

Brown and women

How affirmative the action?

By NANCY FRIEDMAN

The story of how women have fared in state government and politics since the advent of Governor Brown's "New Spirit" reads something like a good news-bad news joke. First, the good news:

- For the first time in its history, California has a female secretary of state — the highest elective state office a woman has won.
- Also for the first time, two members of the Governor's cabinet are women.
- Women are gaining entry into non-traditional appointive positions — membership on the Adult Authority Board, for example.

Then, there's the bad news:

- There still are no female state senators (nor have there ever been in California history).
- During Governor Brown's first six months in office only 13 percent of his appointments to boards and commissions were women.
- There are no women in the Senate's top professional salary range (assistants to leadership); only two women on the Senate staff are ranked above the level of associate committee consultant.

In his inaugural address Governor Brown promised that "both men and women will have an equal opportunity to obtain every available job." His first appointments seemed to bear out that promise — Rose Bird was named to head the Agriculture and Services Agency, and Claire Dedrick was chosen as secretary of the Resources Agency. Brown's appointments assistant, Dr. Carlotta Mellon, had been a women's studies professor at Pomona College, and during the transition period she toured the state to encourage women to seek appointive posts in the new administration. Women's groups lobbied the new Governor to "screen in" women because, they maintained, women had been "screened out" in the past.

'No quota'

Six months into the Brown administration, there was some grumbling to be heard from those women's groups. Members of the Commission on the Status of Women, as well as other feminists, complained that Brown's appointments of women were to the few highly visible positions that attract publicity. The more numerous middle-level jobs, it turned out, were being filled mostly by men.

It is not entirely the responsibility of the Governor — nor of his staff — to bring about equal representation of women in state government. Furthermore, the administration's policy is one of affirmative action in spirit though not necessarily in letter. "We have no

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quota system in mind," says Carlotta Mellon. "Although we feel that groups shouldn't be excluded because of their minority status, we're more concerned with bringing in the best-suited people for the job in terms of expertise, administrative background or life experience."

Those females who have won appointments in the Brown administration have been universally praised by women's organizations for their experience and competence. There is a sense of relief that the female appointees are not "tokens" but instead are well-qualified individuals chosen for their merits and not just their gender. With talent such as this available, some women wonder why Brown has not appointed more women to vacant positions, particularly on key boards and commissions. All five of Brown's appointees to the state Energy Resources Conservation and Development Commission — called by commissioner Bob Moretti "unquestionably the most powerful commission in the state" — were males. Brown has made four appointments to the Commission on Government Organization and Economy (the "Little Hoover Commission") — all males. Both of his appointments to the Public Utilities Commission were men. In all, of 60 appointments made to boards and commissions in the first six months of the Brown administration, only eight were females.

Disappointing reality

"Frankly, the reality (of the Brown administration) is disappointing," said Pamela Faust, executive director of the California Commission on the Status of Women. "In spite of all the publicity, women are still in non-decision-making positions, in the least interesting, lowest-paid jobs."

While women have had moderate success in winning

Professional female employees on legislative staffs

	March 1971			March 1974			July 1975		
	Professionals	Women	%	Professionals	Women	%	Professionals	Women	%
Senate	157	10	6.3	221	23	10.4	217	69	31.8
Assembly	131	16	12.2	180	41	22.7	280	86	30.7
Joint	55	4	7.2	85	16	18.8	35	12	34.3
TOTALS	343	30	8.7	486	80	16.5	532	167	31.4

appointive offices, they have only maintained the status quo in elective politics. Despite educational blitzes by the National Women's Political Caucus and the National Organization for Women, most would-be female contenders still find the challenge of financing a campaign and running for office overwhelming. Three women ran for Assembly seats last November; only one of them won — Leona Egeland of Santa Clara. (Another woman, Teresa Hughes of Los Angeles' 47th District, won a special election held in July.)

