

South Florida Free Beaches
Florida Naturist Association

The SunDial

The Journal of Florida Naturism

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www.sffb.com



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PRESIDENT'S MESSAGE

It has been several months since our last newsletter and there have been several reasons for that. For one, beginning in February through May, 2007, Shirley and I moved from our rental apartment to a house that was part way through remodeling. This has turned into a major time consuming experience and as a result I have been pulled away from much of my volunteer duties with SFFB/FNA. However, there has been no lack of news, activity or things to do on the Free Beach Naturist front.

The Florida Legislature: The last session of the Florida Legislature (March/April 2007) was a very threatening experience for Florida nudists/naturists. Read the information on pages 15 & 16, and I think you'll agree.

Now, Florida State Legislative Delegations are holding public hearings, committees are passing around proposed bills looking for sponsors and everyone is getting ready for the 2008 legislative session which opens March 6, 2008. The cost of our political action programs has increased and we are asking you to consider sending in a donation to support those programs. Please use the form on page 7. Your support is appreciated.

Playalinda Beach at Canaveral National Seashore is under attack again by a hostile Park Superintendent and a Brevard County Commissioner. They are putting pressure on the Brevard County Sheriff to cite naturist sunbathers. Deputies are appearing at the traditional clothing-optional beach and threatening to cite sunbathers under a county ordinance. Central Florida Naturists and Naturist Action Committee representatives are watching and meeting with the Sheriff's Dept. The cool weather may be delaying a showdown.

Miami-Dade County Buzz: This past year we have seen the director of the M-D County Park Dept. resign. The new acting director, Jack Kardys, was manager of Haulover Park when South Florida Free Beaches started the designated naturist beach at Haulover in 1991 and knows us to be good stewards of the facility.

We are witnessing the slow construction of the new restrooms that SFFB/FNA lobbied so hard to get included in the park's Master Plan in 1999. Some have noted that the restrooms and the three Trump Towers to the north were started and are being completed around the same time.

I have had several people contact me about a rumor that Donald Trump is complaining that the Naturist Beach at Haulover is hurting his sales, and wants it closed or moved. The callers want to know what we are going to do about it? When I asked if they were members of SFFB, most said, no! So my question to them was: What are they, as individuals, going to do about it? DUH!

This past year, we have witnessed the construction by BEACHES Foundation of the beach shower. This project took three years and many thousand of dollars. It was an

amenity conceived and executed by Shirley Mason of BEACHES Foundation. Please take a moment to read Shirley's article starting on the next page.

Beach Ambassador Program: We have lost several Beach Ambassadors due to their moving from South Florida. Until we can recharge the program with new and fresh individuals, it is important for each person reading this newsletter to accept responsibility. If you see someone conducting themselves inappropriately, team up with others and speak up. Notify the lifeguards. They will call for a ranger or police. The reputation of Haulover is our most important duty. Anyone interested in becoming a Beach Ambassador, contact me at 305 283 3633.

Commentary: The preservation, protection and continuation of Haulover is important to all of us whom appreciate and enjoy Haulover Beach. It is our duty and responsibility. Haulover exists due to the efforts and political action of South Florida Free Beaches. For Haulover's Naturist Beach to survive, SFFB/FNA must remain strong. both in membership and the financial support of fellow naturists and beach visitors.

There is a SFFB/FNA application in this issue of The SunDial. Please use it to join, rejoin, renew or just donate to keep our organization strong.

Richard Mason

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Investing in Haulover Beach: 2007 Update from B.E.A.C.H.E.S. Foundation

by Shirley Mason, *'Mother of Haulover Beach'*

As most serious naturists know, South Florida Free Beaches/Florida Naturist Association is the creator and mentor of Haulover's clothing-optional beach and Central Florida Naturists is watchdog and stakeholder of the two clothing optional beach areas at Canaveral National Seashore (Playalinda and Apollo).

In 1999 both agreed to sponsor the formation of **Beach Education Advocates for Culture, Health, Environment and Safety Foundation Institute (B.E.A.C.H.E.S. Foundation)** because they understood the dire need to be pro-active in having naturists take ownership and charge of their clothing optional beaches. So many traditional nude beaches had been lost already due to neglect by government authorities and the complacency of users, like Airforce Beach (McArthur Beach State Park), Bahia Honda (the Keys), Navarre Beach (Panhandle), and Honeymoon Island (near Tampa). The need to harness the grassroots power of organized beach skinny-dippers requires a permanent presence at the precious few remaining sites throughout North America. B.E.A.C.H.E.S. Board represents a network of established beach organizations with member communications that can avert potential problems.

