

The NUDE & NEWSLETTER

THE NATURIST SOCIETY

NATURIST ACTION COMMITTEE • NATURIST EDUCATION FOUNDATION

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Reclaiming Santa Barbara's Beaches?

Names like Bates and Summerland evoke strong feelings among naturists. Can they be returned to clothing-optional use?

SANTA BARBARA COUNTY, California — A group of Southern California Naturist Association members and friends are looking to reintroduce nude use on at least one of the formerly clothing-optional beaches in Santa Barbara County. When they recently considered a source for help and advice, the credible choice was the Naturist Action Committee.

Santa Barbara County was home to several clothing-optional beaches from the 1960's until early in the new millennium. Despite the fact that Santa Barbara County and the City of Santa Barbara enacted anti-nudity ordinances in the late 1970s, the two most popular sites, Bates Beach and Summerland Beach enjoyed many subsequent years of hassle-free nude use. However, when the County Sheriff's department made Bates and Summerland targets for increased enforcement efforts early in this decade, that signaled the beginning of the end. The last naturist holdouts at Bates Beach moved up the coast to Summerland and hung on until the numerous citations there overwhelmed them.

In choosing their enforcement priorities, County officials declared that those who chose to be nude on the beach constituted a nuisance, interfering with the right of the public to visit parks and beaches without being confronted or offended by simple nudity.

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Barer times. A Santa Barbara Beach in 1992.

An Update from the Front

by **Marc Welter** and
Sonya Robinson

Last week Sonya and I decided to take a drive up the coast from Ventura to Carpinteria. We enjoyed lunch in Carp and while eating decided to do a little fact finding about the local nude beaches. We formulated a quick plan and before Sonya could finish her coke were off to see the authorities.

We first went to the Carpinteria State Beach and Campground, pulled up to the entrance booth and asked the park rangers for help in deciphering exactly what jurisdictions existed along the coast. We told them we were nudists and had been going to Bates and Summerland beaches for many years and noticed they were now without nudists! They responded by giving us some pamphlets. They knew only that they worked at a state beach and didn't have any of the answers we were looking for. We asked to speak to their supervisor and were directed toward the park headquarters building where we met John Futoran.

Futoran's card stated he was "Lifeguard Supervisor / Peace Officer #1164, California State Beach / Ventura Sector of the State of California Department of Parks and Recreation." After taking a moment to read his

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Cape Cod Beach Cleanup



A scene from the 2005 edition of the annual event.

by **George Winlock**
NAC board member

Saturday, June 10
9 AM - parking lot at
Race Point Beach

This year the Cape Cod Nudist and Naturist Coalition will hold its tenth annual Beach Cleanup on June 10 at Race Point Beach in Provincetown, Massachusetts.

There is no general federal law prohibiting nudity, but in 1975 a specific ban on nudity was adopted for Cape Cod National Seashore. To this day the ban still exists. It will take an act of Congress to get it removed. The reason given for the ban was the prevention of damage to the fragile dunes, but the rangers of 30 years ago trampled all over the dunes in their effort to protect them from the nudists.

Lee Baxandall, founder of The Naturist Society, had a summer home in Truro and had an interest in having a nude beach on the Cape. He started a movement here, and that is one of many reasons we believe Cape Cod National Seashore is a place where areas should be set aside for nudity.

A coalition was formed 10 years ago to demonstrate concern for the environment and establish naturists and nudists as responsible people with whom Park Service officials can deal. The members of the coalition are:

- The Naturist Society
- Naturist Action Committee
- American Association for Nude Recreation
- AANR-East
- Sunchasers Travel Club
- Pilgrim Naturists

The coalition has sponsored annual cleanups of the beach in the Provincetown area since 1997. In recent years, the joint project has been coordinated by Bill Falconer of Sunchasers. Each year, leaders from the coalition's partners have met with Park Service managers to air concerns and resolve conflicts.

The success of this effort is reflected by the fact that in the past few years, there have been no citations issued for simple nudity at the National Seashore. By law, Park managers and rangers are required to recognize the ban, but enforcement of it has not been among their higher priorities. Many credit this to the goodwill created through the annual cleanups.

