



August 30, 2016

Dear Presidential Candidates:

This short questionnaire is sent to you by the National Coalition for Sexual Freedom (NCSF) on behalf of its 46 Coalition Partner member organizations. NCSF is a nationwide education and advocacy organization that focuses on issues important to the millions of Americans who engage in alternative sex practices, including BDSM (bondage, discipline, dominance and submission, sadomasochism), swinging, fetishism, polyamory and cross-dressing. We also focus on access to sexual fulfillment for the elderly, persons with physical or mental disabilities and those who are socially disadvantaged.

The constituencies for which NCSF advocates are large. With respect to BDSM alone, studies by health and sex research organizations estimate that 5 to 14% of the general population engages in these activities (Masters, Johnson, & Kolodny, 1995; Janus and Janus, 1993). In addition, 13% of the respondents in a recent YouGov/Huffington Post poll stated they have engaged in a consensual non-monogamous relationship (2015). In engaging in such activities, this large group of Americans has been found by research to be mentally and emotionally healthy. The American Psychiatric Association, in its Diagnostic and Statistical Manual (DSM-5), states clearly that consensual BDSM is not a mental illness.

In this large group of Americans, the freedom to engage in the sexual practices of their choice, in a consensual and non-injurious manner, is an important legal, social and political issue. Yet today that freedom is unfairly (and, we believe, unconstitutionally) abridged by laws and law enforcement practices based on efforts to impose on American citizens a limited and repressive view of morality. This repression continues despite the clear ruling of the United States Supreme Court in Lawrence v. Texas that moral disapproval is not a sufficient basis for imposing criminal penalties on private, intimate sexual conduct.

In short, millions of adult Americans will be looking to the next President of the United States to protect their right to practice sex in the manner they choose, provided that it is fully consensual and causes no serious injury. For many, this right is so fundamental to their identity and their freedom that your position, and the position of the other Presidential candidates, will be a major determinant of their vote this November. It is for the purpose of informing our constituencies of the candidates' positions on these sexual

freedom issues that we are asking you to respond to this short questionnaire. The results will be posted on the NCSF website (www.ncsfreedom.org) for the information of our constituencies and of all Americans. We very much appreciate your attention to this important issue.

We would also like the opportunity to meet with your policy staff to discuss the issues of consent and sexual freedom. Please let us know when and where such a meeting can be arranged.

Sincerely,

Richard O. Cunningham, Esq.
National Coalition for Sexual Freedom
Legal Counsel
202-494-0452



NCSF Questions for the 2016 Presidential Candidates

After each question, check the appropriate box and return to NCSF in the enclosed self-addressed envelope.

1. Will you nominate to Federal Judgeships, including Justices of the Supreme Court, people who will oppose reversal or limitation of the right to marry the person of one's choice, as established by the Supreme Court in Obergefell v. Hodges?

Yes No Decline to Answer

2. Will you speak out forcefully about the importance of consent in sexual conduct, both in preventing sexual assault and abuse and in preventing unjust criminal law enforcement against consensual, non-injurious sexual conduct?

Yes No Decline to Answer

3. As President of the United States, will you support and speak out strongly in favor of the right of every American to engage in the private, intimate and consensual sexual practices of their choice?

Yes No Decline to Answer

4. As President, will you nominate to Federal Judgeships, including Justices of the United States Supreme Court, persons who support and will enforce the United States Supreme Court ruling in Lawrence v. Texas that moral disapproval is not a sufficient societal interest to justify criminalization of private, consensual intimate practices that do not cause serious bodily harm?

Yes No Decline to Answer

5. As President, will you direct Federal law enforcement officials to enforce Federal criminal statutes—including the anti-trafficking laws—in keeping with their intended purposes, and not for prosecution or harassment of non-traditional sexual practices?

Yes No Decline to Answer

6. As President, will you use the power of persuasion of your Office to support access to public facilities free of gender discrimination?

Yes No Decline to Answer

7. As President, will you direct Federal law enforcement officials to enforce Federal criminal statutes—including the anti-trafficking laws—in keeping with their intended purposes, and not for prosecution or harassment of non-traditional sexual practices?

Yes No Decline to Answer

8. Will you use the power of persuasion of the Office of President of the United States to seek a climate of understanding, tolerance and acceptance of the variety of sexual practices in which Americans engage, provided that they are fully consensual and do not cause or threaten serious bodily harm?

Yes No Decline to Answer