

Safer Sex: Gay Politics and the Remaking of Liberalism in Seattle, 1966-1995

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Abstract

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This dissertation examines the City of Seattle's incorporation gay politics during the late twentieth century and its effects. City officials recognized moderate, respectable white middle-class gay activists as worthy of inclusion in their efforts to promote Seattle as a liberal, inclusive place. However, the inclusion and promotion of liberal gay politics justified and facilitated criminalizing different populations and advanced capitalist development in the post-civil rights era. Liberal gay politics were safer for city officials to embrace than racial or economic justice, which would have required sustained commitment of public resources and/or a fundamental restructuring of society and the political economy, and queer politics calling for institutional change and broad changes in social and cultural attitudes about sexuality were marginalized as moderate gay activists gained state recognition. City officials rewarded gay men and lesbians who kept their sexual behaviors and practices hidden from public view and prosecuted those who did not. The promotion of "safe sex" in the context of the AIDS epidemic challenged efforts to hide overt sexuality from public view and discourse, requiring a public recognition of queer

male-male sexual practices to effectively combat the disease. However, as gay residents who emulated white, middle-class heterosexual norms gained recognition, the city expanded the policing of “deviant” forms of sexuality. Thus, late twentieth-century liberals’ inclusion of some diversity perpetuated and expanded state violence and economic hardship on others.

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List of Acronyms

ACLU-W.....American Civil Liberties Union of Washington

APLWA.....Association for People Living with AIDS

APP.....AIDS Prevention Project

ASAEP.....AIDS Surveillance, Assessment, and Education Project

BBIA.....Broadway Business Improvement Association

BIA.....Business Improvement Area

CHCC.....Capitol Hill Chamber of Commerce

ComBAT.....Community Board Against Thirteen

CRFE.....Citizens to Retain Fair Employment

CSB.....Chicken Soup Brigade

DHR.....Seattle Department of Human Rights

DSHS.....Washington State Department of Social and Health Services

ERISA.....Employee Retirement Income Security Act

FBI.....Federal Bureau of Investigation

GLF.....Gay Liberation Front

GSBA.....Greater Seattle Business Association

HRSA..... United States Health Resources and Services Administration

LRC.....Lesbian Resource Center

MLGTF.....Mayor’s Lesbian and Gay Task Force

NIDA.....National Institute on Drug Abuse

NWAF.....Northwest AIDS Foundation

OWR.....Office of Women’s Rights

OHR.....Office of Human Rights
POCAAN....People of Color Against AIDS Network
PPPS.....Pike/Pine Planning Study
SAN.....Seattle AIDS Network
SCAT.....Seattle Committee Against Thirteen
SCCC.....Seattle Central Community College
SCLG.....Seattle Commission for Lesbians and Gays
SGA.....Seattle Gay Alliance
SGN.....*Seattle Gay News*
SKCDPH...Seattle-King County Department of Public Health
SPD.....Seattle Police Department
TDG.....The Dorian Group
USM.....Union for Sexual Minorities
USPHS.....United States Public Health Service
UW.....University of Washington
UWADAI... University of Washington Alcohol and Drug Abuse Institute
WAT.....Women Against Thirteen
WCfSMR ...Washington Coalition for Sexual Minority Rights

Introduction

Recent iterations of Seattle's Pride Parade point to the problems that have accompanied city officials' promotion of Seattle as a liberal, gay-friendly city. Since 2006, the Seattle Pride Parade has been held downtown, culminating in Pride Fest at Seattle Center, site of the 1962 World's Fair. While Seattle's first Gay Pride event also made use of Seattle Center, the nature of this annual commemoration of the 1969 Stonewall Riots in New York City had significantly changed. In 1974, gay Seattleites held a "gay-in" at Seattle Center, where gay men and lesbians made themselves visible on their own terms. By 1974, gay men and lesbians had gained employment nondiscrimination protections, enjoyed by sexual minorities in very few municipalities at the time, but their social and political position in Seattle remained tenuous. However, by 2016 approximately one hundred of the parade entries were private companies, demonstrating their support as allies for LGBTQ people. These companies included local corporate giants Starbucks, Microsoft, Amazon, Nordstrom, Boeing, and Alaska Airlines, along with smaller local businesses, as well as national corporations including Google, Facebook, Delta Airlines, and Chase Bank. Incorporated LGBTQ social and political organizations marched in the "parade," celebrating Seattle's acceptance of LGBTQ citizens, but their floats were sprinkled in among the many corporate and political allies of gay Seattleites.¹ While the 1974 march had about one thousand participants, a few hundred thousand people have regularly attended the parade in recent years.

In 2016, the organizing of the parade demonstrated exactly how much corporate sponsorships had come to dominate the parade. Seattle Pride welcomed Delta Airlines as the official sponsor of the parade. It was announced that Delta's sponsorship required that Seattle-

¹ Seattle Pride, accessed July 1, 2017, <http://seattlepride.org/events/parade/participants/>.

based Alaska Airlines would be barred from any presence in the parade. Spokesman for the Seattle Pride Parade Colin Bishop explained the decision, “We can’t have [Alaska Airlines employees] promoting Alaska Airlines when Delta bought the category sponsorship. That would be free marketing. When T-Mobile’s in there, we don’t have groups marching from AT&T or Verizon.”² Following protests from 300 Alaska Airlines employees who had begun planning their own event, Seattle Pride President Eric Bennett reversed the decision, stating, “It was not my intention to exclude any groups or individuals, regardless of their company loyalties, employer, and group associations.”³ Bennett resigned as Pride President one day after the apology.⁴

As a venue for corporate marketing, Seattle Pride has faced criticism from anti-capitalist queer activists, including many queer activists of color. On June 25, 2017, the marginalization of queer people of color in Seattle became front and center when queer people of color activists disrupted the parade, drawing attention to police violence against people of color. This direct action took place exactly one week after Seattle police officers Steven McNew and Jason Anderson murdered Charleena Lyles, a pregnant woman with a history of mental illness, in front of her children after Lyles had called the police to report a robbery. Under the banner “No Justice, No Pride,” these activists created an altar for Lyles and spoke out on issues of racism in Seattle, including the settler colonial history of the city and the presence of the Seattle Police Department along the parade route. Their protest lasted thirty minutes, one minute for each year of Lyles’s life. Announcers ahead of the protest used the time to describe the roles played by

² Danny Westneat, “Airline wars wound Seattle Pride Parade marchers,” *Seattle Times*, May 17, 2016, accessed July 1, 2017, <http://www.seattletimes.com/seattle-news/airline-wars-wound-seattle-pride-parade-marchers/>.

³ Danny Westneat, “Seattle Pride asks Alaska Air back to the parade,” *Seattle Times*, May 18, 2016, accessed July 1, 2017, <http://www.seattletimes.com/seattle-news/seattle-pride-welcomes-alaska-air-back-to-the-parade/>.