Imagine an elected official getting several thousand letters from around the world opposing anti-nudity efforts; or supporting the establishment of a clothing optional beach with the positive financial impact for the business community; or requesting some new beach service or amenity. **Now that's power!**

As vital as dedicated volunteers are to any nonprofit organization, it would take paid staff to establish continuity, longevity and real measurable progress to save our beaches. The obvious solution would be an income-generating enterprise at or near each beach. Haulover was selected to be the obvious testing ground for B.E.A.C.H.E.S. to fulfill its mission. If successful, other naturist beach groups would have a blueprint for the same or a similar enterprise. Building on the experiences and wisdom of other free beach activist leaders, B.E.A.C.H.E.S. would also develop standards and protocols for establishing cooperative relationships with local government, business and the beach-going public.

It has been almost three years since B.E.A.C.H.E.S. signed an agreement for its 'Beach Mall' mini concession, under the Park Department's Program Partners program – after an initial agreement in Dec. 2004 by the county and the concessionaire conceding B.E.A.C.H.E.S. limited concession rights, in exchange for B.E.A.C.H.E.S. not presenting a detailed formal protest of the main concession award before the County Commission – and it's been operating for 2-1/2 years. To say the trials and tribulations of our trying to work with the ever-changing Park and Recreation man-

agement and administrators has been trying is a gross understatement. This has been further complicated by the nit-picking of B.E.A.C.H.E.S.' product offerings from the main Haulover concessionaire and the Park Department.

A county commissioner was piqued because South Florida Free Beaches was actively lobbying to get a permanent police patrol assigned to Haulover Beach for improved public safety. Suddenly, B.E.A.C.H.E.S. was told it could not drive its concession trailer onto the beach, a situation that lasted several months. Connection? The excuse was that B.E.A.C.H.E.S. had no formal contract with the county. Yet B.E.A.C.H.E.S. had negotiated and signed the formal Program Partnership Agreement in early May 2005! The political forces had held up executing the needed county signatures on that agreement until the end of May 2007, and then only after a formal complaint had been filed with the Independent Review Committee. I've since been contacted by an investigator with the Ethics Committee saying the matter has been referred to them as a possible abuse of power.

The latest mishap came this year when the then Parks Department director disallowed B.E.A.C.H.E.S.' professional licensed therapeutic massage service, which cut our income by one-third. She said it was not the 'right image' for our beach. Let's be candid – this was the same director who told me in Dec. 2004 that she had grave reservations over the sale of beer at the beach, but that didn't stop her from approving its sale by the Haulover concessionaire.

A continuing disappointment has been the situation with the electric beach wheelchairs. After B.E.A.C.H.E.S.' volunteers uncrated and assembled the chairs, and erected a storage shed, we first had to discuss safety concerns for months – this despite that the same model chairs had passed a six-month formal safety trial by the City of San Diego Risk Management Division. Then the Park Department decided it would manage the chairs, but we started to receive periodic complaints from visitors with disabilities who were told that the chairs were not working. In 2006, B.E.A.C.H.E.S. spent \$1,200 from its Haulover Improvement Fund for wheelchair repairs. Then the Park Department asked us to no longer publicize the chairs, saying they didn't have the staff available to deal with them. B.E.A.C.H.E.S. latest proposal to the ADA director to assume management of the chairs was met with the response that the Park Dept. would likely move the chairs to another park that had more staff. (San Diego, in contrast, provides a stipend to a nonprofit for a coordinator to handle the chairs at its Mission Beach.) In Miami-Dade, because you don't have the personnel to handle **beach wheelchairs at the most visited county beach park**, you're going to – wait for it – **just lose the chairs!** Problem solved!

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Burned by *The Man* by Norma Mitchell

Burning Man is the annual art festival in Nevada that draws 50,000 souls, that my husband Doug and I attend each year. It's a clothing-optional non-commercial gifting community of artists and their fans, with a climactic burning of a huge effigy of *The Man*. (See www.burningman.com) I spent a weekend last November in Lakeland, Florida with some family and friends attending the *Florida Afterburn Festival*, a regional 'branch' of the Nevada event.

South Florida Free Beaches sponsored a theme camp called *Naked City*. Our mission was to have a place for people to hang out naked, and we handed out free copies of The Naturist Society's *N Magazine* and SFFB's *SunDial*. We were placed next to a group of eight hippies who summered in Maine and wintered in Hollywood, Florida (among other locations). Very pleasant and positive people.

They took several issues of *N* (they hadn't heard of TNS) and told me that they had formed a group called F.U.D.A. (Fully Unclothed Dancing Activists). Their mission is to hold clothing-optional protests against unfair laws, marijuana laws in particular. They had a gathering in July in Norway, Maine and organized a parade down main street. Oddly, none of the women walked top-free in the parade, as it never occurred to them that they would have that option.

When I got home I read an email I'd gotten from my friend in Daytona Beach, Liz Book, who is a top-free and constitu-



Afterburn, Lakeland, FL

tional activist. She has been hauled into court by the city four times in the last three years for flashing – exposing her female breasts – in bars during Biker's Week. Not an issue for the shirtless guys, of course. She's been fighting the system all the way with the aid of Larry Walters, an attorney that works First Amendment cases.

