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San Francisco Gay Bars: Challenging Exploitation and Increasing Activism

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Abstract

This paper will identify the consequences of the San Francisco Police Department's (SFPD) regulation of gay bars and analyze how these consequences impacted the civil rights of gay men and lesbians from 1960 to 1965. Ultimately, I argue that the SFPD's regulation of gay bars created a campaign of surveillance and harassment that led to the extortion of bar owners and targeted arrests of queer people. The acts of the SFPD engendered increased social and political activism in local gay and lesbian communities that challenged the oppressive sociopolitical structures of the time. To support this argument, this paper will discuss various laws, police raids, and people of prominence during the early 1960s in order to provide a foreground for the type and degree of exploitation gay and lesbian bars faced. Periodicals of San Francisco gay and lesbian organizations, firsthand experiences of queer people in San Francisco during the 1960s and newspaper articles will offer considerable insight into the SFPD's role in policing gay bars and the response of local gay and lesbian communities.

Keywords: Queer Culture, Homophobia, Gay Rights Organizations, Police Services, Gay Communities, Social Identity

Introduction

San Francisco gay bars experienced many barriers to the public organization of gay men and lesbians. Throughout the 1940s and 1950s the city saw waves of police crackdowns on queer public spaces with gay bars often as the main targets. San Francisco gay bars were one of the few places gay men and lesbians could congregate in public while still having the privacy and sense of security to interact with the same sex. During the early 1960s, following decades of abuses by local authorities, the city's gay and lesbian communities responded by increasing their political and social activism to fight for their civil rights. The creation of organizations such as the Tavern Guild were particularly important to the gay and lesbian fight for civil rights. These groups offered effective and community-based solutions that challenged the persistent oppression of San Francisco's gay and lesbian population.

This paper will identify the consequences of the San Francisco Police Department's (SFPD) regulation of gay bars and analyze how these consequences impacted the civil rights of gay men and lesbians from 1960 to 1965. Ultimately, this paper argues that the SFPD's regulation of gay bars created a campaign of surveillance and harassment that led to the extortion of bar owners and targeted arrests of queer people. The acts of the SFPD engendered increased social and political activism in local gay and lesbian communities that challenged the oppressive sociopolitical structures of the time. To support this argument, this paper will discuss various laws, police raids, and people of prominence during the early 1960s in order to provide a foreground for the type and degree of exploitation gay and lesbian bars faced. Periodicals of San Francisco gay and lesbian organizations, firsthand experiences of queer people in San Francisco during the 1960s and newspaper articles will offer considerable insight into the SFPD's role in policing gay bars and the response of the gay and lesbian community.

“Gayola” Scandal

The SFPD regulated gay bars with great discretionary authority in identifying and judging criminal behavior. The officers were not given guidelines or methods for how to handle the policing of gay bars. During the 1950s and early 1960s, most of the public was uncritical of the lack of uniformity in how the police regulated gay bars and “simply asked the police to keep homosexual bars out of the public eye” (Agee 469). Similarly, the SFPD benefitted from vague laws and loopholes within California Supreme Court cases to extend their discretionary power. The combination of these ill-defined laws, expectations of the local population, and personal motivations of the officers enabled the police officers to “develop their own, informal, and less taxing responses to gay and lesbian drinking establishments” (470).

One of the popular responses of SFPD officers’ regulation of gay and lesbian bars that came to an end in the early 1960s was the extortion of bar owners. Procuring the money from an owner of one of these establishments was often referred to as “gayola,” instead of payola given the supplier of the pay off. For most of the postwar period, members of the SFPD and local politicians benefitted from economically exploiting the gay bars for personal gains (Agee 472). Police officers would seek pay offs from bar owners in turn for the establishment avoiding closures, raids and the arrests of bar-goers. This resulted in the corruption of local officials, the unlawful manipulation of bar owners and suppressed civil rights for the San Francisco gay and lesbian community.

Existing scholarship does not analyze how the “gayola” scandal worsened the status of the gay and lesbian community in the short-term. Although the newspapers began to expose the corruption of the SFPD and city hall members, the bars were no longer protected by the officers they paid off (Raudebaugh). Additionally, the increased public discourse about the presence of gay men and lesbians and the SFPD’s solicitation and acceptance of bribes led to closer scrutiny

of local officials. Police Chief Thomas Cahill was under increased pressure to ““crack down and close”” the gay bars to compensate for the leniency some police officers executed by allowing the bars to stay open. The public had a heightened awareness of the police force’s underhandedness, and the SFPD had to respond accordingly (Boyd 208). So, although gay bars were being extorted, the end of “gayola” led to an increased suppression of civil rights of the gay and lesbian community. Bar owners lacked an insider relationship with officers who would typically protect them, and there was a universalized, required regulation of gay bars that was even more unscrupulous than the SFPD’s past behaviors (Agee 479).