⁴ Christine Clarridge, “Seattle Pride president quits after airline-sponsorship flap,” *Seattle Times*, May 19, 2016, accessed July 1, 2017, <http://www.seattletimes.com/seattle-news/president-of-seattle-pride-resigns/>.

queer and trans people of color in the 1969 Stonewall Riots the parade was supposedly commemorating.⁵

How is it that the last two Seattle Pride Parades became venues for a corporate rivalry and a disruption orchestrated by queer of color activists? These two incidents over the last two Seattle Prides have a much longer history. Seattle's reputation for LGBTQ inclusivity has developed alongside greater policing and surveillance and greater economic stratification. These late twentieth century developments have disproportionately affected people of color, queer people who express their sexuality in public, trans people whose gender expression does not fit neatly into masculine or feminine or express the opposite from their perceived gender assignment at birth, and especially queer and trans people of color. Class also plays an important role as does one's given family's acceptance or lack thereof in determining who has access to resources to maintain a private sex life and who does not. This dissertation questions the extent to which LGBTQ Seattleites have been recognized as citizens, and by extension, investigates the contradictions of late twentieth century liberalism. City officials recognized moderate, respectable white middle-class gay activists as worthy of inclusion in their efforts to promote Seattle as a liberal, inclusive place. However, the inclusion and promotion of liberal gay politics justified and facilitated criminalizing different populations and advanced capitalist development in the post-civil rights era.

Charleena Lyles's murder at the hands of officers McNew and Anderson echoes the murder of another young, mentally ill black Seattleite John Alfred Rodney by Seattle police officer Dennis Falk on August 19, 1978. Falk chased Rodney in Seattle's racially and ethnically

⁵ Kelsey Hamlin, "Paying Tribute to Charleena Lyles, No Justice No Pride Action Disrupts Pride Parade," *South Seattle Emerald*, June 25, 2017, accessed July 1, 2017, <https://southseattleemerald.com/2017/06/25/paying-tribute-to-charleena-lyles-black-lives-matter-action-disrupts-pride-parade/>.

diverse Rainier Valley, shooting Rodney as he ran away. The Revised Code of Washington protected Falk from prosecution, allowing officers the discretion to use deadly force in suspected felony cases, including burglary, regardless of the danger posed by a suspect. The Seattle City Council had adopted more restrictions around police officers' use of firearms, limiting the use of firearms to cases where a suspect endangered the life of another person or was fleeing a scene after having used deadly force, but the ordinance did not take effect until November 1, 1978. Furthermore, the ordinance was put to voter referendum as Initiative 15 on November 7. Also on the ballot that day was Initiative 13, an anti-gay referendum on Seattle's nondiscrimination protections for sexual minorities, co-authored by Dennis Falk and fellow police officer David Estes. On November 7, 1978, Seattle voters overwhelmingly voted "no" on Initiative 13, recognizing gay people as citizens worthy of state protection from discrimination. Yet the limits of liberalism were highlighted by the election returns in 1978: Seattle voters simultaneously approved Initiative 15 by a similarly large margin, authorizing and empowering police officers to use deadly force at their own discretion in all felony cases.⁶ Voters recognized gay residents as citizens while permitting murder as an acceptable police response to crimes against property, including the recent murder of a twenty-six-year-old mentally ill black man who had not harmed or threatened anybody. As the City of Seattle celebrated its LGBTQ community on June 25, 2017, Initiative 15 remains in effect, likely to exonerate McNew and Anderson of their murder of Charleena Lyles four decades later.

The corporatization of Seattle Pride also has a history. The Lesbian and Gay Pride March had been organized by the Stonewall Committee, a group of radical gay liberationists and lesbian feminists, throughout the 1970s. In 1982, the Greater Seattle Business Association (GSBA), a

⁶ Gary Atkins, *Gay Seattle: Stories of Exile and Belonging* (Seattle: University of Washington Press, 2003), 252-254.

recently organized group of gay business owners, declared themselves leaders of the First Northwest Lesbian and Gay Pride March/Parade and Freedom Rally. Whereas early marches had an atmosphere of political protest through Seattle's downtown, the GSBA-organized parade was a "celebration" of gay identity that promoted gay-owned businesses on Capitol Hill.⁷ While corporate allies did not yet have a place in the parade, the depoliticization and promotion of consumption embodied by the 1982 parade marked a clear shift toward the promotion of gay men and lesbians as normal citizens through their participation in the capitalist political economy.

This dissertation examines the connections between the City of Seattle's recognition and inclusion of gay citizens and the growth of economic stratification and what might be called the "police-carceral system," which has disproportionately affected people of color and people who openly displayed their sexuality in public. I use the term queer to denote those whose identities and politics fall outside the city's parameters of a proper citizen, based on the social norms and politics of the white, heterosexual middle-class. Seattle's incorporation of gay citizens was limited to those who otherwise emulated a white, middle-class heterosexual lifestyle. By contrast, queer people, not adhering to dominant social norms, were socially, economically, and politically marginalized. This included queer activists of color and their allies who were calling for reparative justice – the restructuring of society and the political economy for greater material equality and the elimination of state violence against marginalized peoples – as opposed to recognition and incorporation into a capitalist, imperialist society and culture.

Between 1966 and 1995, Seattle reflected the trajectory of many American cities as its political economy depended on manufacturing before deindustrialization decimated the local

⁷ Atkins, *Gay Seattle*, 268-269.

economy, and its economy began growing again with the technology boom of the late twentieth century. In 1966, Seattle's economy was booming with a large working-class buttressed by the Boeing Corporation. The contraction of Boeing between 1969 and 1971 produced a reeling political economy and a mass exodus of 100,000 residents from the city proper alone between 1969 and 1977. The Microsoft Corporation made its headquarters in the Eastside suburbs of Seattle in 1979, and the growth of technological industries has largely fueled economic growth in the region, especially since the 1980s. City officials thus catered to upwardly mobile white professionals, not only working for tech companies but also small business owners bringing vitality to different Seattle neighborhoods and other professionals with disposable incomes to spend on those small businesses. This included gay and lesbian professionals and business owners.

Seattle was at the forefront of the liberal state's recognition of gay people as citizens, making it a case study worth considering. Seattle was the largest city in the United States to adopt a nondiscrimination ordinance covering sexual minorities working in the private sector in 1973, was the first city to vote in favor of gay rights in 1978, developed the largest gay business association in the United States, and had the most well-funded and coordinated response to the AIDS epidemic of any municipal public health department in the 1980s. Seattle recognized a gay political constituency earlier than most cities, though after 1975 city officials largely limited that recognition to white, middle-class activists who pushed for inclusion in white, middle-class heterosexual society. The politics of these predominantly white, middle-class gay men, and lesbians to a lesser extent, reflected a post-Civil Rights Era liberal discourse privileging individual rights, including property rights, that steered liberals toward a political consensus around law and order and privileged the interests of business owners in economic development

rather than consumers. These politics favored property rights over human rights. Moderate gay activists' aim was to undercut the ideology of conservative political activists who sought to depict all gay people as sexual deviants unfit for inclusion in American society by proving themselves to be normal, respectable, law-abiding citizens.