She's been so effective that Daytona Beach finally changed their law so that it's okay for a woman to protest top-free for any reason – except to challenge the top-free laws, which of course don't apply to men. Therefore, on March 8th she'll be back (top-free) to celebrate International Women's Day (a United Nations' sanctioned day to bring attention to women's issues.) And she sure could use some help! Whether it's financial, or signing her online petition at www.ipetitions.com/petition/topfreeamerica or showing up on March 8th. Man-boobs are more than welcome to join the group. South Florida Free Beaches' Legal Defense Fund is making a donation to help with her attorney's fees (www.topfreedefensefund.org). Liz, a single mother on food stamps, has paid a big price (personally) in order to stand up for her constitutional rights, and for yours.

The point is, there are a lot of people all over the the US who, in their own way, are doing the same thing we are striving to do. To enjoy the freedom that our constitutional rights guarantee us. At this time, when we see those freedoms being taken away one by one, I'm grateful for Americans who take the time to call attention to injustice. Our mission to keep Haulover Beach clothing-optional goes hand-in-hand with others who are working to defend our freedoms. To some it can seem trivial, but in 1776, Thomas Jefferson identified the pursuit of happiness as one of our three fundamental rights. One can argue about what that means, but if you read the writing of Jefferson – and Adams, and Madison, and Washington, and others, it seems to include a right to be left alone to pursue one's dreams and fantasies, as long as one doesn't willfully hurt others.

I, personally, don't give ANY politicians money. I believe I can be more effective by supporting those grass roots movements driven by individuals who are sincerely passionate about their beliefs, and about maintaining our freedom to be 'different'. Isn't that America? ☀



My friend Sugandha (nude, more or less) and some of the friendly hippies at *Afterburn*

New Proposal for a Naturist Beach in the Tampa Bay Area Targets the Tourist and Hospitality Industries

In a major push to obtain a clothing-optional beach in the Tampa Bay area, Tampa Area Naturists has developed a strategy aimed at bringing in allies from the tourism industry to help influence local government.

TAN is using Haulover's successful naturist beach as the prime model, and the slogan *\$179 Million in Annual Tourism Revenue – Why Not Here?* TAN has printed 5,000 full-color tri-fold brochures, and several months ago received the okay for them to be displayed in the tourist information centers of the Tampa Bay Beaches Chamber of Commerce, although with a slight modification to the original design to cover a few individuals in the foreground of the cover photo, since one could barely see the breasts of a woman seated there.

TAN's website at www.tanfl.com has also been completely overhauled to provide information promoting the designation of a naturist beach.

The new strategy comes after an attempt to win gradual acceptance of nude use at a remote area of Ft. DeSoto Park, without official designation, as reported in the Autumn 2005 *SunDial*, met with Park Department resistance.

Joining long-time activist John Palm on the Board of TAN this year are three naturist activists with extensive experience in free beach issues in Oregon, California and New York: Debra Hedding, Rich Pasco and Ken Kushman. Debra has had past public relations experience, including with the American Association for Nude Recreation (AANR) and Rich and Ken are Naturist Action Committee (NAC) Area Representatives. Assisting in an advisory capacity, among others, are Richard Mason of SFFB/FNA and Morley Schloss, a NAC Board Member and co-owner of Sunsport Gardens Naturist Resort in Palm Beach County.

At a November 2007 TAN board meeting, the task of assembling additional items for presentation brochures was assigned to several TAN members, and five new volunteers to call on local tourism interests were identified; it is planned to use several two-person man-woman teams.

An additional plan is to obtain a large number of petitions and letters both from Tampa Bay area residents and potential tourists to the area requesting the designation of a clothing-optional beach. TAN requests that you take a few moments to go to its website to review the petition, and print, sign and send it to TAN. If you live in the Tampa Bay Area, additional volunteers are also still needed. Be a part of the historical effort to further naturism in Florida by obtaining another designated clothing-optional beach! ☀



One of Tampa Bay's now empty beach areas at Ft. DeSoto Park

What you can do to help:

Go to the TAN website at
www.tanfl.com
and fill out the
Clothing-Optional Beach Petition

Consider becoming a member of
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Consider becoming an active
member of TAN, especially if you
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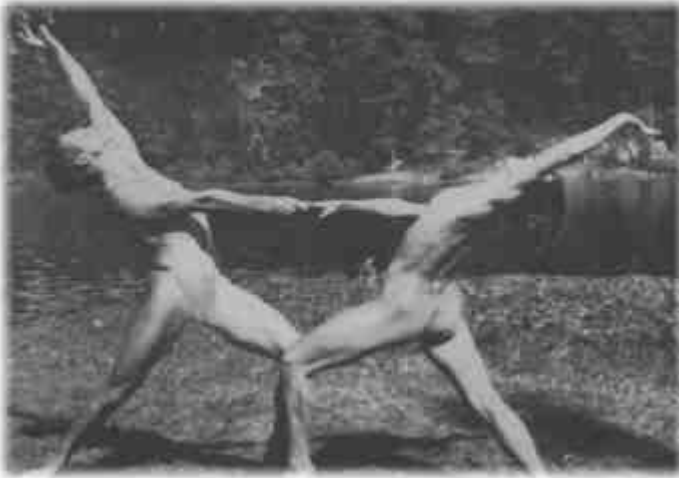
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VINTAGE NATURISM: Nudist Magazine Images from 1933 to 1963 by Michael Kush



“Swinging gymnastics, through limbering and stretching, build grace and endurance.”

