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December 16, 1964

Richard J. Bartlett, Chairman  
New York State Commission on Revision of the Penal Code  
155 Leonard St., Room 654  
New York, N.Y.

Dear Sir;

It has come to my attention that one Fred Cherry is advocating changes in the New York State Criminal Code such as to remove prostitution as a criminal act.

I do believe it is time that our society must begin to accept reasonable and logical solutions to everyday human problems rather than blindly clinging to dogmas and prejudices fostered upon us in another age.

Why must man be denied the indulgence in a normal, basic, and satisfying aspect of human behavior simply due to the type of financial agreement realized between himself and his partner? Why should it be illegal for a woman to accept a definite amount of currency rather than requiring indefinite quantities of food, clothing, notions, and accessories in order to arrive at a cooperative viewpoint? This latter arrangement would in fact be considered the one of a lesser desirability in most other aspects of our life.

It has long been apparent to me that the individual willing or able to afford to disobey, disregard, or circumvent the law is the one who realizes the most enjoyment and satisfaction while the honest and obedient citizen suffers in silence. If this is a society of free men then we must allow the honest person his freedom to associate and obtain a measure of happiness in his personal relationships.

We are most foolish to allow any random couple to engage in legal sexual relations by virtue of a marriage contract with its serious implications and consequences while attempting to restrain other couples from an agreement to correspond which would result in no complications or obligations on the part of the general public.

My own life of the past 25 years- including 13 years of marriage to an uncooperative wife- has been one of torture and frustration because of a failure to obtain adequate sexual satisfaction. I can recall only a few instances during all those years when, after a completely satisfactory experience, I felt relaxed and able to devote full attention to the necessary problems of the day.

It is utter insanity to cause man- supposedly the

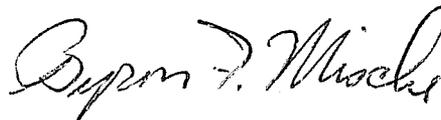
creative and constructive element and driving force of our society, expected to defend and die if required in the defense of our country- to be denied the association of a woman in time of need. Normal satisfaction of his sexual appetite and relief of the attendant pressure and tension frees the mind of man to concentrate on the more relevant considerations of life in our complex world, including that of a thoughtful and logical selection of a suitable mate for those capable, qualified, and disposed to enter the relationship of marriage.

Denial of a normal sexual outlet also results in the male being susceptible to, and therefore exploited by, many distortions such as the flood of suggestive (but not definitive) literature, motion pictures, and commercial advertising.

While I have not been so attracted myself, I can understand how homosexuality may become a tempting mode of relief when the law has placed so many obstacles and hazards in the way of a normal and natural association with a woman.

Although I am not a resident of your state, I feel that New York, noted in many ways as an enlightened and sophisticated state, now has an opportunity to exhibit a positive approach to this disturbing problem as an example for the country as a whole. I implore you to assist in the rescue of sex, including prostitution, from the grasp of the despoilers and the criminal element and allow it to assume a honest, clean, decent and respectable stature in our land.

Sincerely,



Byron F. Mische  
334 Booker St.  
Sunnyvale, Calif.

Copy to: Fred Cherry, Brooklyn, N.Y.