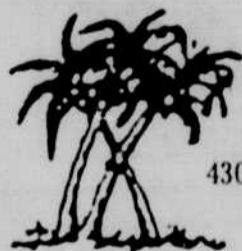


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Berkeley saying keep clothes on



NORTHWEST

BERKELEY, Calif. (AP) — After a year in which naked people have become increasingly common on city streets, some officials here have a message for would-be nudists: Enough already.

So far, bare-is-beautiful spokesman Andrew Martinez, aka the Naked Guy, has been ordered to keep his shorts on and a punk rocker faces charges of lewdness with two women and a banana.

On Tuesday, the X-plicit Players were in court for charges that their impromptu street performance crossed the line from expression to exhibitionism.

Councilman Fred Collignon agrees the city is experiencing a "shift to the middle," but says the nude and lewd crackdown probably would never have happened if "those who view themselves as nudists by philosophy had not gone out of their way to make themselves a difficulty for other Berkeley citizens."

Those facing prosecution see the crackdown in a different light, claiming the arrests violate First Amendment guarantees of free expression. Berkeley, after all, was the birthplace of the Free Speech Movement in 1964, when students at the University of California at Berkeley demanded the right to engage in political activities on campus.

"We seek a very personal connection with each and every audience member," X-plicit player Debbie Moore, 41, said as she waited outside of a Berkeley courtroom Tuesday.

A judge ruled that the defense could present evidence dealing with obscenity in the case, which the attorneys said would make a conviction harder to get, and jury selection was expected to begin sometime Wednesday.

The recent resurgence of nudity dates back to last September when Martinez, then a student, led a nude-in at the University of California. Since then, naked people have been spotted in increasing abundance.

"It's something I guess people want to do and this being Berkeley people do what they want to do," said David Kahn, one of the defense attorneys for the X-plicit Players.

'This is a liberal town, but it's a liberal town that says that if the community's going to survive people have to agree to be able to work together.'

— Fred Collignon,
City council member

This spring, Martinez was kicked out by university officials who rewrote campus codes to ban nudity.

That indirectly led to the X-plicit Players' arrest, because a performance they had planned to give at the school was canceled because of the new nudity ban. Instead, they performed alfresco, getting arrested in the process.

The city anti-nudity ordinance was passed after Martinez and some of his followers showed up naked at City Hall. Martinez, 20, was the first to be arrested under the law and he pleaded guilty last Friday, getting two years probation.

Also Friday, punk rocker Marian Anderson won a round in court when the district attorney dropped one of three misdemeanor charges against her. Anderson, 25, is charged with lewd conduct in connection with a performance at a teen-age nightclub involving two other women and a banana.

The performance arrests differ from Martinez' in that they were brought under existing statutes, not the new anti-nudity law, which does not apply to artistic endeavors.

Collignon said the council was more concerned with everyday nudity than the finer points of free expression.

And he and police Lt. Tom Grant said officials don't intend to try to root out nudists, but will respond if others complain about the unclothed.

"This is a liberal town, but it's a liberal town that says that if the community's going to survive people have to agree to be able to work together," Collignon said.

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