I refer to the political aim of predominantly white, middle-class individual rights-oriented gay activists as “sexblindness” because their goal was to position gay men and lesbians as normative citizens while keeping their sexual practices and behaviors private.⁸ These activists adhered to respectability politics, a term developed by Evelyn Brooks Higginbotham to describe efforts of African American women to follow white, middle-class norms of behavior in efforts for inclusion in the white women’s movement.⁹ They sought inclusion as “normal” white, middle-class citizens in society as it existed, downplaying their sexual differences from the white heterosexual majority. These activists did not threaten the social or political economic order but merely sought to fully exist within it, enjoying the privileges granted them by their whiteness, socio-economic background, and in the case of gender-conforming gay men, their maleness. Lesbian and queer voices were present throughout this story, but white, middle-class gay men had the most to gain through the erasure of sexual difference as a basis for discrimination and are played an outsized role in the development of Seattle’s gay right initiatives. Furthermore, sexblindness built on and functions in tandem with “colorblindness”; both have recognized and produced categories of difference while erasing differential treatment from law and policy

⁸ Social scientists Anne M. Koenig and Jennifer A. Richeson have used the term “sexblind” in reference to gender nondiscrimination efforts in the vein of colorblindness, Anne M. Koenig and Jennifer A. Richeson, “The Contextual Endorsement of Sexblind Versus Sexaware Ideologies,” *Social Psychology* 41 (3): 186-191. I am using the term both in this way and to describe gay respectability politics devoid of overt sexuality as a strategy to achieve a “sexblind” society, where sexuality is absent from public view and public discourse.

⁹ Evelyn Brooks Higginbotham, *Righteous Discontent: The Women’s Movement in the Black Baptist Church, 1880-1920* (Cambridge, MA: Harvard University Press, 1993).

through an individual rights framework that has benefitted those with preexisting social, economic, and political privilege based on intersecting racial, gender, and sexual identities and socio-economic status.¹⁰ The incorporation of sexblind gay politics thus allowed the inclusion of white, middle-class gay men and lesbians and fostered greater policing against people of color and people with publicly queer sexualities – sex workers, people engaging in public sex, and homeless queer people. The expansion of the white middle-class was safer for maintaining social order than the politics of racial justice.

The City of Seattle’s incorporation of individual rights-oriented gay politics dovetailed with the city’s interest in economic recovery and maintaining social order. Sexblindness was safer for the city to embrace than racial and/or economic justice, as the latter would have required the sustained commitment of state resources, a fundamental restructuring of society, and a transformation of attitudes. The incorporation of the Civil Rights Movement facilitated a shift toward legal colorblindness, built on the assumption that legal equality alone achieved racial equality. Sexblindness is built on the project colorblindness, requiring limited state resources to police discrimination against sexual minorities while turning a blind eye to material inequalities and subjecting marginal populations to state violence.¹¹ The incorporation of individual rights allowed the municipal state to announce itself colorblind and sexblind, which allowed for greater policing and incarceration of “criminals,” disproportionately people of color and/or people who did not contain their sexuality in private, such as sex workers, homeless queer youth, and people

¹⁰ On colorblindness, see Michael Omi and Howard Winant, *Racial Formation in the United States*, 3rded. (New York: Routledge, 2015); Eduardo Bonilla-Silva, *Racism without Racists: Color-blind Racism and the Persistence of Racial Inequality in America* (Lanham, MD: Rowman & Littlefield, 2014); Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*, Revised Ed. (New York: The New Press, 2012).

¹¹ See David Eng, *The Feeling of Kinship: Queer Liberalism and the Racialization of Intimacy* (Durham, NC: Duke University Press, 2010); Chandan Reddy, *Freedom with Violence: Race, Sexuality and the US State* (Durham, NC: Duke University Press, 2011).

engaging in sexual acts in public. City officials hoped the incorporation of sexual diversity through sexblind policies would make the city safer *from* sex, rewarding gay men and lesbians who kept their sexual behaviors and practices hidden from public view and prosecuting those who did not.¹² The promotion of “safe sex” in the context of the AIDS epidemic challenged sexblindness, requiring a public recognition of queer male-male sexual practices to effectively combat the disease. However, even as the public health department recognized a wide range of queer sexualities, the City Council and other municipal agencies continued pursuing sexblind policies. As gay residents emulating white, middle-class heterosexual norms gained recognition, the city expanded the policing of deviant forms of sexuality, even restricting the right of *all* citizens to use city parks overnight to deter public sexual behavior.

Gay Rights and Urban History

This dissertation builds on the recent work of queer urban historians who have addressed the intersections of gay politics with race, urban space, and political economy over the late twentieth century. Timothy Stewart-Winter primarily looks at how gay men and lesbians, and white gay men in particular, gained recognition as a political constituency in Chicago by learning to play urban machine politics. However, Stewart-Winter’s conflation of “gay” and “queer” pays less attention to voices criticizing the incorporation of mainstream gay politics by the City of Chicago.¹³ This dissertation builds on Stewart-Winter’s insights into how gay activists gained access to political power in America’s cities but looks more closely at the effects of the

¹² Laurie Marhoefer examines a similar process in Germany under the Weimar Republic, Laurie Marhoefer, *Sex and the Weimar Republic: German Homosexual Emancipation and the Rise of the Nazis* (Toronto: University of Toronto Press, 2015).

¹³ Timothy Stewart-Winter, *Queer Clout: Chicago and the Rise of Gay Politics* (Philadelphia: University of Pennsylvania Press, 2016).

municipal state's recognition and incorporation of white, middle-class gay activism and marginalization of activism more critical of the social and political economic order. Seattle's relatively early embrace of sexblind policies provides new insights into the give and take of gay rights activism and urban politics.

