

# Boys' Club doors opened to girls

By ADRIANA REYNERI

STAFF WRITER

Five Santa Cruz teenagers Monday won a sex discrimination suit against the Boys' Club of Santa Cruz. The victory, however, handed down by the state Supreme Court, has left some hard feelings at the club.

The issue began in 1977 when several girls, including Victoria Isbister, Naomi Goldfrank and Paula Smith, tried to join the Boys' Club, a facility at 543 Center St. offering indoor swimming, volleyball, basketball and a library. They learned they could not register because they were girls, John Isbister, Victoria's father, said.

The children and their parents sought the help of the local chapter of the American Civil Liberties Union. Members reviewed the issue, realized it could become a long, drawn-out court battle, and asked the San Francisco ACLU to sponsor the case, said Andy Andreasen, a retired state Department of Forestry worker who headed the local chapter at the time.

San Francisco ACLU lawyers interviewed the girls, as well as some boys, who belonged to the club but were upset because their sisters and female friends couldn't join, said Susan Popik, an attorney who takes on ACLU cases.

"They were so clear and so convincing," Popick said. "It really hurt them and made them feel crummy. It was a group of really articulate and extremely impressive then-young girls, now practically young women."

Three girls, Isbister, Goldfrank, and Smith, as well as two boys, Zachary Wormhoudt, son of Santa Cruz Mayor Mardi Wormhoudt, and Michael Frick filed suit in state Superior Court in Santa Cruz County in 1977.

Judge Christopher Cottle ruled in the childrens' favor in 1979. The Boys' Club, represented by attorney Bob Bosso, appealed the decision to the first district state Court of Appeals in San Francisco. The Boys' Club won the appeal in a 2-1 vote in the summer of 1983.

The teenagers appealed. The state Supreme Court heard the case in December 1983 and handed down its 5-2 vote yesterday, almost two years later.

The court said state civil rights laws banned sex discrimination in "public accommodations." The court said the law included a club providing recreational facilities to all boys, but excluding girls.

Attorney Bosso, also a

member of the Boys' Club board of directors, said, "It's not totally unanticipated given the recent history of the Brown appointees on the Supreme Court. I think it's an example of judges writing social policy."

"I guess what the court is saying is 'if you're a private organization, don't be too good to too many people.'"

The Boys' Club opened in 1969. It was built through the donations of John and Ruth Mallery, who bought the land, gave the money for construction and set up a trust that provides 70 percent of the money it takes to run the club, Bosso said.

Bosso and Terry Kaup, current director of the club, said the controversy was stirred by local activists who wanted to make an issue of the Boys' Club. They say it was the parents and the ACLU, not the children, who cared.

Victoria Isbister, who was 9 years old when she tried to join the club, disagrees.

"I think it was convenient for them to believe that," she said. "We were the ones who asked our parents why we couldn't join. I always felt, while my parents were proud of me, they were not the driving force. It was great to have the help we did, but we took the initiative."

Isbister, now a 17-year-old Santa Cruz City High School student, said she took a lot of flack from her classmates, especially the boys who said things like, "the woman's movement hasn't come to Santa Cruz, yet," until just three or four years ago.

She said she's glad about the decision and looks forward to using the Boys' Club.

"It gives me the feeling we have power in going through our legal system and our laws," she said.

The Boys' Club will have to create a girls' locker room before it can open its doors to females, Kaup said.

If the change brings in many new members the club may have to cut back its hours, he said.

John Isbister, a professor of economics and Provost of Merrill College at UC-Santa Cruz said he, other parents and the children are interested in helping the club make those changes.

But, said Kaup, "Those parents weren't interested in helping us before. They were interested in getting their way. I think we can handle it without them. There are some hard feelings."

REFERENCE

APTOS BRANCH LIBRARY  
7695 Soquel Drive  
Aptos, California 95020

GREEN SHEET  
October 23, 1985