(note crudely air-brushed male at left)

Two early photos & captions from *The Nudist*

Jan. 1934 (above) – Oct. 1935 (below)

“These members of the Esyuen League of Omaha are pyramiding joy and contentment of life. Problem: What’s wrong with it?”

(note ‘Esyuen’ = ‘SUN’)



Although skinny-dipping was not unknown among native and colonial Americans, organized naturism or nudism was an early 20th century German and British import. According to nudist historian Cec Cinder, “*The Nudist* was the first genuine American nudist magazine.” Largely the work of pioneer American nudist Rev. Ilsley Boone, and initially a short newsletter, it appeared in illustrated magazine format in 1933, becoming the first official magazine of the American Sunbathing Association (ASA).¹ At the end of that year, *Time* magazine reported it had 2,000 mail subscribers and a newsstand distribution of 110,000 copies, and it listed forty-four U.S. nudist clubs.²

The Nudist (gradually renamed *Sunshine and Health*) at first self-censored photos through careful posing or air-brushing; the latter particularly gives the impression that what is obscured is somehow obscene, which is of course entirely counter to nudist thinking. Boone gradually started showing un-doctored photos, resulting in a long duel with the U.S. Postal Service and the courts that was not definitively resolved until 1958, when the U.S. Supreme Court ruled *Sunshine and Health*’s uncensored photos did not fall into the category of obscenity it had established the previous year in *Roth v. United States*.³

Five years before this decision, in 1953, Boone had left the ASA and taken *Sunshine and Health* with him, and it became the official publication of his National Nudist Council.⁴ ASA soon established *American Sunbather and Nudist Leader* as its new house publication. Other ‘unaffiliated’ nudist publications, geared more to the general public, like *Modern Sunbathing and Hygiene*, long remained more cautious, as the images reproduced here demonstrate. For this reason it is likely that *Modern Sunbathing* was more available to the general public than the NNC and ASA publications.

Noteworthy are the inclusion of terms like ‘health’ or ‘science’ in the marketing of many of these publications. *The Nudist/Sunshine and Health* first carried the slogan “Health Building Through Sunbathing, Diet and Exercise” and later “An Educational, Scientific and Cultural Publication.” While this may partly be seen as a clever ploy to deflect censorship, there is no question that even more than today, naturism was understood by its proponents as offering great physical and psychological health benefits. Many early naturists also advocated temperance, vegetarianism, holistic medicine and vigorous physical exercise – and most nudist magazines often featured articles on such health topics.

Why would one buy a nudist magazine?

First, some may argue for titillation, pure and simple, in the days before *Playboy* (first issued in 1953) and other more explicitly erotic magazines were readily available at newsstands and by subscription. And though one would be foolish to ignore this as one factor for some purchasers, one would also have to recognize a gradation even here from crude eroticism to fantasy, from physical stimulation to wistful romanticism.

continued on page 10

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VINTAGE NATURISM *from page 6*

I would further suggest that in a culture still often promoting, from the nudist perspective, a unnatural and unhealthy ‘Victorian’ aversion to the human body, many of these magazines were purchased by the simply ‘nude-curious’ – as likely were many issues of *National Geographic*, with its pictures of tribal peoples in various states of undress – in both cases, exotica rather than erotica.

Then one shouldn’t rule out the question of aesthetics. Why do countless tourists stare in wonder at Michelangelo’s *David* or the *Venus de Milo* each year? And can most of us avoid marveling at the physiques of Olympic athletes: the muscled thigh of the sprinter, the sinewy arm of the javelin thrower, the swimmer’s dolphin-like bodily grace in the water? These are simply beautiful bodies, beautiful forms, and we can view them with the same appreciation as we view the lithe body of a springing tiger or a racing greyhound. An element of envy may creep in, as we wish that we, too, could be so graceful.

We should note that today’s nudist publications like *N* magazine are not so obsessed with depicting athletic types, so one can now find comfort in knowing you don’t have to have the perfect figure to be a nudist. The evolution of the range of body types depicted over the years could easily be the subject of another photo essay.

Lastly, I would mention the social idealism, freedom, and *jeu de vie* promised and promoted especially by early nudism: the return to nature, the escape from the bondage of modern vices and ‘conveniences’, the camaraderie of like-minded friendly souls – a return to childhood innocence and play, and to an Eden where, as the morning sun warms your skin, it also penetrates to the heart.

