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Dispatches

Decision Due on Boys' Club Discrimination

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In July of 1977 six young girls attempted to gain admission to the Boys' Club of Santa Cruz. They were turned away at the door. Nearly six years of political and legal controversy over whether girls should be allowed into the club have passed since then.

In the next few weeks, the US Court of Appeals in San Francisco is scheduled to finally issue an opinion on the question.

Proponents of equal access have argued that discrimination is unfair to girls who have virtually no recreational facilities downtown and that it deprives both girls and boys. Administrators for the club have stated that the private Mallery Trust, which has supplied most of the money, has the right to decide the program will serve the special needs of young boys.

The disagreement began to harden a few weeks after that first group of girls tried to get into the club. Action for Girls in the Boys' Club (AGBC) formed and tried to convince the Club's Directors to

change their stance. It did not work.

By March of 1979, AGBC went to the United Way to suggest that the charity remove its support from the club unless it agreed to serve the entire community. AGBC spokesperson Mary Hilger argued then that "the only swimming pool, the only full-sized gym and the only crafts shop" in the downtown area are off limits to girls.

Then Club President Al McCommon Jr. was adamant. McCommon told a reporter, "We've made a decision and that's the way it's going to be," adding the policy would continued, "with the United Way or without them."

The charity discussed the issue but decided not to cut the club's funds.

In the Fall of 1979 the dispute, now already more than two years old, reached court. Hilger, John Isbister, Lois Goldfrank, William Frick and Mardi Wormhoudt filed suit on behalf of their children.

Local Superior Court Judge Chris Cottle agreed with the suit. He

ruled that the Unruh Act, which forbids discrimination by businesses, requires the club to open its doors to young people regardless of sex. But Cottle also postponed execution of his decision until higher courts could rule on appeals being made for the Boys' Club by local attorney Bob Bosso.

After months of delays and postponements that appeal was finally heard on February 17 by a panel of three judges in San Francisco. The San Francisco Court took the case under advisement last week and has a maximum of three months to make a decision.

The case has attracted attention from throughout the state and could end up at the California State Supreme Court.

Numerous Boys's Club officials in other towns have pled that equal access would violate the clubs' rights and destroy their special mission. And other youth program professionals have argued that equal access did not destroy the clubs in towns like South San Francisco, San Mateo and Fayetteville, Arkansas.