Like Stewart-Winter, I move the study of gay politics beyond New York and San Francisco, the two cities on which the most has been written about gay communities and politics. I join a growing number of scholars who demonstrate the nuanced histories of gay urban politics shaped by the unique settings in which they took place. The similarities in these histories, however, provide insight into the development of late twentieth century urban liberalism. For example, Kevin Mumford's work on Philadelphia largely confirms many of Stewart-Winter's arguments about Chicago, particularly how black politicians were targeted by gay activists in the fight for a nondiscrimination ordinance. Both look at the complex debates around gay rights among black leaders in cities with large black populations that gained some representation in city government.¹⁴ Ian Baldwin's work on Los Angeles shows how Los Angeles County was a more productive site of contestation for gay activists than the city. As in other cities, he reveals that gay activism reflected a shift from politics targeting inclusion in the benefits of the welfare state to politics that disproportionately benefited business interests, including efforts to incorporate West Hollywood.¹⁵ Julio Capó, Jr.'s case study of Miami is exceptional in its transnational orientation given the centrality of the Cuban community to the social and political fabric of the city.¹⁶ Kwame Holmes's more narrow focus on the politics of urban space in Washington, DC's

¹⁴ Kevin Mumford, "The Trouble with Gay Rights: Race and the Politics of Sexual Orientation in Philadelphia, 1969-1982," *Journal of American History* 98 (1): 49-72.

¹⁵ Ian Baldwin, "Family, Housing, and the Political Geography of Gay Liberation in Los Angeles County, 1960-1986," PhD diss., University of Nevada-Las Vegas, 2016.

¹⁶ Julio Capó, Jr., "It's Not Queer to Be Gay: Miami and the Emergence of the Gay Rights Movement, 1945-1995," PhD diss., Florida International University, 2011.

Shaw and Dupont neighborhoods demonstrates how (white) “gay” and (straight) “black” space came to be valued differently by city officials and private investors and developers, a study facilitated by the neighborhoods’ proximity to one another.¹⁷ The distinctive histories that emerge from each case study nevertheless offer a window into the commonalities of gay politics in urban settings, particularly the economic value attributed to gay residents relative to black and Latinx residents, Miami’s Cuban community being an exception. Taken together, these diverse histories of urban gay politics illuminate the importance of local conditions while contributing to our understanding of broader developments that transcend the particularities of each city.

Seattle’s nuances make the city worthy of scholarly attention not only because Seattle was generally at the forefront of adopting gay rights, but also because the form of city government differed from other cities studied. In a predominantly white city, voters elected nine Councilmembers to represent the entire city rather than localized districts, a more common form of city government in smaller cities.¹⁸ Thus, the interplay between activists and Councilmembers had more to do with political marketing targeting the entire city than convincing representatives of different areas of the city why gay rights were important. The near unanimous recognition of gay citizens by the City Council by the late 1970s provides insight into how the inclusion of gay rights as a citywide project dovetailed with other developments in urban politics. While the City Council was divided five-to-four over housing protections for sexual minorities in 1975, eight of nine councilmembers endorsed those same protections leading up to the 1978 ballot referendum. In 1991, the lone voice against domestic partnership on the City Council Sam Smith lost his seat to black lesbian Sherry Harris despite criticism over her

¹⁷ Kwame Holmes, “Chocolate to Rainbow City: The Dialectics of Black and Gay Community Formation in Postwar Washington, D.C., 1946-1978,” PhD diss., University of Illinois at Urbana-Champaign, 2011.

¹⁸ This changed when Seattle voters passed Charter Amendment 19 in 2013, creating seven City Council districts and two at-large positions beginning in the 2015 election cycle.

lack of involvement in Seattle's black community. Sam Smith was the longest serving African American councilmember at the time. This raises an important question: how did gay rights emerge as a political mandate in Seattle and how did it relate to the City Council's turn toward punitive measures for nonviolent crime, including public sexuality, and the use of municipal resources for business development?

Sexuality and the American State

The American state, an amalgamation of municipal, state, and federal agencies, has always sought to contain the sexual behavior of its citizens, which it continued to do even as it began recognizing and incorporating gay men and lesbians as citizens. There has always been tension between the liberal state's reliance on the liberty of individual citizens and the social constructions of gender, race, and sexuality that have limited access to full citizenship rights. Sexual behavior deviating from heterosexual norms has historically resulted in the stripping away of liberties and citizenship rights of participants. Margot Canaday describes how federal bureaucracies in the mid-twentieth century developed largely through the exclusion of homosexuals from military service, immigration to the United States, and the welfare system. The categorical "homosexual" – the basis of gay identity – and the modern US state were thus mutually constructed, and homosexuals were denied access to their full rights as citizens in the mid-twentieth century. The exclusionary nature of citizenship thus produced narrow efforts for inclusion, oftentimes producing new exclusions. The state's role in the construction of sexual identities shaped activism of gay men and lesbians in the post-war period arguing for inclusion

as full citizens based on this fixed sexual identity shaped by the federal government's policing of the boundary between "heterosexual" and "homosexual."¹⁹

While Margot Canaday describes a "straight state," looking at the enforcement of compulsory heterosexuality in federal bureaucracies during the twentieth century, a homonormative municipal state began to take shape in America's cities in the late twentieth century, and Seattle was one of the earliest sites of this production.²⁰ By homonormative municipal state, I mean that the city incorporated gay men and lesbians who adhered to white, heterosexual, middle-class social norms, maintaining those norms as a basis for recognition and inclusion. Nayan Shah demonstrates how San Francisco's Chinese community went from marginalization to "model minority" as Chinese families learned to emulate the white, middle-class nuclear family and hygiene practices.²¹ The inclusion of gay men and lesbians emulating white, middle-class relationships and private sex lives coincided with increased criminalization of queer sexualities, including sex work and public sex. I use the term "municipal state" to indicate how the municipality functions as a nexus of the liberal state within larger networks of state power. Municipal policies are partially dependent on state and federal policies and movement victories in local politics influence political strategies targeting higher levels of government. In the case of gay politics, the way in which the City of Seattle adopted gay politics became an early model of possible gay politics at the state and federal level. Basic nondiscrimination and pro-business politics satisfied gay men and women who benefited from unfettered capitalism once protected from discrimination based on their sexual identities.

¹⁹ Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth Century America* (Princeton: Princeton University Press, 2009).

²⁰ Canaday, *The Straight State*.

²¹ Nayan Shah, *Contagious Divides: Epidemics and Race in San Francisco's Chinatown* (Berkeley: University of California Press, 2001).

However, the incorporation of middle-class gay activists marginalized calls from within and beyond the queer community for more systemic change to address the inherent inequalities of capitalism.

Central to sexual minorities' activism in Seattle and other cities with large gay subcultures was their assertion of citizenship status. Canaday argues that the subordination of homosexuals during the mid-twentieth century produced a homosexual identity "by which certain individuals began to think of their sexuality in political terms, as mediating and mediated by their relationship to the state."²² The ways in which gay men and lesbians asserted themselves as citizens and defined their relationship to the state differed and shifted as the municipal state came to recognize and include gay men and lesbians as an urban political constituency. Gay liberationists asserted themselves as citizens, which, they argued, entitled them to basic citizenship rights – their right to protest, to avoid police harassment, to work, and to freely find a place to live. Moderate gay activists asserted themselves as citizens through their respectable, law-abiding behavior, which, they argued, entitled them to the right to privacy, and thus, the right to housing, to live within the bounds of the law, to freely consume goods and services, to police protection of their person and property, and to have their committed relationships recognized by the state. Gay business owners asserted their citizenship through their economic role as producers, which, they argued, entitled them to a right to police behavior that might deter customers, and in the case of bathhouse owners, to keep their businesses open amidst the AIDS crisis. Moderate gay men and lesbians asserted their citizenship through their economic roles as predominantly white, middle-class consumers and producers.