For many, such images of young healthy nudists living free amidst the trees or strolling unselfconsciously nude along a seashell-strewn beach remained only an idyllic dream of freedom, a brief fantasy escape from the drab reality of gray flannel and the daily commute; for a few braver souls, they were an invitation to seek out others of like mind, to find the closest nudist ‘camp’, or that isolated stretch of beach way down the coast of which you’d heard rumor. In today’s even more materialistic, urbanized and frantic society, this dream still likely has resonance with many at present. ☀

- 1 Cec Cinder, *The Nudist Idea*, Ultraviolet Press (1998): pp. 523-527.
- 2 *Time* magazine, Nov. 27, 1933
- 3 Cec Cinder, *op cit*, pp. 570-574.
- 4 Dave Fisher, *ANRL Newsletter*, Jan. 2003 (supplement)

Thanks to Fred van Nest and Helen Fisher of the *American Nudist Research Library* for reproductions of nudist magazine photos.



Two very different treatments of nudity:

Boone printed the uncensored nude above in the June 1948 issue of *Sunshine and Health*, then the ASA’s official publication.

As late as March 1963, *Modern Sunbathing* crudely air-brushed the photo below from Florida’s Lake Como Resort





A carefully but clearly air-brushed photo – July 1960

This sort of posed ‘glamour’ shot has largely disappeared from today’s nudist publications.



A classically-inspired pose – May 1948

Modern Sunbathing photos



An idyllic nudist family photo – “Happy Nudists at Work and at Play” – December 1948

This photo would not seem out of place in one of today’s nudist magazines.



“Naturism in Norway” May 1948

Nude...in a Library? by John Frakes

The American Nudist Research Library

Most Florida nudists prefer to spend warm sunny days on beautiful white sand beaches with the sound of the surf, and the breeze on their sun-warmed bodies. Believe it or not, there are some nudists who spend many beautiful days not on the warm sands of a beach, but in a library! It's not that we don't want to be out having fun in the sun, but to help keep the nudist movement strong and alive, we have decided to volunteer our time and energy to preserving our nudist past. That's what happens every day in the American Nudist Research Library.

The ANRL, now in its 29th year, was started in 1979 by Read and Jayne Schuster, with the assistance and cooperation of Jim and Lyda "Pete" Hadley, who then owned Cypress Cove Resort in Kissimmee, Florida. It seemed that Read and Jayne had accumulated quite a bit of nudist related material. Jim had the space to keep it, and possibly make it available for the public. A partnership was born, and the possibility of a nudist library soon became reality. The Library, started in a small room at Cypress Cove, grew in the 1980s, and moved to a building of its own. (Though on Cypress Cove property, the ANRL is an independent organization). In the 1990s growth continued, and the small, wood frame building had to be expanded to almost double its size. As the collection, which is totally from donations, continues to grow, space and preservation continue to challenge us.

Our not-for-profit Library hosts many authors, writers, researchers and others who take an interest in nudism. The evidence of our progress lies in the thousands of magazines, books, club newsletters and histories, videos, photographs and even personal interviews with "nudist pioneers." The ANRL is operated by volunteers, and supported by its members (membership is only \$20) as well as donations.

How does what happens in the ANRL relate to those who like to spend time enjoying nature as it was intended? First, we all know that not every one understands, appreciates or even tolerates those of us who see that there is nothing wrong with enjoying the beach, a park, or even a private resort in the nude. The legal hassles endured by nudists continue to trouble us. Even though strides have been made, issues by those who are intolerant, or simply haven't been educated continue to nip at us like sand fleas in a bathing suit (another reason to go without one).

In many cases the lack of tolerance comes from a lack of understanding. Politicians, far-right religious groups and other individuals have done their best to mislead the public through education efforts that are rooted in untruths, myths and fear. Columnists have cited the skewed opinions of some who say that it is unhealthy, even dangerous for children to see their parents in the nude. A great deal of research, case evidence, and personal accounts by people

who have been lucky enough to grow up in the nudist lifestyle prove to the contrary. It is healthy, it is positive, and many times it helps our children to grow up to be adults who are self-confident and proud of their bodies, not ashamed and troubled. Much of the material that supports the efforts of nudism can be found in the American Nudist Research Library.

Writers from national magazines and newspapers have relied on the ANRL while researching for their articles on nudism. The ANRL doesn't present a one sided account of nudism; we aren't in the business of censorship or politics. What we do is make available as much material as possible for them. The positives of nudism make their own case, and it is reflected in the works of these writers. More and more we are seeing upbeat articles being written about nude beaches and resorts. With these positive articles comes a more accurate view of the nudist lifestyle.

I mentioned earlier that space and preservation continue to be a challenge. Age, as well as the threat of natural disasters and even damage from human contact threatens the collection. Consequently, the Library has developed a program to better save and preserve this information. With newly designed scanning equipment and modern electronic storing techniques, the information now held in the Library can be stored indefinitely, and more readily shared with others. Estimating that we have over a million bound pages to scan, we found equipment that we can lease which will enable us to capture up to 1200 pages an hour. The financial cost of all this is high. We have reached about half of our goal, and of course the toughest part in any race is the final stretch. Volunteers and donations are sorely needed to complete this important undertaking. Please help. ☀

To contact the ANRL call **407-933-2866** or email anrl@netzero.com, or visit www.anrl.org.

