



Photo by Walt Blumoff

ED DAVIS AGHAST . . . as 'stroller' comes calling

THE ADVOCATE

JULY 31, 1974

## STREAK JELLS OPPOSITION

# L.A. turns thumbs down on nudity

Bob Opel, who streaked the Academy Awards earlier this year, did the same to the Los Angeles City Council on July 11 as it was debating a total ban on public nudity in the city.

"Is that what you want? Is that what you want?" screamed a woman in the jam-packed chambers. Most of the audience, perhaps as many as 80 or 90 per cent, seemed to be anti-nudity. But that didn't prevent many of them from bringing young children to the nudity debate.

"If I had any doubts or reservations," said Councilman Bob Farrell after two police officers escorted Opel out of the chambers, "the point's been made for me."

Opel, an *ADVOCATE* contributing photographer, came on the scene after the council had rejected by a 9-4 vote an ordinance to ban nudity in Los Angeles except at specially designated areas.

As Opel appeared, the council was in the midst of debating a total nudity ban. The audience gasped as the nude figure calmly walked over to Los Angeles Police Chief Ed Davis and City Atty. Burt Pines.

Opel then raised both hands in a victory sign as two officers pulled him away. Davis disputed Opel's streak. He called it a "stroll."

The council then voted 12-1 to ban public nudity all over Los Angeles. Only the dissenting vote of Councilman David Cunningham prevented the ban from being passed immediately.

A city ordinance needs a unanimous vote to win the first time around, so the matter requires still another vote.

### Week's Grace

Nude sunbathers at Venice Beach, where the nudity controversy started, would have at least another week in the raw, then, before the law is passed and the police start cracking down.

Opel, who managed to escape the police when he streaked the Academy Awards, will probably be charged with indecent exposure and disrupting a public meeting.

Nude sunbathing had been going on at Venice Beach without any problems since last September—by both gay and straight people. But when television news cameras exposed the practice, Chief Davis urged a local nudity ban because state law didn't prohibit it.

Two weeks previously, the council had voted 9-4 for a conditional ban on nudity, but heavy public pressure caused an exact reversal of the vote on July 11.

Public interest in nudity was so great by July 11 that police officers

had to bar the entrance to the City Council's chambers after the maximum of 380 persons were let inside and at least another 200 gathered noisily outside.

The council's debate on nudity was piped over loudspeakers into another room to handle the overflow crowd.

### Other Issues

"I've never received more concern on any one issue than this one," noted Councilman Wachs, who said citizens also have a moral responsibility to speak up on other more important issues. "When an issue like murder comes up, I get two cards," he added. Councilmen have been besieged by letters and phone calls opposing nude sunbathing.

Councilman Ed Edelman had opposed any ban on nudity, with or without conditions, because he contends state law and the courts already permit nudity arrests anywhere public except secluded areas.

But when Pines refuted that contention, Edelman conceded and voted for the total nudity ban.

The surprise was Councilman Cunningham, the lone dissenter. He said he would consider "a law banning guns that kill people. I don't know of any nudity that killed anyone. Why can't we rule out drugs, prostitution, crimes that really affect the citizens of this city?"

### No Crime

"I'm a moralist too. I'm also quite concerned. But I'm not interested in making something criminal that isn't a crime," he said.

At one point, he challenged Davis on the issue of nudity and streaking, pointing out that the police didn't arrest any of the streakers who did their thing in a black section of Los Angeles during a University of Southern California parade.

But the sentiment of Councilman Donald Lorenzen, who introduced the total nudity ban, prevailed. Answering Cunningham's remarks, he said: "I don't think that the drug problem is as exposed as a nude body."

# Streaker is striking in clothes

Los Angeles Municipal Judge Clarence "Red" Stromwall looked a bit perturbed when former streaker Bob Opel appeared before him on July 18.

The last time Opel had stepped on city property was when he attended the City Council debate on a nudity ban. "The council was debating nudity in the abstract," Opel said just before going into court, "and I wanted councilmen to see what it looks like in the flesh."

Of course, Opel appeared nude before the council.

When he appeared before Judge Stromwall, he was fully dressed. In fact, dressed to an extreme. This time, Opel decided to abandon his cupid role for the more mature role of Uncle Sam.