²² Canaday, *The Straight State*, 10.

Consumer Capitalism and Late Twentieth-Century Politics

This study of Seattle builds on the work of queer scholars who demonstrate how mainstream gay politics' reliance on integration into normative American society dovetailed with the rise of neoliberalism. Lisa Duggan coined the term "homonormativity" to describe gay lifestyles and politics that mimic the white, heterosexual middle-class household and its practices and politics of consumption.²³ Both Duggan and Alexandra Chasin argue that the mainstream gay rights movement adopted political arguments increasingly articulated in economic terms. The rise of gay media and gay representation in mainstream media in the 1990s contributed to the growth of national gay rights organizations predominantly led by white, middle-class gay men promoting an individual rights framework, underrepresenting the interests of working-class queers and queer people of color.²⁴ Marketers' emphasis on individual choice in an increasingly subcultural United States not only affected practices of consumption but also shaped how politics were conducted, producing self-interested consumer-citizens who, in the words of Lizabeth Cohen, "related to government itself as shoppers in a marketplace."²⁵ Duggan and Chasin draw attention to how mainstream gay activists engaged with the politics of consumption and used their economic muscle as consumer-citizens to court corporate sponsors and boycott anti-gay companies in line with Cohen's analysis of the shift from mass marketing in the mid-century era of welfare liberalism to market segmentation in response to the rise of identity politics in the 1960s and 1970s.

²³ Lisa Duggan, *The Twilight of Equality?: Neoliberalism, Cultural Politics, and the Attack on Democracy* (Boston: Beacon Press, 2003).

²⁴ Alexandra Chasin, *Selling Out: The Gay and Lesbian Movement Goes to the Market* (New York: Palgrave, 2000).

²⁵ Lizabeth Cohen, *A Consumer's Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage Books, 2003), 396.

While Chasin and Duggan focus on the 1990s as mainstream gay politics and culture gained national prominence, my study demonstrates the importance of examining the historical roots of this development in cities. Recognizing a right to privacy was conducive to the turn away from state-initiated solutions to social and economic problems to business-driven solutions to social and economic problems. Mainstream gay activists' adherence to an individual rights framework and the City of Seattle's recognition and incorporation of such politics demonstrated how the state could recognize sexual minorities as citizens *without* recognizing material inequalities produced by a history of exclusion. This was easier to accomplish with gay politics as white, middle-class gay men could fully access their racial, gender, and class privilege once their sexual identity was no longer a legitimate basis for exclusion, but queer, trans, and working-class people of color continued to face material inequalities rooted in histories of racial and sexual injustice. This longer history shows how the integration of sexblind policies by city governments was not only complicit with a neoliberal political economy but also coincided with evolving mechanisms of state violence and control.

Race and Sexuality, Law and Order

In addition to the coherence between mainstream gay politics and changes to the political economy over the late twentieth century, my dissertation builds on work on race, sexuality, and criminality, demonstrating how the incorporation of gay politics coincided with the rise in state violence against marginalized groups, including queer people and people of color. Mainstream gay activists' aim toward sexblindness was an extension of colorblindness, the recognition of racial equality in law without any reparative or redistributive policies to correct a history of injustice that produced material inequalities along racial lines. Legal scholar Michelle Alexander

demonstrates how colorblind legal logics stripping rights away from “criminals” have intersected with a racially disparate criminal justice system since the Reagan administration, while historian Elizabeth Hinton argues that mid-century liberals were key architects of the War on Crime.²⁶ As the right to privacy embedded in sexual rights cases was recognized on private property, public property, including public housing, became subject to greater surveillance and criminalization, disproportionately affecting people of color. My study of Seattle also demonstrates how the colorblind, sexblind “criminal” included queer people who did not contain their sexuality in private.

In addition to racial disparities in the police-carceral system – a term I use to describe the related development of more aggressive and militarized policing with mass incarceration – intersections with sexuality have also made queer and trans individuals disproportionately subject to its enforcement and excesses. The intersection of race and gender-sexual non-conformity is particularly evident in this regard. Queer people of color and their allies have typically centered a critique of state violence in their activism, but mainstream gay politics has relied on the individual rights paradigm, privileging the protection of property over human life. Thus, mainstream liberal gay activists’ calls for police protection have contributed to a growing police-carceral system, using the police as protective agents against others. These gay activists have directly contributed to its expansion through calls for police protection of safe spaces and through punitive hate crimes legislation, as American Studies scholar Christina Hanhardt demonstrates. Hanhardt particularly illuminates how the construction of disproportionately white, middle-class “gay ghettos” increasingly employed the police for protection, which has resulted in increased state violence against many LGBTQ people. Homeless, non-white, and/or

²⁶ Alexander, *The New Jim Crow*; Elizabeth Hinton, *From the War on Poverty to the War on Crime: The Making of Mass Incarceration in America* (Cambridge, MA: Harvard University Press, 2016).

gender non-conforming people faced increased policing against lewd public behavior, loitering, and sexual solicitation.²⁷ Legal scholar Dean Spade particularly draws attention to the state violence trans people disproportionately face – both overrepresented in prisons and subject to greater violence in prison because of their gender non-conformity. This violence is reinforced by gay rights that perpetuate individual rights, including property rights.²⁸

The turn toward greater policing and its disproportionate targeting of people of color and queer and trans people was not merely a bipartisan project, as identified by Elizabeth Hinton, but was also developed by mainstream liberals on their own terms as a focus on the history of urban policing demonstrates.²⁹ Looking at policing in San Francisco, historian Christopher Agee argues that the rise of “cosmopolitan liberalism,” which recognized the city’s racial and sexual diversity as a positive attribute, was not antithetical to tougher policing. Racial and sexual minorities committed to anti-violence and economic development were recognized as citizens worthy of police protection, while direct action tactics and violent crime became subject to tougher policing. However, the tendency of white liberals to associate blackness with criminality continued to shape how the black community was disproportionately subjected to police abuse.³⁰ Agee’s study ends in 1975, after which liberals also contributed to the policing of urban space to facilitate economic development through vagrancy, loitering, and solicitation laws to make urban commercial districts more attractive to consumers. In Seattle, gay business owners played a critical role in this development.

²⁷ Christina Hanhardt, *Safe Space: Gay Neighborhood History and the Politics of Violence* (Durham, NC: Duke University Press, 2013).