Please help support ANRL and the DIGITAL PRESERVATION PROJECT

Donations specifically ear-marked toward the project are welcome in any amount.

ANRL membership: to receive member card entitling the full use of the library and its archives, send \$20. Members receive the semi-annual print newsletter & periodic email newsletters every few months.

(A form is provided at the bottom of page 7.)

**American Nudist Research Library
2950 Sun Cove Drive
Kissimmee, FL 34746**

Investing in Haulover from page 3

All this is disappointing but not surprising knowing how government bureaucrats hate citizens to organize and to expect accountability. And we know how naturists are constantly under attack from those who see skinny-dipping and nude sunbathing as deviant acts of perverts. There are more than a few forces determined to see Haulover and/or its mentoring organizations fail.

However, it is the lack of support from the vast majority of those 1.3 million annual visitors who come and enjoy this clothing optional beach that has caused major disappointment and burnout. I speak primarily of those who know something of how hard the few of us who've sacrificed immense amounts of our time and money, and even our liberty, to keep Haulover's nude status legal while trying to maintain its good reputation.

B.E.A.C.H.E.S. Foundation is a 501 (C) (3) tax-exempt nonprofit, totally reliant on donations and the modest income generated from its single location concession which consists of selling fresh fruit, ice cream, shakes, floats, beach related merchandise, souvenirs, and naturist publications. B.E.A.C.H.E.S. has since executed beach improvements in the form of the nude beachside shower (in the dunes near Lifeguard Stand #27), two electric beach wheelchairs and three pavilion-size chickee (tiki) huts totaling \$50,000, with funding from a Parks Dept. Capital Improvement Grant B.E.A.C.H.E.S. wrote, donations, and some revenue from the Beach Mall. We simply ran out of money to fund the additional planned shower at the south end of the naturist beach. And we'd like to do a lot more, but we are having difficulty raising funds.

B.E.A.C.H.E.S. takes in donations of less than \$5 per day and gross sales from its concession average less than \$250 per day with an average of 165 operating days per year – little above the break-even point after cost of goods, attendant wages, insurance, the county's cut and other expenses. B.E.A.C.H.E.S. has decided make a few changes to help generate revenue, but it doesn't expect much cooperation from Parks. If things do not change, it will be forced to close its Haulover Beach Mall after the 2008 Winter/Spring season if it cannot generate the modest income it requires to maintain itself and fulfill its mission.

South Florida Free Beaches is a membership organization whose volunteer leadership established Haulover's clothing optional beach in 1991; got local government to provide lifeguards to this section of beach, got the north beach parking lot and tunnel opened for easy access to this area of the beach; purchased and maintained dune plants for natural privacy and sand preservation and re-nourishment; established the volunteer Beach Ambassador Pro-



One of the electric beach wheelchairs: B.E.A.C.H.E.S. had the chairs on the beach in 2004, but they haven't been seen much since.

gram; maintained a full-time lobbyist since 1994 to keep anti-nudity laws from passing in the state legislature; successfully defended over 250 naturists wrongfully cited for skinny-dipping throughout Florida; helped establish four beach naturist groups working to establish or keep clothing optional beaches; lobbied to keep the Miami-Dade County School Board from building a school in Haulover Park, etc., etc., etc. See www.sffb.com for more info.

I fail to understand why beachgoers do not support the efforts of the organizations that are working to keep Haulover a premier clothing optional beach. I fear the work of these organizations will have been in vain and will soon disappear, leaving another nude beach lost to the **apathy and complacency of beach consumers**.

December is when people give serious consideration to donating to government-sanctioned nonprofits for tax saving benefits. If you've ever considered investing in Haulover, please consider B.E.A.C.H.E.S. Foundation. Our treasurer Mike Abramson is a CPA and would be pleased to discuss your donation and tax-related matters. Call toll-free: 1-866-29-BEACH. Our website is at: www.beachesfoundation.org ☀

B.E.A.C.H.E.S.' Beach Mall mini-concession



FLORIDA LEGISLATURE: SFFB FIGHTS RENEWED THREATS OF ANTI-NUDITY LEGISLATION

Miami-Dade County, unlike most other Florida counties, doesn't have an anti-nudity ordinance. No private developer has yet been successful in wresting ownership or control of Haulover Park away from the people of Miami-Dade. And the courts have interpreted Florida's *exposure of sexual organs* statute (800.03) as requiring lewd behavior, not mere nudity, for a conviction. (*See facing page.*)

These are three reasons why SFFB was able to establish the naturist beach at Haulover in 1991, and they continue to be three distinct areas of concern in preserving its clothing-optional status in the future.