Regulations and Raids

After the “gayola” scandal of 1960, the policing methods of the SFPD changed. They started to work with the Alcoholic Beverage and Control Board (ABC) and employed vague laws and court cases to justify the regulation of gay bars (Boyd 109). For example, loitering laws illegalized single men walking by themselves or being in the street without a distinct reason. Police officers had the right to ask anybody wandering in the street to justify his presence with an acceptable explanation (Ormsbee 22). This law and other vagrancy laws were used to specifically target gay men to reduce the prevalence of cruising and sociality. Former Naval Service member Otto Bremerman experienced the targeting of gay men firsthand during weekend trips to San Francisco, as well as during his time as an active member in the homophile movement. As a young gay man, Bremerman was hesitant to go into gay bars because of how frequently they were raided. When reflecting on his time in the city and going to gay bars, Bremerman said, “You took your life into your hands when you went into a bar” (Bremerman). Bremerman’s perspective echoes the experiences of many gay men and lesbians during the early 1960s. They were systematically policed at gay bars so that there would be limitations on queer

visibility in San Francisco. Ultimately, the ABC “enforced a series of laws meant to discourage the inclusion of homosexuals into the city” (Omrsbee 22). Both the SFPD and ABC limited queer people’s ability to publicly organize and socialize, thereby impeding queer people’s incorporation into the fabric of city life.

California Supreme Court cases like *Stoumen v. Reilly* were also used to regulate gay bars. The consensus of the case was that a bar could not be closed simply because it was assumed to have a large gay and lesbian clientele (*Stoumen v. Reilly* 37 Cal.2d 713). Historians such as Nan Alamilla Boyd and Andy Hughes view the case as a step forward for the queer community, but the vagueness of the ruling offers too much room for interpretation. In *Wide Open Town*, Boyd states that the case “overturned the most effective tool of local police agencies: the presumed illegality of gay bars and taverns” (16). Similarly, in Hughes’ *A History of Political Scandals*, he refers to the case as a “turning point for gay rights” (58). These interpretations overstate the significance of the California Supreme Court ruling. Although it may have looked like a progressive ruling meant to protect the gay and lesbian community, it did not have a widespread, positive impact. The case did not overturn law enforcement’s tools to police gay bars but rather resulted in additional forms of regulation that were more underhanded and exploitative than previous policing efforts. Since law enforcement could not close bars simply because of a predominantly gay and lesbian clientele, they adopted alternative forms of policing detailed later in the paper. The case did not secure equal protection for the gay and lesbian community, nor did it secure their freedom of assembly. Additionally, with the help of the SFPD and undercover ABC agents, the ABC could still revoke liquor licenses or enforce other penalties if they claimed to see homosexual activity within the bar.

One example of law enforcement's use of *Stoumen v. Reilly's* vague ruling is the revocation of the Black Cat's liquor license on Halloween in 1963. In an interview with Merla Zellerbach, Guy Strait, editor of a local gay newspaper, said that while the ABC and SFPD could not close the bar, they could still "walk in there like panzers and rip the license off the wall" if they saw so much as same-sex dancing (Zellerbach). Zellerbach's article came out the day before the Black Cat raid, which means that the gay and lesbian community knew the plans of the ABC before the raid happened. Despite being informed and able to prepare for a raid, local queer people were still frustrated by the regulation of the gay bars, especially on a night like Halloween. As one of the gay men interviewed by Zellerbach said, "I couldn't care less about the \$200 I spent on my costume- that's just money. I DO care about losing my civil rights and liberties" (Zellerbach). The conflation of SFPD and ABC policing led to the decreased average lifespan of San Francisco gay bars to two years (Agee 475). This decreased the number of public spaces gay men and lesbians were able to congregate since the bars were being raided, penalized, or closed simply for having queer clientele. The discretionary authority of law enforcement continued due to the imprecise language of *Stoumen v. Reilly*, which consequentially suppressed the civil rights and liberties of the queer community. They did not receive equal protection under the law and were denied their first amendment right to assembly.