²⁸ Dean Spade, *The Normal Life: Administrative Violence, Critical Trans Politics, and the Limits of the Law* (New York: South End Press, 2011).

²⁹ Hinton, *War on Poverty to War on Crime*, 22.

³⁰ Christopher Lowen Agee, *The Streets of San Francisco: Policing and the Creation of a Cosmopolitan Liberal Politics, 1950-1975* (Chicago: University of Chicago Press, 2014).

Individual Rights and the Limited Accommodation of Diversity

Self-identified liberals recognized the need to incorporate some of the demands of social movements challenging the racial-heteropatriarchal hierarchy as they instituted policies that produced greater material inequality, particularly along intersecting race and class lines, and more punitive measures against those who remained excluded from mainstream society. This is the great contradiction of late twentieth-century liberalism: the inclusion of greater diversity has been coupled with growing inequality. This development was not limited to core urban areas. Looking at the suburbs along Route 128 outside Boston, Lily Geismer argues that white, suburban liberals' support for fair housing relied on an "equal opportunity" framework that centered individuals' right to choose where to live, allowing middle-class African Americans access to the suburbs without addressing spatial inequality, as most African Americans could not access suburban housing because of their class.³¹ Looking at presidential elections, Bruce Miroff argues that the Democratic Party split during the 1970s between New Deal, Cold War Democrats and adherents to New Politics, which centered inclusion of women, people of color, and gay men and lesbians into American society in response to the social movements of the 1960s and 1970s. What Miroff describes as "New Politics" is very much in line with Agee's "cosmopolitan liberalism," particularly concentrated in urban districts where social movements were most prominent.³² Thus, the remaking of liberalism at the local, regional, and national level balanced the inclusion of greater diversity with individual rights, multiculturalism *with* colorblindness and sexblindness, which traveled up from cosmopolitan centers into the national Democratic Party.

³¹ Lily Geismer, "Good Neighbors for Fair Housing: Suburban Liberalism and Racial Inequality in Metropolitan Boston," *Journal of Urban History* 39:3 (2012): 454-477.

³² Bruce Miroff, "From Friends to Foes: George McGovern, Hubert Humphrey, and the Fracture in American Liberalism," Jonathan Bell and Timothy Stanley, ed., *Making Sense of American Liberalism*, (Urbana: University of Illinois Press, 2012), 90-109.

Cities such as Seattle played a critical role in this remaking of liberalism. This was a project of white, middle-class liberals to demonstrate social tolerance while thwarting efforts to fundamentally change the social and economic order.

Liberals shifted away from a desire to expand the welfare state, adopting arguments rooted in an individual rights framework that maintained material inequalities shaped by histories of injustice. White, middle-class gay men and lesbians and their allies' efforts for inclusion in preexisting social, political, and economic institutions deflected calls for redistributive or reparative policies that would have required white, middle-class people to sacrifice some of their own social, political, and economic privilege. Sexblind policies granted white, middle-class gay men access to the social, economic, and political privileges they otherwise had.

While conservative activists latched on to social issues to protect what they viewed as an attack on the American family, liberals likewise differed from conservatives predominantly on social issues, prioritizing a limited inclusion of difference that marginalized calls for more fundamental change. Robert O. Self describes how the New Right exploited liberals' individual rights framework to dismantle the welfare state, expand the rights of private enterprises, and argue against affirmative action. Conservatives also adhered to "family values" on social issues, pushing for restrictions on the recognition of individual rights. Self argues that the rise of neoliberalism followed the rise of social conservatism, that the ideal male breadwinner did not need the state to provide him benefits in the conservative worldview. Self argues that liberals had greater success in the incorporation of identity politics, only requiring negative rights or rights devoid of the provision of state resources, than they did with expanding the social safety net, requiring the provision of state resources. The history of gay politics in Seattle demonstrates

how liberals themselves shifted away from expanding the welfare state and how the incorporation of individual rights-oriented identity politics facilitated that shift.

Gay Politics and the Remaking of Liberalism in Seattle

Seattle is a useful site for investigating the exclusions that have accompanied the recognition of gay people as citizens, as the city was an early exemplar of the liberal incorporation of challenges to state-enforced compulsory heterosexuality. Just as compulsory heterosexuality developed hand-in-hand with the growth of welfare liberalism over the mid-twentieth century, so too the incorporation of gay politics in Seattle went hand-in-hand with the shift away from welfare liberalism over the late twentieth century.³³ The City of Seattle's incorporation of gay politics contributed to this restructuring of urban liberalism to accommodate business-driven policies along with greater policing and incarceration as solutions to social disorder and economic recessions in the late twentieth century. The limited accommodation of diversity marginalized radical feminism, Third World liberation movements, and queer politics. Nondiscrimination protections for sexual minorities granted white, middle-class gay men full access to the labor and housing market as white, middle-class men. Likewise, Seattle's increasing mobilization of city funds to support business interests benefited gay business owners, making the inclusion of sexblind politics safer than addressing the more historically and systemically entrenched histories of discrimination and subjugation. City officials could ignore persisting inequalities, even as city officials fostered a reputation for social tolerance in Seattle.

In charting the direction of gay politics, I build on historian Kirsten Pochop's insights into city officials' desire to promote Seattle as a bastion of liberalism. Her work focuses on how

³³ Canaday, *The Straight State*.

the busing program for Seattle Public Schools aimed to foster racial integration in education, which began despite overwhelming public and political disapproval of the program. However, my study of officials' promotion of the inclusion of gay citizens complicates Pochop's analysis of a "vener of liberalism" in Seattle, which she uses to describe how anti-busing advocates in Seattle claimed social tolerance as they argued against Seattle Public Schools' busing program.³⁴ Seattle was not free of homophobes, who were particularly vocal in North Seattle, but Seattle voters followed behind their elected officials in supporting the gradual adoption of gay rights unlike their reactionary response to busing to achieve a racial balance in public education. In the same 1978 election in which Seattle voters defended gay rights at the ballot box, they also voted in favor of aggressive, even lethal, policing and decisively overturned Seattle Public Schools's busing program. Despite Seattle officials' efforts to make the city into one inclusive of diversity, Seattle voters deemed the integration of sexual diversity more acceptable than the integration of racial diversity. By examining the relationship between gay politics, law and order politics, and economic development and looking beyond the 1970s into the 1990s, I complicate Pochop's use of the categories "liberal" and "conservative," revealing that Seattle's "vener of liberalism" did in fact remake the city in ways that exemplified the tenets of late twentieth century American liberalism. But, the promotion of rights for some gay people came at the expense of others.