If a citizen files a complaint, park rangers are obliged to make an investigation, but without a formal complaint, they have left us alone. Their request has been that we stay out of view of the top parking lot at Longnook Beach and avoid conflicts by covering up in the presence of non-naturist users. Naturists also cover up in the presence of rangers. This is not merely a gesture. Its practical benefit is that it avoids placing park officials in a position of being able to confirm complaints through personal observation. If a Seashore ranger gives you a verbal warning and asks you to cover up, try to see it as the courtesy it is intended to be.

We can use your help at this year's cleanup. It's a clothed event. Volunteers should be at the Race Point Beach parking lot at 9:00 a.m. on Saturday, June 10, 2006. We'll do the cleanup in the morning, have lunch around noon, and then those who wish can join us on the beach, where the dress code will be more relaxed.

2006

Upcoming Naturist Gatherings, Festivals and Events

FOR MORE INFORMATION:

CALL *The Naturist Society* at (800) 886-7230
VISIT www.naturistsociety.com
WRITE TNS, PO Box 132, Oshkosh, WI 54903

- June 19-25 **Eastern Naturist Gathering**
Eastover Resort, Lenox, MA
www.eastover.com
- July 10-16 **Nude Recreation Week**
Throughout North America
- July 20-23 **Western Naturist Gathering**
Laguna del Sol, Wilton, CA
www.lagunadelsol.com
- August 8-13 **Northeastern Naturist Festival**
Empire Haven Nudist Park, Moravia, NY
www.naturistrochester.com

NAC Works Behind the Scenes to Stop Dangerous Kentucky Legislation

by **Bob Morton**
Chairman and Executive Director
Nacurist Action Committee

FRANKFORT, Kentucky — Before the Kentucky legislature adjourned sine die on April 12, it had considered more than 1,000 bills - 754 in the House and 258 in the Senate. For a state that only recently saw the need for legislative sessions in even-numbered years, that's a pretty amazing total. Perhaps even more impressively, the Nacurist Action Committee (NAC) reviewed every single one of those bills on behalf of naturists.

As a result of that careful scrutiny, NAC identified 12 bills that required close monitoring. Four of those measures required NAC's action.



Kentucky State Rep Ruth Ann Palumbo (D-Lexington).

House Bill 157 was introduced by Rep. Ruth Ann Palumbo (D-Lexington), a perennial crusader for her personal view of moral standards. Mere nudity qualifies as indecent exposure under Kentucky law, and this alarming legislation sought to categorize indecent exposure as a "sex crime." Moreover, HB 157 even applied the sex crime label to the "attempted commission" of indecent exposure, whatever that might be.

Palumbo's bill also added the lifetime GPS tracking of sex offenders, a trendy new direction in lawmaking. It's expensive and of questionable reliability and accuracy, but it's often popular enough to carry other issues to passage.

House Bill 305 would have established the new crime of "public indecency." Sponsored

by Rep. Jeffrey Hoover (R-Jamestown) and Rep. Brad Montell (R-Shelbyville), the proposed new law was not intended to replace the state's existing indecent exposure statute, but to add another law to the books.

HB 305 was touted as "an Act relating to public morals." As drafted by Hoover and Montell, "public indecency" would have included "full or partial nudity" on its list of prohibited behavior, which included bestiality and masturbation.

Interestingly, HB 305 proposed excluding the the entire list of prohibited activities from being considered illegal, as long as they were to take place at a "private facility that has been formed as a family-oriented clothing-optional facility that is properly licensed by the state." The exemption would permit nudity at licensed facilities, but it would also allow bestiality and masturbation at such places.

Since 1978, Kentucky has allowed the licensing of facilities it calls "nudist societies." However, the process established by the state for seeking a license virtually guarantees that none will be issued. The puzzling exemption in HB 305 was probably moot.

House Bill 495 sought to allow a patchwork of local government licensing and regulation for businesses that allow "a state of undress." The bill was introduced by freshman legislator James R. Carr (R-Frankfort), with the bipartisan backing of a fellow GOP first-termer and two veterans from the Democrats' side of the aisle.

The Kentucky House of Representatives is presently controlled by Democrats, and the bipartisan mix of sponsorship for HB 495 increased its threat level. Like HB 305, this bill offered an exemption for "nudist societies."