Another way the SFPD regulated gay bars was the use of entrapment. Since they were no longer able to close a bar because of suspected homosexual activity, they needed to create probable cause for arrests. With the support of Mayor George Christopher and Chief Cahill, the SFPD provided the ABC with trained officers in plainclothes to go infiltrate gay bars (Agee 479). Their aim was to enter the bar undetected and lure other patrons suspected of being homosexuals into accepting the officer's advances (Ormsbee 22). SFPD officers received

training for how to behave in the bars so that they would not be singled out as outsiders (qtd. in Ormsbee 22). Additionally, new undercover agents even practiced entrapping people in smaller bars before the larger raids. San Francisco native Tony Tavarossi was arrested for “propositioning an undercover cop” who was preparing for the Tay-Bush Inn raid, the largest gay bar raid in San Francisco’s history (Fritscher 107).

The conflation of the SFPD’s use of entrapment and the ABC’s distinct agenda to close San Francisco gay bars led to the Tay-Bush Inn raid. The raid resulted in the arrest of 103 people organized by the SFPD vice squad. According to the police officers, the people inside the establishment engaged in “lewd, indecent acts” that warranted their arrests (“Big Sex Raid --- Cops Arrest 103”). Bob Johnson, owner of Tay-Bush Inn, claimed that the people were ““booked on phony charges”” and the police officers ““were very sassy toward them – real rude”” (“Big Sex Raid --- Cops Arrest 103”). These quotes show how differently people viewed gay men and lesbians in the early 1960s. Policemen were concerned with the prevalence of same-sex dancing in the bar and arrested people for “lewd” interactions with someone of the same sex. Johnson was concerned with how his customers were being treated and thought that the police officers were abusing their power. The SFPD targeted the Tay-Bush Inn because of its clientele. They had undercover officers stake out the location for three days before the raid (“Big Sex Raid --- Cops Arrest 103”). The arrests and raid were premeditated decisions to punish the gay and lesbian community for their same-sex affiliations. Bremerman detailed the sight of plainclothes policemen who would go into bars and if “you look cross-eyed at them, they immediately arrested you and took you away and your name and address would appear in the paper the next day” (Bremerman). The reasons for gay men’s and lesbians’ arrests were ambiguous and

unwarranted and only exemplify the SFPD's suppression of the civil rights of the gay and lesbian community during this time period.

Community Responses

These forms of regulation show that during the early 1960s, the SFPD focused on enforcing social mores backed by vague laws that afforded discretionary power to law enforcement. The SFPD erected barriers to queer people's public presence and sociality, as well as infringed on their rights to assembly. The campaign of surveillance and targeted arrests of gay men and lesbians from 1960 to 1965 elicited a strong response from the gay and lesbian community. They became more organized and created new groups to combat the injustices they experienced such as the Society for Individual Rights (SIR), Citizens Alert, the Tavern Guild and the Council of Religion and the Homosexual (CRH). Already established groups such as the Daughters of Bilitis increased the political dimensions of their organizations by starting to publicly condemn the SFPD. They circulated periodicals and opinion pieces that spoke out against the discriminatory practices.

A variety of publications fighting for gay and lesbian rights challenged the abuses of law enforcement. They helped spread awareness of local issues such as police officers who were particularly abusive and which gay bars were being shut down. For example, SIR created *Vector*, a monthly magazine that focused on securing freedom, equal rights, and dignity for people regardless of sexual orientation. They openly critiqued social and political institutions that infringed on these values (Ormsbee 157). One article in *Vector* reported that San Francisco's "585 Club" was closed because of two groups of men showing public displays of affection and a customer flirting with an undercover agent. As a result of this closure and several others, the author calls for a police review board. The author critiques the police's monopoly on interpreting

laws and determining moral standards, even comparing the SFPD to “S.S. squads of Hitler’s Germany” (“Police Review Board Needed” 3). Gay and lesbian publications became increasingly vocal during the early 1960s. They responded directly to the attacks against their community by spreading awareness about the abuses and proposing constructive solutions.

Similarly, the Citizens Alert organization was also active in their reporting throughout the 1960s, especially in response to SFPD’s abuse of power. In their statement of purpose, Citizens Alert details their desire to compile precise and trustworthy reports of police brutality, harassment and “unequal enforcement of law” with the goal to educate people about their rights and civic obligations (“Citizens Alert First Annual Report, August, 1965-December, 1966” 1). Several incident reports compiled by Citizens Alert relate to Park Station Officer Arthur Gerrens and his abuse of members of the gay and lesbian community. One unnamed individual reported that Officer Gerrens ignored gay men’s and lesbians’ “rights as community members and their dignity as human beings” via his use of unnecessary force and “brutal, rude and overbearing” nature (“Citizens Alert Report” 1). The report also includes a separate letter to Chief Cahill demanding that Officer Gerrens be removed from the force after searching one man ten times in a two-month period (4). It is significant that Chief Cahill was written to by a community member because it shows that some citizens took these abuses very seriously and felt obligated to stand up for themselves and each other. This suggests that organizations like Citizens Alert were successful at increasing awareness of the SFPD’s abuses and challenging the SFPD head-on.