Methodology

My methodological approach centers interactions between gay activists and various municipal state institutions. Focusing on the interplay between gay activists and municipal institutions enabled a deeper understanding of how the city functions as a nexus of the liberal

³⁴ Kirsten Pochop, "Learning Liberalism: Seattle Schools and the Changing Face of American Racial Politics, 1960-1980," PhD diss., University of Washington, 2014.

state, revealing complex and often contradictory positions that pit different agencies against one another as gay activists fought for inclusion. Looking beyond the Police Department and the City Council, I offer a more complex view of the municipal state and the many bureaucracies and institutions that encompass it. Examining interactions between activists and the Police Department, the City Council, the Department of Neighborhoods, the Parks Department, and the Public Health Department allows me to tell a richly complex story of how the municipal state and gay activism mutually shaped each other between the mid-1960s and the mid-1990s. Considering the electorate as part of the municipal state is also important in Seattle and other cities on the Pacific Coast that have made extensive use of the initiative process. Gay business owners were also instrumental in lobbying for Seattle's first business improvement district, of which there are now ten throughout the city.³⁵ I employ more extensive use of the Seattle Municipal Archives and the King County Archives than journalist Gary Atkins did for his 2003 book *Gay Seattle*, a collection of stories indicating the shift from gay men and lesbians' marginality to their inclusion in mainstream society and politics.³⁶ This history is not a comprehensive one. Rather it looks at key episodes in the forging of a relationship between white, middle-class gay activists and city officials and the broader effects of that relationship on the City of Seattle.

While gay-identified activists are central actors, I also look at the boundary between what the City of Seattle deemed appropriate for recognition and inclusion and what remained too deviant – too queer – and was thus excluded and policed. I draw on Laurie Marhoefer's work on sexual politics under the Weimar Republic in interwar Germany. She describes the "Weimar

³⁵ City of Seattle Office of Economic Development, "Business Improvement Areas" (accessed July 3, 2017), <https://www.seattle.gov/economicdevelopment/business-districts/business-improvement-areas>.

³⁶ Gary Atkins, *Gay Seattle: Stories of Exile and Belonging* (Seattle: University of Washington Press, 2003).

settlement” as a compromise on sexual politics that “tolerated some forms of non-normative sexuality so long as they remained out of the public eye...The settlement recognized the ability of certain people to make good choices about sexual expression on their own, without policing. Other people, in contrast, made bad choices and they needed restraint.”³⁷ As in Interwar Germany, late twentieth-century Seattle recognized gay men and lesbians who contained their sexuality in private. By contrast, sex work and public displays of sexuality faced increased policing and criminalization. Recognizing the exclusions produced as inclusion of specific forms of sexual difference occurred is thus essential to understanding the contradictions inherent to liberal politics, and the limits of the acceptance of sexual diversity.

While I engaged a wide range of primary sources, including municipal government documents, activist and organizational records, periodicals and oral histories, some archival absences are worth mentioning. There is little record of the activism of queer people of color. Queer of color voices and perspectives are not entirely absent, but the amount of material reflecting these voices is significantly less than that of white, middle-class gay activists and organizations that built a relationship with city officials. This also goes for queer voices more broadly, those that contest the politics of inclusion into society as it exists in favor of fundamentally changing society. There are also few voices representing a broader range of sexual and gender identities, including trans voices. Nevertheless, the politics of non-conformity was a critical aspect of this story, and I bring voices in whenever documentation is available to demonstrate the diversity of opinion among gay-identified Seattleites. While the primary focus of this dissertation is on the relationship between white, middle-class gay activists and the city,

³⁷ Laurie Marhoefer, *Sex and the Weimar Republic: German Homosexual Emancipation and the Rise of the Nazis* (Toronto: University of Toronto Press, 2015), 202.

the silences of other gay activists in the archive are often as revealing as the voices of those whose views are represented in the historical record.

Organization

This dissertation is organized into episodes in which gay activists and the municipal state developed a mutual relationship that disproportionately benefitted white, middle-class gay men and/or hurt queer people and people of color. The municipal state was not always a cohesive and coherent unit in its management of sexual difference; rather, different municipal bureaucracies were sites of contestation for the recognition of gay citizens and incorporation of gay politics. While each chapter centers specific agencies of municipal government, I reveal conflicts between various municipal state agencies when they are productive for understanding the contradictions of late-twentieth century cosmopolitan liberalism.

Chapter 1 examines the relationship between the Seattle Police Department and gay men and lesbians between 1966 and 1974, building on Stewart-Winter and Agee's arguments that gay activists first asserted their citizenship rights in relation to police abuses. Seattle's police payoff system prior to the late 1960s fostered a complicated relationship between the Seattle Police Department and gay bar owners, in which gay bar owners held limited, albeit real power. As the payoffs ended, SPD more aggressively policed gay men and lesbians as part of the Department's newfound commitment to policing vice that also disproportionately affected other marginalized communities. Gay men and lesbians, who had more freedom inside gay spaces under the payoff system, voiced their concerns and first gained recognition by city officials as citizens. Mayor Wes Uhlman signed an employment nondiscrimination ordinance covering sexual minorities amidst his reelection campaign in 1973 to mitigate concerns over his appointment of anti-gay

Police Chief George Tielsch. While the nuances of policing the gay community were different in Seattle than in other cities, gay activists joined other marginalized communities in calls for police reform as was the case in San Francisco, Chicago, New York, and other cities, and it was through activism targeting the police that gay men and lesbians gained recognition as an urban constituency *without* adhering to respectability politics.

Seattle was the first city to uphold its gay rights ordinances by plebiscite in 1978 by defeating Initiative 13, and the campaigns that drove its defeat are the central focus of Chapter 2. An emerging cohort of respectable white, professional gay activists argued an individual's right to privacy was the central issue on the ballot, while queer activists believed discrimination against gay men and lesbians should be the central issue. The former group attracted support from most of Seattle's political establishment, demonstrating city officials' support for their individual rights framework and respectable approach to politics. Queer activists introduced themselves as gay men and lesbians in neighborhoods all over Seattle, and worked in solidarity with other marginalized communities to combat other ballot initiatives, particularly an initiative to grant police officers greater discretion to use firearms and deadly force. The existence of this queer campaign differed from previous electoral battles where gay rights had been overturned. Queer activists demonstrated the political efficacy of their campaign in audiences different from the white, middle-class audience targeted by moderate gay activists, especially in Seattle's black community. Seattle voters rejected the anti-gay initiative by a near two-to-one margin, favoring a politics of sexblindness. However, they also voted to overturn Seattle Public Schools' busing program targeting racial integration, which required race consciousness, and voted to grant police officers greater discretion to shoot felony suspects by similarly large margins, reflecting the politics of colorblindness. The 1978 vote in Seattle points to the growing acceptance of gay

politics as safer for liberals to embrace than the more reparative integration campaign. Furthermore, Seattle voters' acceptance of gay citizenship was coupled with a desire for more aggressive policing, demonstrating how the municipal state's incorporation of gay politics and aggressive policing were not antithetical projects, despite queer activists' insistence that they were.