Senate Bill 250 proposed defining "sexual misconduct" to include appearing "in a state of nudity in a sexually-oriented business. Such sorts of businesses would include "sexual encounter centers."

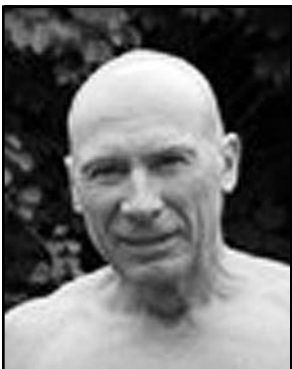
Although defined nowhere in Kentucky law, "sexual encounter center" has been specified in other states to mean:

"a business or commercial establishment that, as one of its primary business purposes offers for any form of consideration a place where two or more persons may congregate, associate or consort for the purpose of engaging in ... the exposure of specified anatomical areas or activities when one or more of the persons is in a state of nudity or semi-nude."

The Nacurist Action Committee met these legislative challenges swiftly and efficiently. NAC moved quickly to retain an experienced legislative advisor as a guide for the volunteer organization through sometimes murky Kentucky lawmaking processes. NAC worked behind the scenes to stop the bills.

The result? All four bills died. None was passed into law.

NAC Director Bill Schroer has board-level responsibility for Kentucky. Upon the completion of the session, Schroer commented on NAC's successful approach. "It might not have been our choice of what to do elsewhere," he said, "but this is exactly what we needed to do in Kentucky."



Nacurist Action Committee Board Member Bill Schroer.

Santa Barbara (continued from page 1)

Behind the effort to bring back naturist use to the beaches are Bates Beach regulars and SCNA members Marc Welter and Sonya Robinson. While attending the Western Naturist Gathering in 2005, they approached California NAC board member Allen Baylis for advice. Baylis is also President of Friends of San Onofre Beach, and has first-hand experience with nude beach issues. He was eager to offer NAC's assistance and expertise. SCNA president Gary Mussel invited him to an SCNA meeting to discuss putting Bates Beach back on the naturist map.

At an April SCNA hot tub party and barbeque hosted by Marc and Sonya in Ventura, Baylis spoke to an attentive group of about 40 naturists. Focusing on the grass roots model for gaining (or regaining) nude use of public lands, he noted, "The importance of a local user group can't be overstated."

He also discussed the importance of getting to know local politicians, educating them on the issue, and working with people like those at NAC and The Naturist Society, who are experienced in the area of public lands nude recreation. Baylis, a lawyer by profession, also explained various laws, policies and regulations of which California naturists should be aware, including the famous but often misunderstood "Cahill Policy" that relates to nudity in California State Parks.



NAC board member Allen Baylis (lower left) knows that some of the best naturist strategies are refined in a hot tub.

Baylis arranged his visit so that Marc, Sonya and Gary could take him on a tour of Bates and Summerland the following day. "There's nothing like going there and seeing the lay of the land," Baylis commented. "Both beaches have geography working in their favor. The problem is political."

Interested in helping? Contact NAC or contact SCNA by phone at (818) CAL-BARE (225-2273), or e-mail the club at scna@socialnaturist.org. Mailing address is 23679 Calabasas Rd #160, Calabasas, CA 91302.

From the Front (continued from page 1)

card I figured two things: 1. This is the guy who can give us some answers, and 2. He needed a bigger card.

We talked for awhile about jurisdictions, boundaries and his role in all of this, and we found that he works in conjunction with the Santa Barbara Sheriffs Dept. They back each other up as needed. Alas, he was not able to give us the answers we were looking for, but he was trying to be helpful and did give us the phone number for the main office of S.B. County Parks and Recreation.

It was too late in the day to drive on up to Santa Barbara so we decided to save that for another trip. But we weren't finished yet.

We decided we would pay the Sheriff's Office a visit, (after all they had paid us a few visits over the years). The Sheriffs Dept. building is located next to the City Hall in Carp. and use to be the Police Dept. The Police and Sheriffs integrated in Carp. about 10 years ago.

Sonya and I first met with Sheriff Deputy J.D. Greene, who was six months new to this office but a veteran of the department. I explained who we were and what we were after and to make a long story short he suggested we talk to the County Board Supervisor for District 1, Salud Carbajal and/or J.D.'s Lieutenant.