Except for his sunglasses, Opel had the famed patriotic uncle copied exactly—red and white striped pants, blue tail coat, stars, a blue sash, and a blue bow tie.

## Filip

But Opel's Uncle Sam was a bit more of a loving character than America's wizened uncle. He wore Lolita sunglasses: red heart-shaped lenses.

"We've got to take this thing seriously," Opel told a television news crew outside the court building. A crowd gathered around him, and two black kids tried to mimic him.

The city of Los Angeles is taking Opel's streak—or "stroll," as Police Chief Ed Davis called Opel's act—quite seriously. He has been charged with (1) indecent exposure and (2) disrupting and breaking up



Photo by Walt Blumoff

## 'UNCLE' BOB OPEL

a public meeting. And since this case appears to be destined for a long run in the courts, a special deputy attorney has been assigned to the case.

Judge Stromwall, a former police officer, apparently didn't see anything amusing in Opel's bizarre appearance. Stromwall sort of steeled himself, looked stern, and acted gruff as defense attorney Al Gordon asked for a continuance.

## Another Cause

It was granted. Opel is scheduled for arraignment on Aug. 2. Gordon and another defense attorney, Tom Coleman, indicated afterwards that they intend to make the Opel streak a *cause celebre*.

All the press reports of Opel's

streak on July 11 missed the dialog that Opel tried to have with Chief Davis, who was seated at a microphone in the council chambers.

"Is this lewd?" Opel asked Davis as he stood in back of the chief's leather chair.

No reply.

"I thought he didn't understand the question," Opel said on court day, "so I asked, 'Is this indecent?'"

Again, no reply.

"I kind of gave up. Then I turned toward the audience and gave Richard Nixon's double victory sign."

Apparently, Opel's Uncle Sam impersonation was intended as a continuation of that first patriotic gesture, as he himself indicated.

Opel, a freelance photographer who contributes the *ADVOCATE's* "Around Town" feature, has become a minor celebrity with his streaking, and it appears he might stretch out his act to become a major celebrity.

It was reported by a columnist in *Variety* that his two streaks (before the City Council and earlier this year at the Academy Awards in Hollywood) have given him enough material for a "nitery act," which in *Variety* parlance means a nightclub act.

Asked by a television reporter if he intended to streak again in public, Opel seemed to have decided to retire from gratuitous nude appearances.

"I don't know if there is any necessity to do that again," he said.

# City Hall Streaking Case Defendant Subpoenas Councilmen as Witnesses

By Johanna Neuman

Subpoenas are being served this week on Los Angeles City Councilmen who have been called to testify for the defendant in the state's case against Robert Opel, known as the City Hall streaker.

Police Chief Edward M. Davis and City Attorney Burt Pines, both present for the historic streaking event last July 11, will also be subpoenaed, according to Opel's attorney, Thomas Coleman.

Coleman said the city officials are being called as witnesses in the case, due to start Sept. 19.

The case stems from the city council's enactment of an anti-nudity ordinance banning the display of nudity on public playgrounds and beaches.

The city council had several sessions to debate the issue, adopting, on a preliminary basis, an ordinance establishing clothing optional zones for nude sunbathing and then changing its mind by adopting a total ban.

During one of the council debates, Opel, who also is said to have "streaked" the Academy Awards presentation last May, is accused of approaching City Attorney Pines and Police Chief Davis totally unclóthed and asking, "Is nude lewd?"

Opel was escorted from council chambers and arrested on charges of indecent exposure and disturbing a public meeting.

After the council's enactment of a total ban on nudity, the American Civil Liberties Union sought, and received, a temporary restraining order on enactment of the ban, postponing any arrests until the issues could be heard two weeks later.

But Superior Court Judge David Eagleson, after hearing the

arguments, denied a preliminary injunction and the arrests began.

Eagleson also denied the application of a Venice community organization, Beachfront, U.S.A., Inc., for a preliminary injunction, rejecting the application after a week-long delay to give the court time to replace a nudist magazine missing from Beachfront's affidavits.

Since then, the ACLU has appealed its case to the Second District Court of Appeal, where a request for a stay order was recently denied and another request, for a writ of supercedeas, which would have the same effect as a preliminary injunction, is still pending.