Earlier Florida State Threats

From 1994 to 1998, Representative Randy Ball of Brevard County attempted to introduce anti-nudity legislation in the Florida legislature. SFFB then hired a professional lobbyist, established a Government Affairs Committee, and started a Legal Defense/Political Action Fund. Working with other naturist groups and concerned individuals, we prevailed.

Since then, SFFB has fought the proposed inclusion of Haulover Park within the City of Sunny Isles, pressed for formal recognition of and improvements to the naturist beach area, and opposed the School Board's proposal to put a school in Haulover Park. But things were relatively quiet at the state level.

2007 Florida Legislature Regular Session

This session brought several bills attempting to alter the intent, application and/or penalties of FS 800.03. We had several concerns:

First, although original bill texts may seem benign, with sponsors claiming they were not after existing clothing-optional beaches, changes to wording in committee or on the floor may pose threats, including of judicial review of legislative intent regarding 800.03, if its wording were modified by the legislature. (Note the extensive House committee changes to HB 41 & SB 2544 as an example of how suddenly the scope of a bill may change.)

Second, 800.03 is still sometimes misused by police and prosecutors against innocent skinny-dippers, and felony penalties make this threat of misapplication even more chilling for naturists throughout Florida.

Third, even if properly applied to lewd exhibition, the new felony penalties proposed of up to 15 years imprisonment seem excessive for such a non-violent crime. Do taxpayers need to house, feed and support such a non-violent offender in prison for such a long time?

Lastly, although this legislation is often presented in 'family values' terms as necessary to protect minors, Florida Statute

800.04 already provides for a felony penalty for lewd exhibition in the presence of a minor. So the proposed legislation is either redundant, or symbolic, or a foothold along a slippery slope toward the introduction of even more drastic legislation that may explicitly outlaw mere nudity.

SFFB Response & Bill Outcome

We had been watching this session closely, but the expansion of HB 41 in the House committee – originally a benign bill – and its introduction and passage on the floor in a troubling form, came too quickly for us to counter. We then focused all our energies on the Senate.

Throughout this legislative crisis, SFFB worked closely with the Naturist Action Committee (NAC), an adjunct organization of The Naturist Society (TNS). We would particularly like to thank Bob Morton, NAC's Executive Director, and Morley Schloss, NAC board member responsible for Florida. Another key player was Ramon Maury of Maury Management Group, SFFB's legislative lobbyist since 1994.

We quickly drafted a letter to 23 influential Senators for hand delivery by Mr. Maury. SFFB President and Government Affairs Chair Richard Mason also traveled to Tallahassee to meet with key Senators. That this was of influence is indicated by the actions of the Senate Criminal Justice Committee in scaling the scope of SB 2544 back to a close approximation of the original wording of HB 41.

It was still a close call, as Senator Storms attempted and narrowly failed to again broaden the scope of the Senate bill on the floor. Perhaps partly because of a very full legislative agenda, and partly because HB 41 had already passed the House, no action was taken on HB 269.

Next Year – Continuing Concern

With Senator Storms and Rep. Snyder indicating they are interested in sponsoring similar legislation next session, continued vigilance on our part will be required.

SFFB's legislative expenses increased greatly this year, including increased payments to our legislative lobbyist. For the coming year we also plan increased meetings with legislators, ahead of the 2008 session start, when bills are being floated and promises of support sought.

More than ever, we need your help to keep Haulover Beach clothing- optional.

Please consider becoming an SFFB sponsor and/or making a contribution to our LDPA Fund to aid us in our efforts in the coming year to preserve Haulover's naturist beach, and to work toward making Florida more naturist-friendly.

Contribute online at: www.sffb.com/sponsors

2007 FLORIDA BILLS ALTERING OR REFERENCING FS 800.03

HB 41: Originally a 51-line bill sponsored by Rep. Kravitz of St. Johns County, increasing felony penalties for second and third convictions for violent sexual offences. SFFB could have supported the bill in this form. Then the bill was quickly enlarged in House committee to 145 lines, to include the non-violent offences of FS 800.02 and 800.03. The bill in its expanded form then passed a vote on the House floor; the vote for passage was then predictably unanimous for political reasons. However, the Senate companion bill failed, so this did not become law this session.

SB 2544: Companion bill to HB 41, sponsored by Senator Storms of Hillsborough County. Referred to Criminal Justice Committee. In line with recommendations by SFFB, received amendment written by Senator Wise and supported by Committee Chair Senator Argentiano deleting 90 lines of text, including references to FS 800.03, and then passed to Senate floor. Senator Storms proposed a floor amendment restoring, among other things, the reference to FS 800.03. The Storms version was narrowly defeated by a vote of 17 to 20, with 2 abstentions. The session ended before further action could be taken. Senator Storms has expressed interest in sponsoring similar legislation next session.

HB 269: Sponsored by Rep. Snyder of Martin County, this bill rewrote 800.03, providing for a felony penalty for a first conviction under FS 800.03, subject to certain conditions of time and place, including within 1,000 feet of *a day care facility, a school, a public park, a public beach, or a public recreational facility*. Died on Second Reading Calendar. Rep. Snyder has expressed interest in re-introducing a similar bill in the next session.