This is where the story takes a little twist. His Lieutenant was none other than Darin Fotheringham, currently in charge of the Carp.office and part of the Coastal Operations Bureau. What is the twist you ask? Sonya and I knew him as Officer Fotheringham from 14 years ago when he gave us and 3 others tickets for public nudity at Bates Beach! As Sonya and I looked at each other in the waiting room half amazed and half apprehensive, in walked the deputy with his Lieutenant and introduced us. We were invited back to his office and got to know each other again.

Darin commented that we looked familiar and I explained that we had met before and after a few questions on his part he searched his computer for a date and promptly opened his bottom drawer and pulled out an old stack of tickets and sure enough all 5 were in the stack. He offered ours to us and we said "No thanks, we already have a copy!" He asked if we had gone to court and what had happened. I told him that one of the group mailed in the \$110.00 for the ticket, three of us went and talked to the District Attorney and had the ticket cut down to \$55.00, which is what the statute called for. The last one showed up in court and got off without paying a fine.

He said he remembered our case and was planning on being in court but had marked the wrong date on his calendar. He had gone to court the next day only to find out his mistake.

We talked about the old days of live and let live and I told him I thought he owed Sonya and me \$110.00 for cleaning up the beach. (The day of the tickets we had been cleaning the

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beach of overgrowth and trash and burning it. The deputies had watched us from atop for several hours and waited till we started burning the trash before coming down and citing us for nudity, not the fire.) We all had a good laugh and then we got some of the information we were looking for. Some info we knew already but here is what we were told.

The creek on Rincon Point separates Ventura from S.B. county. The Ventura side is State Beach and the Santa Barbara side is County Beach up to about the end of the seawall where it becomes part of the city limits of Carpinteria. The State Beach starts at Hwy 150 and stretches up through Carpinteria. The area up above the beach at Bates is a County Park. Darin said the sheriffs have to investigate any complaint and that over the past few years they have had complaints coming in to his office. He said the way the community is changing, with more [clothed] families using the beach and moving to the area he didn't think we could regain the beaches we were accustomed to using for our purposes. "You weren't the problem, the problem was the people you attracted" he said. The sheriffs had had numerous calls for perverts in the bushes above the beach.

They encountered sexual acts, drug use and nudity on the cliffs and in the parking lot of Bates. He also spoke about the development above the beach planned for the future, and the climate of thinking in the community making it harder to go back to the way it was. This also holds true for Summerland and to a lesser extent, More Mesa. The sheriffs still patrol MM, but on a less regular basis. Tickets will be given out when nudity is encountered. Under the changing



Overdressed. NAC board member Allen Baylis (left) at an empty Bates Beach with Sonya Robinson and Marc Welter. April 2006.

climate he said he has no choice, he has to enforce the laws on the books, however he said he had empathy for our situation. He thought our only chance was to find someplace closer to Gaviota, (less populated and more rural) but even then he would have to react to complaints.

The *Coastal View* is a local free newspaper which has a "good on ya / bad on ya" column in which 3 weeks ago the sheriffs got a bad on ya for not policing the beach as much as someone thought they should.

Evidently someone had walked the beach, found nudity and written in to the paper. Darin said they have to operate where the hot spots are, and as they move the sheriffs move. With the complaint and a bad mark on their report card for all to see, Darin was getting ready to address his men on the nudity issue once again and step up policing the beaches. When I asked him what statutes he tickets under, he said it was determined by city limits, county or state depending on where the transgression occurred

All in all I felt we had a good conversation. We tested the waters, received honest answers, empathy and even suggestions albeit a tough row to hoe. Darin Fotheringham thanked us for coming in to see him, said we were going about this the correct way and suggested we talk to the County Board of Supervisors to change existing law. My impressions of the Sheriffs Dept. have changed and I believe the Dept.'s have changed toward us. Whatever happens, I think this communication was a good first step.

Marc Welter and Sonya Robinson are members of Southern California Naturist Association.

Showdown Looming in Kansas

TOPEKA, Kansas — Owners of a Shawnee County property barred from hosting naturist events are forcing a showdown with County officials. The rural site is the leased home of the nonprofit Lake Edun Foundation and its annual *Return to Edun* convocation, which is a nude event.