Even males who have never before run for office have certain advantages over their female counterparts. For one thing, the business community is more willing to listen to men and to help finance their campaigns. "I had to personally contact everyone who contributed to my campaign," Egeland said. "A man might make one or two contacts in the business community who would spread the word for him."

Egeland also blames the structure of California government for some of the difficulties female candidates encounter. In Arizona (her home state), she pointed out, there are nine women in the legislature. But Arizona's assembly districts encompass 40,000 people while Egeland's Santa Clara district represents 250,000. "Personal contact with voters is very important for a woman candidate," Egeland maintains. "It overcomes the fear people have of women office-holders. With smaller districts, more women could probably campaign and win." Egeland, who considers her function as a model to other women as equally important as her legislative function, has received inquiries from 10 women who plan to run for state office asking her advice.

Women in rural counties are more likely to be found in local government than are urban women. Of the state's

12 female county supervisors, six are in rural counties; none is in Los Angeles or Orange counties. Likewise, nearly all of the state's 30 female mayors were elected in rural towns; the exception is Janet Gray Hayes, who was elected mayor of San Jose last November. Local government office in rural areas may be unsalaried, though, and often women who attain these positions are simply following the pattern of voluntary community service that women have traditionally chosen.

Legislative jobs

The most encouraging area for women in state government has become the legislative staffs. Female professional employees — consultants, research aides, analysts and administrative assistants — account for 31 percent of all professionals in both the Senate and the Assembly. In the Assembly, 40 percent of employees hired or reclassified to professional levels since July 1974 have been female. Two of the 20 Assembly committee consultants are women — Eve Ostojka (Intergovernmental Relations) and Renee Franken (Urban Development and Housing). Cathy Creegan is one of three co-consultants to the Senate Finance Committee. When *California Journal* last surveyed women in state government, there were no female consultants to standing committees. Assembly Rules Committee consultant Fred Taugher denies the existence of a quota system in hiring but says the Assembly leadership is making a "conscious effort" to fill vacancies with women and ethnic minorities. [See "Women in politics: the frustrated majority," *CJ*, March 1974, and "Legislature's \$25 million staff," *CJ* August 1974].

Salaries for women in these positions have not achieved the level of their male counterparts, however. The average annual salary for a female professional employee in the Assembly is \$15,984, compared to \$20,196 for a male. In the Senate, there are no female assistants to leadership, the highest salary range (\$18,000-\$22,956) among professionals. On the other hand, women tend to dominate the lowest salary slots: 62 percent of Senate research aides (salary range: \$10,548 - \$12,828) and nearly half the field representatives (\$11,304 - \$13,944) are women.

The legislative groundwork has been laid for equal representation of women in state government. The language of forms and applications is gradually being changed to read "his or her" instead of the traditional automatic use of male gender. But in the absence of a state affirmative-action program, the future of women in state government will depend upon a combination of a woman's own determination and the willingness of the male majority in the executive and legislative branches to share its authority with the female majority.

A final unknown concerns the judicial branch. By mid-August, Governor Brown had filled only a small percentage of nearly 70 judicial vacancies. Since there are 1,600 female attorneys in California, many women believe that the most critical test of Brown's commitment to equal representation of women will come when he decides how many of those to pick for judgeships. ♣

Governor's key female appointees

Name	Position	Salary
Rose Bird	Secretary, Ag. and Services Agency	\$43,404
Claire Dedrick	Secretary, Resources Agency	43,404
Virginia Mae Days	Director, Department of Veterans Affairs	34,101
Janet J. Levy	Director, Office of Aging	31,008
Carlotta Mellon	Appointments Assistant	31,000
Alice Daniel	Ass't. Director of Legal Affairs	31,000
Brook Carey	Sup't. Calif. Institution for Women	29,688
Florence Kong	Deputy Appointments Secretary	24,000
Boards and Commissions		
Ruth Rushen	Member, Calif. Adult Authority	31,008
Pearl West	Member, Youth Authority Board	26,250
Mary Nichols	Member, Air Resources Board	12,504
Jan E. Chatten-Brown	Member, Tahoe Regional Planning Agency	expenses
Ann Eliaser	Member, Tahoe Regional Planning Agency	expenses
Louise Giersch	Member, Seismic Safety Commission	per diem & expenses
Suzanne Jackson	Member, Calif. Arts Commission	expenses
Mary Jean Pew	Trustee, Calif. State Colleges and Universities	expenses
Jackie Walsh	Member, Industrial Welfare Commission	per diem