SB 1842: Companion bill to HB 269, sponsored by Senator Aronberg of Palm Beach County; removed *beaches* from the list of locations to incur a felony penalty – although retaining *parks* on the list. (Most public beaches are also public parks, so this may have had little real impact.) Died in Criminal Justice Committee.

SB 2058: Alternate companion bill to HB 269, sponsored by Senator Crist of Pasco County; removed *parks, beaches and recreational facilities*, substituting *community centers* and *public playgrounds* in the list of felony locations. Considered a fall-back compromise text by certain naturist interests. Died in Criminal Justice Committee.

SB 1800: Sponsored by Senator Posey of Brevard County, proposed permitting warrantless arrests of suspected FS 800.03 offenders. Bill died in Senate Criminal Justice Committee, with no companion bill being introduced in the House. May have been targeted against traditional naturist use of Playalinda Beach in Brevard County. (*See page 2.*)

CURRENT TEXT OF FLORIDA STATUTE 800.03

800.03 Exposure of sexual organs.--It is unlawful to expose or exhibit one's sexual organs in public or on the private premises of another, or so near thereto as to be seen from such private premises, in a vulgar or indecent manner, or to be naked in public except in any place provided or set apart for that purpose. Violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083. [*Up to one year imprisonment*] A mother's breastfeeding of her baby does not under any circumstance violate this section.

SELECT CASE LAW BASED ON CURRENT STATUTE TEXT

"'Lewd' or 'lascivious' means that the exposure or exhibition of the sexual organs involves an 'unlawful indulgence in lust, eager for sexual indulgence'".

— Goodmakers v. State, 450 So.2d 888 (Fla. 2d DCA 1984)

"Proof of mere nudity or exposure is not sufficient to sustain a conviction." Conviction requires both the intent to perform, and the actual performance of, a "vulgar, indecent, lewd or lascivious act" — With regard to this statute these are equivalent terms defining an act demonstrating "an unlawful indulgence in lust or a wicked, lustful, unchaste, licentious or sensual intent on the part of the person doing the act."

— Supreme Court of Florida—Standard Jury Instructions: No: 89,771: July 10, 1997
(*Synopsis with quotation of critical text*)



Midwinter Naturist Festival – Feb 14-19

photos by
David Baum

Each year in February, hundreds of naturists gather for six days of fun, growth and community at 40-acre Sunsport Gardens Family Naturist Resort in Palm Beach where, as the sign at the gate states, “naturists are welcome regardless of race, religion, gender, marital status, sexual orientation or disabling condition.”

The *over 230* workshops so far scheduled for the 2008 Festival truly provide something for everyone. If you’re a naturist activist, there are workshops on naturist cultural and legal issues, with the participation of naturist leaders from throughout Florida and the USA. There are workshops on such diverse interests as photography, computers, fine and folk arts, and writing. A specialty of the Midwinter Festival is perhaps the many *New Age* workshops: between morning yoga or tai chi on the orchid lawn and the late night fire drum circle, you can enjoy workshops on healing, Tantra, interpersonal relationships, meditation, spirituality and the like. This year there will also be a Native American sweat lodge, and workshops on Native American culture.

It’s a very stress-free event, with no mandatory activities of any kind. Since there are often up to five workshops occurring simultaneously, the only stress might be which one to miss. Always available for relaxation or active sport are the resort’s great amenities, including the heated pool, hot tub, volleyball, tennis, petanque, kayaks and the nature trail. New this year is a fitness center and Wi-Fi. At night, there’s live music, dancing, the fire drum circle and other entertainment. Optional fields trips are planned to Haulover Beach, to the Loxahatchee River for nude canoeing, and to MacArthur Beach State Park to form a living nude peace sign.

The \$40 per person Festival registration fee allows your participation in all Festival events, and a portion benefits the Naturist Action Committee. (www.naturistaction.org) Lodging and grounds fees are additional costs per day. Cabin accommodations and RV hook-ups are limited and

should be reserved early. Most festival participants elect to tent out on the lush tropical grounds, and this way the cost for the entire six days of the festival, excluding meals, would \$226 for an individual, and \$368 for a couple or family – Festival registrants’ minor children are exempt from ground and registration fees, and there will be a full schedule of events for kids.

Meals – always including one vegetarian selection – are available at the restaurant, although there are no restrictions on bringing in your own food. The resort does not serve alcohol, but you’re welcome to bring your own beer or wine.

The 2008 Festival runs from February 14th through the 19th. Whether you can attend the full six days, or can only make it for a day or two, the Festival is a great way of meeting others in the naturist community. Festival information, including a schedule, a complete list of workshops, activities and entertainment, the restaurant menu, and a registration form are posted at the Sunsport Resort website www.sunsportgardens.com, or phone 800-551-7217.