Following the County's refusal to renew their use permit, land owners Webb and Julie Garlinghouse have been under a court imposed injunction

that prevents "commercial or recreational activities" on the secluded 60-acre property and 10-acre lake.

Through their attorney, however, the Garlinghouses have informed County officials that they were approached by the Libertarian Party of Kansas, which wishes to use the land for a political rally and fund raising event. The Garlinghouses have agreed to allow the event, which will take place July 7-9, 2006, and will be called

Return to Edun / Return to Freedom.

"A political rally is a very different thing from a commercial or recreational activity," Webb Garlinghouse said recently. Regardless, County Counselor Richard Eckert has said he intends to see the injunction enforced.

So what will be the dress code for the July political event? Garlinghouse says it's not up him, but to the Libertarians, a group whom he notes "are not big fans" of government-imposed standards for individual choices like personal dress and appearance.

ORCOBA's Collins Beach Cleanups

Oregon Grassroots Group at Work with Oregon Department of Fish & Wildlife

by **Don Zirbel**
NAC Area Representative

The Oregon Clothing-Optional Beach Alliance (ORCOBA) has participated in two cooperative cleanup events this spring at Sauvie Island's Collins Beach near Portland.

On Saturday, April 22, ORCOBA helped celebrate Earth Day by taking part in a large-scale cleanup and restoration of Sauvie Island's public recreation areas and wildlife habitats. The annual event is hosted by the Oregon Department of Fish & Wildlife (ODFW), and was part of this year's "SOLV-IT 2006," one of the largest Earth Day projects in the U.S.

SOLV – an acronym for Stop Oregon Litter and Vandalism – is a non-profit organization established in 1969, bringing businesses, government agen-

The **Oregon Clothing-Optional Beach Alliance** (ORCOBA) is part of The Naturist Society's Naturist Network. It's a grassroots collection of individuals dedicated to the preservation, maintenance, protection and promotion of family-friendly, clothing-optional recreation at Oregon's two officially-designated CO beaches: Sauvie Island (Collins Beach) and Rooster Rock State Park.

Beach cleanups at the two sites are occasionally scheduled by other groups - even nudist organizations. But in contrast to outside organizations that tout cleanups as opportunities to recruit members for their various affiliated resorts, ORCOBA was actually born of the beach.

cies, and volunteers together for numerous environmental cleanup projects around the state. ODFW is the state agency responsible for management of all public lands on Sauvie Island, including the officially clothing-optional Collins Beach. ODFW adopted the entire island for the Earth Day event.

Mark Nebeker heads up ODFW's Sauvie Island office. "Typically, we get around a hundred volunteers for this island-side event," noted Nebeker. "We're pleased to be able to count on the support and participation of ORCOBA members to help us have a positive impact on the island, particularly at Collins Beach."

"Working with groups that have a stake in the island is always a big help to us," adds Jennell Hoehne, Volunteer Coordinator for ODFW. "We were glad to hear that Mark Nebeker has asked

ORCOBA to join us, and we are dedicating Collins Beach to ORCOBA for this event."

On Saturday, May 20, ORCOBA hosted an additional Collins Beach cleanup as part of SOLV's eleventh annual "Down by the Riverside" event. Each year, more than 500 sites around the state are cleaned up by "Down by the Riverside" volunteers, removing a cumulative total of over six million pounds of debris.

"We're looking forward to ORCOBA's involvement in 'Down by the Riverside,'" SOLV Program Coordinator Nancy Spieler said during preparations for the event. ODFW's Jennell Hoehne added that since her agency had never hosted a "Down by the Riverside" cleanup project at Collins, she was pleased that SOLV had designated ORCOBA as project coordinator for that portion of the event.

More than 30 people turned out to pitch in. Several participants extended their efforts to Walton, the adjacent textile beach, as well as Willow Bar off of Reeder Rd. near the county line a couple of miles away.

All totaled, between Collins and Walton beaches and Willow Bar, about 25 full bags of garbage and recyclables were collected, along with several large chunks of Styrofoam and many smaller pieces, plywood and other lumber, and metal debris.

More information

SOLV www.solv.org.

ODFW www.dfw.state.or.us.

ORCOBA www.orcoba.org

Contact ORCOBA by email at info@orcoba.org.

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