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Keeping Our Nation's Streets Safe: Palm Beach Fights Topless Joggers

By Sonia L. Nazario. *Wall Street Journal*. (Eastern edition). New York, N.Y.: May 9, 1985. pg. 1

Abstract (Summary)

PALM BEACH, Fla. -- Quick. Name the fashion risk people are taking here that is also illegal: a. men jogging shirtless; b. men wearing leisure suits; c. elderly women wearing short shorts.

Mr. DeWeese sued the town and several officials. His lawyer, James Green, argued in court that Mr. DeWeese "has the right to dress or not dress so long as he does not expose his sexual organs in public." He also argued that the ordinance doesn't deal with the town's real aesthetic problems: "I personally think that leisure suits on men and short shorts on elderly, overweight, geriatric women are more offensive," he said.

Full Text (408 words)

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PALM BEACH, Fla. -- Quick. Name the fashion risk people are taking here that is also illegal: a. men jogging shirtless; b. men wearing leisure suits; c. elderly women wearing short shorts.

Even though you may have been rooting for "b," the correct answer is "a." And that fact has some angry runners seeking, well, redress.

Under a six-year-old city ordinance that has been ruled unconstitutional twice, revised once and upheld on appeal in March, anyone 14 or older must keep the upper part of his or her body covered, except on private property or the beach. The maximum penalty: \$500.

"We're attempting to protect the welfare of the people in this town," says John Randolph, the town's attorney. "It's not odd and it's not silly."

Allen DeWeese, a local attorney and committed shirtless jogger, is the force behind the challenges to the law. On an early-morning run six years ago, police pulled him over and accused him of "indecent exposure-lewdness."

Mr. DeWeese sued the town and several officials. His lawyer, James Green, argued in court that Mr. DeWeese "has the right to dress or not dress so long as he does not expose his sexual organs in public." He also argued that the ordinance doesn't deal with the town's real aesthetic problems: "I personally think that leisure suits on men and short shorts on elderly, overweight, geriatric women are more offensive," he said.

Mr. DeWeese is appealing the latest ruling, and as long as the law is being contested the police aren't enforcing it. In six years, only some 10 people have been charged with not wearing shirts and none have been imprisoned.

Area residents seem split on the issue. Camille Bood, a legal assistant, says the controversy seems silly. "There are women who walk around with next to nothing on, and the town doesn't say anything about that," she says.

The president of the town council, Paul Ilyinsky, says the law was prompted by residents who called saying they didn't like the sight of shirtless joggers. But Mr. DeWeese says residents' real objection is "seeing people running rather than holding a cocktail."

C. Z. Guest, a part-time Palm Beach resident and prominent New York socialite, says the weather, not laws, should determine if a man takes his shirt off. Besides, she adds: "Since most of the residents of Palm Beach are short-sighted, it really doesn't make any difference."

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