The Tavern Guild is the most important social organization to come out of this period because it was created in direct response to the SFPD regulation of gay bars. In “Lest We Forget,” a condensed history of the Tavern Guild created by its members, it discusses the owners’ and bartenders’ dreams to “enjoy equal rights under the constitution” instead of being

denied the freedom of assembly. The Tavern Guild organized to fight the unjust existence, enforcement and effects of discriminatory laws (“Lest We Forget” 1). To combat the regulation of gay bars, the Tavern Guild adopted a few forms of resistance. They circulated pictures of undercover agents and created a phone tree so that bars would know which places had been harassed by the police (“Lest We Forget” 2). Additionally, the group paid lawyer fees for people arrested in gay bars and invited politicians to their weekly meetings (Ormsbee 96). The Tavern Guild developed new ways to avoid closures and spread public awareness about issues particular to the gay and lesbian community. These interests led them to join with the CRH to advocate for the rights of gay men and lesbians and increase queer visibility.

The CRH was originally founded to foster an open, theologically-focused dialogue between ministers and the “homosexual” community (“S.F. Homosexuals: Clerics Blast Cops” 4). Their main goal was to include gay men and lesbians into the existing church community, but this changed as the CRH became more understanding of the everyday lived experiences of gay men and lesbians (Ormsbee 131). At the New Year’s Eve Mardi Gras Ball held by the CRH, fifty-five SFPD officers were ordered to “intimidate, harass and make arrests” at the ball to prevent the attendees from fundraising and celebrating the New Year (“Private Benefit Ball Invaded”). After the harassment the members of the CRH witnessed and the arrests of several people at the ball, the message of the CRH was greatly altered. The CRH began to focus on issues related to SFPD abuse and harassment and how to achieve justice for the gay and lesbian community (Boyd 235). Publications like the CRH’s “A Brief of Injustices: An Indictment of Our Society in Its Treatment of the Homosexual” detail the injustices experienced by the gay and lesbian community ranging from unjustifiable discrimination, social ostracization, and unlawful police entrapment (Council on Religion and the Homosexual, Inc. 11). Similar publications and

extensive media coverage increased membership to organizations such as SIR and the Tavern Guild, which expanded public awareness and social activism (Marcus 145 and Boyd 235).

The success of the CRH was also achieved with the help of already established organizations such as the Daughters of Bilitis, which was the United States' first political and social organization for lesbians. Phyllis Lyon and Del Martin, couple and founders of the Daughters of Bilitis, helped found the CRH and influence the causes the organization supported (Boyd 220). Lyon and Martin worked to secure individual rights for the gay and lesbian community via their political activism, social organization and widespread publications. The couple also wrote and edited *The Ladder*, the Daughters of Bilitis' monthly magazine. Both women were outspoken about the SFPD's abuse of power in regulating gay bars. Martin went so far as to publicly blame Mayor George Christopher for being complicit in the mistreatment of gay men and lesbians, while Lyon called for the end to the police's unequal surveillance of perceived "homosexual" versus "heterosexual" bars (Martin 14-15). Lyon and Martin influenced many of the gay and lesbian organizations. They were invested in securing their rights and ending the unequal regulation of gay bars because the bars were an important center of queer culture and life (Boyd 160).

Conclusion

An analysis of the regulation of gay bars from 1960 to 1965 reveals a sustained campaign of extortion, surveillance, harassment, and unequal treatment by the SFPD. As a result, the civil and human rights of the local gay and lesbian community were suppressed. They were unable to freely assemble, were subjected to targeted abuse, and disproportionately impacted by certain laws. As seen with the *Stoumen v. Reilly* case, the SFPD exercised great discretionary authority in the regulation of gay bars and refused to be hindered by the Supreme Court of California

ruling. The consequences of the SFPD's regulation of gay bars prompted a rise in political and social activism in gay and lesbian communities. New organizations were created in response to the acts of the SFPD so that the gay bars and their patrons would be protected from further mistreatment. These organizations championed the dignity and humanity of gay men and lesbians to assert their right to an equal status in society. Ultimately, the regulation of San Francisco gay bars infringed upon the civil rights and freedoms of gay men and lesbians. Consequentially, there was an increase in social and political activism in which the gay and lesbian organizations openly criticized the exploitative power of the SFPD. The gay and lesbian community united against its oppressors to fight for the rights and liberties they had been systematically denied.

