

49,000 Men Posthumously Pardoned Of Homosexual Crimes In United Kingdom

The United Kingdom has [posthumously pardoned](#) about 49,000 males who were convicted of consensual homosexual activity that is no longer considered criminal. The pardons were included in the Policing and Crime Act 2017 that received Royal Assent on January 31, 2017. People still alive who were convicted of the affected crimes can apply for a pardon.

The pardons were for males convicted of two crimes that have been partially decriminalized in the United Kingdom (England, Wales and Northern Ireland, with the exception of Scotland). Those crimes were:

- Buggery (sodomy/anal sex) was criminalized in 1533. The maximum penalty was death until 1861, when it was reduced to a maximum of life imprisonment.
- Gross Indecency was made a crime in the United Kingdom in 1885. It criminalized sexual activity other than sodomy between two males. The maximum penalty was two years in prison with or without hard labor.

The two crimes were decriminalized for private homosexual activity between consent-



Oscar Wilde
(dailymail.co.uk)

ing males over the age of 21 in England and Wales in 1967, in Northern Ireland in 1982 (and in Scotland in 1980). The age of consent for lawful homosexual activity was reduced to 18 in 1994. In 2000 it was reduced to 16 to equalize the age of consent for heterosexual and homosexual activity.

The movement for mass pardons arose after homosexual Alan Turing was granted a posthumous royal pardon by Queen Elizabeth II in 2013, for his conviction in 1952 for gross indecency with a 19-year-old male. Turing underwent “organo-therapy” – chemical castration – as an alternative to a prison sentence. He died in 1954 from what was ruled to be self-administered cyanide poisoning. Turing was an English mathematician, computer scientist, and cryptanalyst whose work breaking coded German military messages is credited with shortening World War Two.

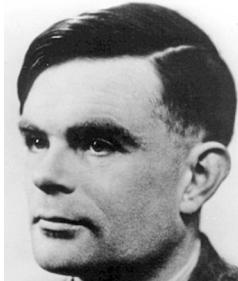
The pardoning provision of the Policing and Crime Act 2017 is known as “Turing’s Law.”

Playwright Oscar Wilde was among the

males posthumously pardoned on January 31st. Wilde was convicted in 1895 of gross indecency with a male, and sentenced to two years in prison at hard labor. Wilde died destitute in Paris in 1900.

The buggery pardons also apply to women because it was a non-gender specific crime. However, it isn’t known if any women were actually convicted of buggery.

The pardons don’t apply to convictions in Scotland, so the Scottish Parliament will have to separately deal with historic homosexual related prosecutions.



Alan Turing
(dailymail.co.uk)

A summary of the UK’s Policing and Crime Act 2017 is online at, www.gov.uk/government/collections/policing-and-crime-bill.

Sources:
[49,000 gay and bisexual men](#) convicted of ancient sex crimes - including Oscar Wilde - to be posthumously pardoned under new ‘Turing’s Law’, *Daily Mail* (London), January 31, 2017

[Sexual Offences Act 1967](#), Wikipedia.org

[Alan Turing](#), Wikipedia.org

[Policing and Crime Act](#), www.Gov.UK, January 31, 2017



James Richard Greene's Conviction Tossed For Driving Motorized Wheelchair While Drunk

James Richard Greene [was acquitted by](#) the Oregon Court of Appeals on December 29, 2016, of driving under the influence of intoxicants while he was operating his motorized wheelchair.

On October 16, 2012 James Greene turned his motorized wheelchair from a sidewalk onto a marked crosswalk in Lincoln County, Oregon. The 56-year-old Greene then drove his wheelchair into the side of a moving truck. Greene was injured and received medical care. The officer who arrived at the scene determined Greene was intoxicated, and he was arrested.

Greene was charged with driving under the influence of intoxicants. His prosecution was based on the Lincoln County District Attorney considering a motorized wheel-



James Richard Greene
(Lincoln County, Oregon Sheriff's Office)

chair to be a “vehicle” under Oregon’s DUII statute. Thus when Greene was operating his wheelchair on the street he was driving a vehicle.

After a two day trial Greene was convicted by a jury in June 2013. Greene made a motion for a judgment of acquittal. He didn’t contest the evidence established he was intoxicated. His motion was based on the argument his wheelchair isn’t a vehicle under Oregon’s DUII law, so the prosecution failed to prove he was *driving* while intoxicated. The judge denied Greene’s motion, siding with the prosecution’s argument that a motorized wheelchair is a “vehicle” when on a street.

The judge sentenced Greene to pay a \$1,500 fine and suspended his driver’s license for three years.

Greene appealed. His lawyer argued that ORS 801.385 specifically defines “pedestrian” for purposes of the vehicle code, as “any person afoot or confined in a wheelchair.”

On December 29, 2016 the Oregon Court of Appeals unanimously reversed Greene’s conviction and ordered his acquittal. The Court determined that when a wheelchair is in an area of a street intended for pedestrians -- such as a crosswalk -- the operator is a pedestrian and not subject to Oregon’s DUII law. It was undisputed by the prosecution that Greene’s wheelchair was in a pedestrian crosswalk when he collided with the truck. [The Court ruled in State of Oregon v. James Richard Greene](#), 283 Or. App. 120 (2016):

“Here, the evidence viewed in the light most favorable to the state establishes that defendant left a sidewalk in his motorized wheelchair and travelled in a crosswalk. Accordingly, defendant was a pedestrian and not a driver of a vehicle for purposes of the DUII statutes.

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