Legalizing street-walking

--one step at a time

In May of this year the San Francisco Police Department's Special Services Bureau raided the headquarters of the Golden Gate Foundation, a lavish Victorian mansion that housed what its directors claimed was a sex-therapy institute. The vice squad thought otherwise. Police arrested seven women and one man under California Penal Code Statute 647b – the statute that makes any person "who solicits or who engages in any act of prostitution" guilty of a misdemeanor.

The case illustrates the awkward nature of California's prostitution laws. Since passage of AB 489 this spring, nearly all forms of private sexual conduct between consenting adults are legal – as long as they don't involve an exchange of money. Yet sexual therapy institutes, nude-encounter studios, massage parlors and explicit "personal" classified ads – all of which may sometimes serve as fronts for prostitution – are giving the oldest profession a de facto, if not a de jure, legal status in many communities. And no one – from feminists to law-enforcement officials, attorneys and legislators – seems to be happy with the present situation.

Prostitution is a large industry, but it's impossible to say how large. It has been conservatively estimated that the gross annual revenue of prostitutes in the United States is between \$7 billion and \$9 billion. In San Francisco, a prostitute averages \$100 a night. Only 10 percent of all prostitutes depend on street trade; the street-walker is generally a Black or other minority woman who is in some way closed out of the more lucrative levels of prostitution. A prostitute may use drugs, but it is more likely that she turns to prostitution to support her habit, rather than becoming addicted while a prostitute. While a prostitute sometimes becomes involved in other criminal activity, such as extortion or robbery, chances are she herself will more often be a victim of such crimes. Because of her "outlaw" status, she cannot report crimes committed against her.

The state as pimp

Advocates of decriminalization would like to see all criminal sanctions against prostitution removed from the books. Those who favor legalization want the state to reg-

ulate and tax prostitution as it does businesses and professions. On the other hand, many law-enforcement officials want a tougher anti-prostitution policy in order to break what they see as a crime cycle involving pimps, prostitutes, customers and, eventually, the surrounding community.

A San Francisco-based prostitutes' organization called COYOTE has been fighting for decriminalization since its founding two years ago. Margo St. James, COYOTE's founder and "chairmadam", opposes legalization because, unlike decriminalization, it would give the state licensing and regulating power over what a woman does with her body. "In other words, the state would be the pimp," St. James said. COYOTE representatives insist that prostitution is a victimless crime — one in which the only injury, if any, is to the person committing the activity — and that it logically follows that prostitution ought to be completely removed from government regulation.

Male prostitutes

Prostitution laws are also under fire for violating women's civil and constitutional rights. In a test case before Alameda County Superior Court in March, attorneys for the American Civil Liberties Union argued that criminal laws against prostitution discriminate against women and invade their privacy. Superior Court Judge Spurgeon Avakian handed down a landmark ruling, saying that male customers must be treated by police in the same manner as female prostitutes — they must be arrested, jailed, quarantined and treated for venereal disease. "The plain, unvarnished fact," Avakian wrote, "is that men and women engaged in proscribed sexual behavior are not treated equally." Local police responded to Avakian's order by using policewomen as decoys to solicit male passersby. In a second ruling Avakian said solicitation by a police officer is an inadequate method of arresting male suspects. The case is now before an appellate court.

Avakian's ruling pleased many feminists, but it ignored another side of the prostitution issue: male prostitutes. In San Francisco, male homosexuals comprise 25-40 percent of the total prostitution picture, authorities say, and arrests are proportional with those of female prostitutes. In Los Angeles, police regularly pick up male