Works Cited

- Agee, Christopher. "Gayola: Police Professionalization and the Politics of San Francisco's Gay Bars, 1950-1968." *Journal of the History of Sexuality* vol. 15, no. 3, September 2006, 462–89, DOI: 10.1353/sex.2007.0024.
- "Big Sex Raid --- Cops Arrest 103." *San Francisco Chronicle*, 14 August 1961, infoweb-newsbank-com.libproxy.scu.edu/apps/readex/doc?p=EANX&docref=image/v2:142051F45F422A02@EANX-1508DDE0C13BF2AD@2437526-1508D28191F18322@2-1508D28191F18322@. Accessed 9 Feb. 2019.
- Boyd, Nan Alamilla. *Wide-Open Town: A History of Queer San Francisco to 1965*. University of California Press, 2003.
- Bremerman, Otto. (Gay Naval Service member). "Interview with" Everett Erlandson, 12 August 1994, Gay, Lesbian, Bisexual, Transgender Historical Society of San Francisco (GLBTHS), docs.glbthistory.org/oh/Bremerman_Otto8-12-1994_web.pdf
- Council on Religion and the Homosexual, Inc. "A Brief of Injustices: An Indictment of Our Society in Its Treatment of the Homosexual." June 1965.
- Fritscher, Jack. *Gay San Francisco: Eyewitness Drummer: A Memoir of the Sex, Art, Salon, Pop Culture War, and Gay History of Drummer Magazine, the Titanic 1970s to 1999*. Palm Drive Publishing, 2006.
- Hughes, Andy K. *A History of Political Scandals: Sex, Sleaze and Spin*. Pen & Sword History, 2013, books.google.com/books?id=nOoHBAAQBAJ&lpg=PT133&ots=nABNhBqgZ1&dq=stoumen%20v%20reilly%20gay%20history&pg=PT42#v=onepage&q=stoumen%20v%20reilly%20gay%20history&f=false.

José Sarria Papers, GLBTHS, San Francisco, CA.

Martin, Del. "Fire Hoses Next?" *Ladder* vol. 5, no. 12, September 1961,

login.libproxy.scu.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=qth&AN=9298668&site=ehost-live.

May in Marcus, *Making History*, 145; Bill Plath, interviewed by Nan Alamilla Boyd, tape recording, San Francisco, August 4, 1992, Wide Open Town History Project, GLBTHS.

Quoted in Boyd, *Wide Open Town*, 235.

Ormsbee, J. Todd. *The Meaning of Gay*. Lexington Books, 2010.

Phyllis Lyon and Del Martin Papers, GLBTHS.

"Police Review Board Needed," *Vector*, vol. 1, no. 12, November 1965.

"Private Benefit Ball Invaded." *Vector*, vol. 1, no. 2, January 1965.

Raudebaugh, Charles. "2 More Cops Involved in the Bribe Probe," *San Francisco Chronicle*, 14

May, 1960, [infoweb-newsbank-](http://infoweb-newsbank-com.libproxy.scu.edu/apps/readex/doc?p=EANX&docref=image/v2:142051F45F422A02@EANX-1508C9A4DEA641B8@2437069-1508C7C2EF1B6136@2-1508C7C2EF1B6136@)

[com.libproxy.scu.edu/apps/readex/doc?p=EANX&docref=image/v2:142051F45F422A02@EANX-1508C9A4DEA641B8@2437069-1508C7C2EF1B6136@2-](http://com.libproxy.scu.edu/apps/readex/doc?p=EANX&docref=image/v2:142051F45F422A02@EANX-1508C9A4DEA641B8@2437069-1508C7C2EF1B6136@2-1508C7C2EF1B6136@)

1508C7C2EF1B6136@. Accessed February 9, 2019.

"S.F. Homosexuals: Clerics Blast Cops," *San Francisco Chronicle*, 25 September 1965.

SCOCAL, *Stoumen v. Reilly*, 37 Cal.2d 713 scocal.stanford.edu/opinion/stoumen-v-reilly-29515.

Accessed February 9, 2019.

Zellerbach, Merla. "Rights, Liberties and The Black Cat Closing," *San Francisco Chronicle*, 30

October 1963, [infoweb-newsbank-](http://infoweb-newsbank-com.libproxy.scu.edu/apps/readex/doc?p=EANX&docref=image/v2:142051F45F422A02)

com.libproxy.scu.edu/apps/readex/doc?p=EANX&docref=image/v2:142051F45F422A02

[@EANX-150ABDF2497CC50B@2438333-150ABCF20CAE6CD9@40-150ABCF20CAE6CD9@](#). Accessed February 9, 2019.