, my own personal feeling on doctors who make people divorce before they'll allow surgery, I hope somebody sues the fool out of those doctors, but that's just Phyllis Frye ranting and raving.

Before I introduce tonight's two speakers, I want to tell you the story, the full story about how the ordinance was repealed. It was interesting. The City of Houston used to have an ordinance No. 28-42.4 that prohibited people from wearing clothes of the opposite sex. Ray Hill told us about it last night. It was not only used against our community, but it was used against anybody that the cops in the vice squad didn't like, and quite often it was used whenever the cops would raid a lesbian bar. They would arrest women wearing fly front or zipper front pants. Figure that out. It was used.

On August the 12th, 1992, twelve full years had passed since the Houston City Council's repeal of that section of the code of ordinances. So twelve years and about two weeks have passed now since that ordinance was repealed. And it's always been funny to me because even today, when I look in the paper, I see advertisements for fashion and I see women dressed in what is called "men's wear". It's very tailored suits and ties and wingtip shoes or whatever.

This ordinance had its roots and a combination of other ordinances that went all the way back to the year 1904. I remember researching its roots and I remember the conversations I had with the Assistant City Attorney, his name is Ed Casarez. Ed is a very fine person and has always treated me with great courtesy. This ordinance was the one that was used to arrest and to hound Anthony (Tony) Mayes who later became Ann Mayes. At that time, Herman Short was the Chief of Police. This ordinance was also attacked by several Jane Does in the Federal Court. This was the McCollen V. Doe case you also heard about this afternoon. I've learned that the ordinance was also allowed to let the police go into male bars and arrest female impersonators.

As you know, in September of 1976 I began my full time changeover and was subject to enforcement of the ordinance. Shortly afterwards and terrified of arrest, I wrote to every single member of the then Houston City Council: Mayor Fred Hofheinz was presiding. I got one positive response within a week after I'd sent those letters. I was called on the phone by council member Johnny Goyen. We've been friends since that day and I wept openly at his funeral several months ago. But Johnny called, and he told me that he'd always been puzzled by the way Ann Mayes had been treated. He didn't understand who she was but he was really upset by the way she had been mistreated. And when he read my letter and he reviewed my education and a short list of life experiences, he called me.

We met in his office and within a few weeks he had me meet and introduced me to council members Judson Robinson and Jim Westmoreland. Judson is now deceased. Jim Westmoreland was pretty much run-off from city council in an election. At that time Jim thought I was a joke, and he tried to persuade me not to have any ties with the lesbian and gay community. That was late 1976.

For the next several years, I went downtown several days each week. I wrote a myriad of letters and made numerous phone calls. I lobbied to municipal judges, to council members, anyone who would listen. I became active in the feminist movement. I joined the League of Women Voters, and I still believe to this day that the League of Women Voters president at that time, her name is Lynn Johnson, was influential enough to convince many people to the fact that I was serious about who I was and I deserved their attention.

I lectured all over Houston for a Drs. Jerome and Ruth Sherman, and for JoAnn Small, all three at the University of

Houston Downtown, for Vicki Hammet and the late Dr. Jim McCrary at the University of Houston main campus, for Dr. Chad Gordon and Dr. Bill Martin at Rice University and other universities.

Once I even went to the police station, and had it out with the Deputy Chief over Vice, Fred Bankston, at the invitation of then Chief, Pappy Bonds. I know God was watching over me, because I actually walked out of there. I was never arrested. Each and every day however for those four years when I left the house in the morning, I never knew if I'd be back that night or instead in jail. And each and every day for four years, my spouse, Trish, left the house not knowing whether I'd be back at home or in jail. I've always felt that that was cruel and inhuman punishment, both to me and to Trish.

In 1979 we had elections for single member districts in Houston. At that time I was a law student forming the organization of law students, friends of gays. The name had an asterisk after it to imply inclusivity. That was when Ernest McGowan and I became friends. He was running for a single member district. And as we talked one day when he was making a presentation, he invited me to do volunteer work in his office after he was elected. It gave me the opportunity to lobby on the ordinance repeal while he got the benefit of running ideas and projects by me with my engineering and my law backgrounds. It was very equitable.

In the spring of 1980, council member, John Goodner, popped off about me at a city council session. What was going on was that for weeks and weeks and weeks and weeks and weeks and months and months and months, whenever I'd be upstairs in Ernest's office, at least once a week he would call up there. He had conveniently forgotten something and I would be told to bring it down to him. What he was doing is he was purposely and intentionally parading me and flaunting me right underneath their noses. And one council member, John Goodner, finally exploded.

It caused quite a stir. I do believe that council member Dale Gradinsky -- now one of our J.P.'s --suggested that I confront John Goodner directly. I did and with tears in my eyes I explained to him that this was not a game nor a stunt but a real life situation. Many other council members who had come to know me talked to him privately. He and Ernest were not even a little bit friends because of the pop off and other things. Several members worked to keep them at arms length. There was much tension in those days. That afternoon, John Goodner was talking to Council Member Lance Lalor about the fact that John may have shot himself in the foot this time. Lance said, "why don't you move to repeal, and I'll second it?" John did, and Lance did. That afternoon, Lance told me to get out of City Hall and not come back until the repeal went through. He said he'd take it and manage it through. I had to trust his skills, and I did. He called me whenever anything was relevant.

On August the 12th, 1980, after several delay-tags that were put on to the repeal ordinance, it was again before Council. At the time, our Mayor was Jim McConn. He was out of town, as was Jim Westmoreland. McConn knew that it was coming up on the agenda, and he had told the Mayor pro tem for that day, Johnny Goyen, that it was alright with him. City Secretary, Anna Russell, waited until Council members Homer Ford and Larry McKaskell were on the phone. When they got on the phone, she immediately handed the repeal to Johnny. You see, the deal is that under council rules if you're present and you don't vote no, then it's an automatic yes vote. Homer and Larry were on the phone. They didn't even know what was going on. There was only one no vote, and that was Council member Christen Hartung, she was the sole and only no vote. I still hope that somebody will beat her. Homer and Larry went to Johnny about five minutes later, and Johnny says, "oh, I didn't know that was going through." The ordinance was repealed and it has remained so to this day.

On the 9th of August 1990, I received a certificate of appreciation from the City of Houston for meritorious service to this community. It was signed by then Mayor Kathryn J. Whitmire. And it hangs in my office.

Once again I say this to you, my sisters and my brothers, if I can do that in the late 70's and in the early 80's, what is your excuse? You have no reason for staying scared: you have no reason for staying closeted. You have no reason for not being the true person that you are. This is our decade. Make it happen for you now.