Several councilmen have already been served with subpoenas, including Marvin Braude, David Cunningham, Louis Nowell, Robert Stevenson and Robert Wilkinson.

Subpoenas for Davis and Pines as well as those for other councilmen present at the session on July 11 are expected to be served this week.

Some councilmen have urged the city attorney to act on their behalf in requesting a court procedure so that council business will not be interrupted, a request that has not yet been acted on.

Deputy City Attorney Ralph Amado, who is representing the city's case against Opel, said there is no prohibition against the issuance of subpoenas for public officials, but there may be some legal question about their being compelled to testify.

The case has been set for hearing on Sept. 19 in Division 40 of the Municipal Court, the master calendar court which will refer the case to a trial court for hearing.

The Los Angeles Daily Journal

## Muni Court 'Streaking' Trial Opens

From Our City Bureau

Nudity will be in the news again today as the trial of Robert Opel, accused of streaking through Los Angeles city council chambers, begins in Division 40, Municipal Court.

City Attorney Burt Pines, Police Chief Edward M. Davis and most city councilmen have been subpoenaed by the defense and are scheduled to be on call today for the start of the trial.

The case stems from the city council's enactment of an anti-nudity ordinance banning the display of nudity on public playgrounds and beaches.

The city council had several sessions to debate the issue, adopting, on a preliminary basis, an ordinance establishing clothing optional zones for nude sunbathers and then changing its mind by adopting a total ban.

City Attorney Burt Pines had earlier ruled that recent court opinions indicated that nudity, absent lewdness, was not illegal, a ruling Police Chief Edward M. Davis publicly criticized.

During the council's debate on July 11, Opel, who also is said to have streaked the Academy Awards presentation last May, is accused of approaching Pines and Davis totally unclóthed and asking, "Is nude lewd?"

Opel was escorted from council chambers and arrested on charges of indecent exposure and disturbing a public meeting.

Deputy City Attorney Ralph Amado, who is prosecuting the case, said a jury selection could come as early as next week.

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## DISRUPTED MEETING

### Council Streaker Gets 4 Months; Spurns Probation

BY WILLIAM FARR  
Times Staff Writer

Robert Opel, an "unemployed propagandist" who first streaked into the public eye at the 1974 Academy Awards ceremony, Tuesday was sentenced to four months in jail for disrobing during a Los Angeles City Council hearing on nudity at municipal beaches.

His sentence could have been 100 days shorter but he refused to accept probation conditions imposed by Municipal Judge Irwin Nebron.

Nebron had offered Opel three years of probation on the conditions that he spend 20 days in jail, pay a \$300 fine and visit a psychiatrist.

The 35-year-old Opel told the judge he was declining the probation offer as a "matter of principle." At the outset of the trial last month, Opel said he was trying to show that "nude is not lewd."

Jurors at least partially agreed with him in returning a split verdict Oct. 3, convicting him of disrupting a public meeting but acquitting on a charge of indecent exposure.

After Opel declined to be placed on probation, Nebron imposed the 120-day sentence and observed that a society cannot survive if people are allowed to disrupt its functions without punishment.

Opel was jailed after the sentencing but released a short time later on a \$3,000 bond pending his appeal of the conviction.

Probation officer Perry Nuckols had recommended summary probation and a fine for Opel.

Nuckols said he made the recommendation "inasmuch as Opel's behavior seems to be more of a nuisance than a societal threat . . ."

Nuckols also observed, "A defendant may well be sincere in terms of his views regarding the human body and nudity; or conversely he may be an opportunist."

It was to Nuckols that Opel de-

scribed himself as an "unemployed propagandist."

Opel told the probation officer that he had been working in the Los Angeles city school system as an adult school curriculum writer and television producer at the time of his April 2 "streak" before the Academy Awards audience.

He blames his losing the school job on that incident, the probation report stated. Opel was not prosecuted for the Academy Awards performance.

At the council meeting Opel unzipped a jumpsuit, stepped out nude and jumped over a rope to approach police Chief Edward Davis who looked up in surprise as Opel touched him on the shoulder.

A short time after Opel was whisked away by the council sergeant-at-arms, the councilmen voted 12 to 1 in favor of the ordinance banning all nudity on city beaches.