Chapter 3 examines how the City of Seattle's attentiveness to the interests of gay business owners accelerated the process of gentrification in the Capitol Hill neighborhood. My analysis contributes to scholarly work on gentrification by looking at role of the state in gentrification, which supported business improvement districts and neighborhood development projects financially and through the police power of the municipal state. Gay business owners organized along their shared sexual and class identities, and their racial and socio-economic privilege made them legible representatives of the "gay community" in the eyes of city officials. Their politics were embraced by city officials as the only politics of the "gay community," while working-class and queer of color voices more critical of local and national neoliberal policies were marginalized within the gay community and the City of Seattle. The city's embrace of moderate gay politics facilitated a relationship between gay business owners, neighborhood business associations, and an increasingly active municipal state that produced commercial development in the neighborhood, resulting in increased rents that made the neighborhood less accessible to working people, including many people of color. Like the Washington, D.C. DuPont and Shaw neighborhoods examined by Kwame Holmes, Capitol Hill was adjacent to a racially diverse neighborhood known as the Central District that had been the locus of African American life in Seattle for decades. The developments I explore in this chapter offer insight into the direct correlation between municipal investment in a gay-friendly commercial district on

Capitol Hill, and the gradual exodus of a long-standing black community further south because of rising rents.³⁸

Chapter 4 examines the Seattle-King County Department of Public Health's response to AIDS, which recognized queer sexualities and intravenous drug use and advocated harm reduction rather than behavioral change, as was often the tactic taken in other cities. By 1982 when Seattle saw its first AIDS case, gay-identified Seattleites had gained recognition from city and county officials, facilitating an effective public health campaign among gay-identified men. However, public health officials had far more to learn about queer sexualities among people of color. The AIDS Prevention Project, led by two white gay men, presumed sex among gay and bisexual-identified people to be the lone exception to monogamous, straight sex until the realities of AIDS forced a more complex understanding of sexual behavior among working-class people of color. Contributing to the slow recognition of queer sexualities among people of color was the perception that sexual transmission affected gay men (assumed to be white) while transmission through shared needles affected people of color (assumed to be straight), failing to recognize intersecting identities and the more complex realities of HIV transmission. Despite the AIDS Prevention Project's honest efforts to combat the epidemic in communities of color once disproportionate seroconversion rates were discovered, campaigns to combat HIV-transmission during the epidemic's first decade were less effective in communities of color than among gay and bisexually-identified men, demonstrating the institutional barriers between public health and working-class communities of color.

In this chapter, I demonstrate that the public health perspective of the AIDS Prevention Project did not always align with the interests of gay rights activists that had been recognized

³⁸ Holmes, "Chocolate to Rainbow City."

city officials by that time or other municipal agencies. Within the gay community, individual rights-oriented activists and public health officials disagreed on the politics of serostatus disclosure. Gay rights activists believed disclosure of positive test results could result in legal discrimination in part through the stigma of promiscuous sex associated with AIDS, while public health officials believed serostatus disclosure was necessary to prevent the spread of the virus. The Department of Public Health also came into direct conflict with the Seattle Police Department over a clean needle exchange program, with police and the City Council following Reagan-era War on Drugs politics and SKCDPH advocating harm reduction for intravenous drug users rather than criminalization as a matter of public health.

Chapter 5 addresses the politics of domestic partnership from queer advocacy for expanded definitions of family in the early 1970s to the framing of domestic partnership as an economic issue in the late 1980s and as a step toward marriage equality by the mid-1990s. This shifting emphasis reflects citizens' relation to the state in market terms and the growing acceptance of same-sex partners as full citizens based on their assumed similarity to straight, married couples. By 1994, the campaign stressed domestic partnership as a step toward making marriage a sexblind institution, where two partners could have their relationship officially recognized regardless of gender. Ultimately, the city's recognition of the domestic gay couple closed opportunities for the inclusion of queer chosen families that had been promoted by gay liberationists in the 1970s. Thus, the recognition of domestic partners included those gay men and lesbians emulating heterosexual marriage, thereby marginalizing single, polyamorous, and other non-normative relationship statuses.

Chapter 6 demonstrates that as domestic partnership gained traction at City Hall, officials in the Parks Department and the City Council also took steps to eliminate public sexual behavior

from city parks. Thus, the recognition of the domestic gay couple was complemented by a crackdown on sex outside of the private home, resulting in an overnight loitering ordinance that extended well beyond prosecuting sexual behavior. Less than a year after Seattle launched its domestic partner registry in 1995, the City Council voted to close all public parks overnight to deter sex in public parks, thereby making it more difficult for men to engage in casual sexual encounters as gay-identified couples gained recognition for emulating the normative white, middle-class household. Gay couples and families achieved recognition by the municipal state at the same time the municipal state made efforts to eliminate casual sexual encounters in public space. Compared to other cities where crime, homelessness, and/or drugs were reasons city officials used to close parks, Seattle's overnight park closures centered on queer sexual encounters.³⁹ Thus, the politics of sexblindness facilitated the growth of rights for some gay men and lesbians, but the expansion of rights for some was accompanied by greater surveillance, policing, and criminalization of public space for others.

The incorporation of individual rights-oriented gay rights was conducive to both the restructuring of solutions to social problems toward business-driven solutions and increased policing and mass incarceration. These policies widened the gap between rich and poor, white and non-white, acceptably "gay" and unacceptably queer. The municipal state's response to the AIDS epidemic complicates this story, demonstrating how queer sexualities were recognized in the name of public health and how an epidemic allowed a robust public health system to develop in an era of retrenchment from the welfare state. All of these developments happened in Seattle with a government that sought to fashion a liberal reputation for the city, and the City Council voted nearly or completely unanimously on most of these issues. Liberals developed these

³⁹ For example, the City of Los Angeles remade the architecture of public space downtown to deter homeless people from living there. See Mike Davis, *City of Quartz: Excavating the Future of Los Angeles* (New York: Verso, 1990).

policies on their own terms, though my framework of the municipal state recognizes the ways in which municipal government was limited by policies of Washington State and the federal government. This was not a “veneer of liberalism” but rather a remaking of what liberals stood for in the late twentieth century.

Chapter 1

“We’re Not Going to Let This City Get Like San Francisco”?

Policing and the Recognition of a Gay Constituency, 1966-1974

Between 1964 and 1972, the United States witnessed a political shift from Lyndon Johnson’s one-sided presidential victory over conservative Republican Barry Goldwater to Richard Nixon’s one-sided presidential victory over liberal Democrat George McGovern. The United States was embroiled in the Vietnam War, racial tension, and a growing number of social movements, including the gay liberation movement. Gay men and lesbians began asserting themselves against police abuses in cities across the country, including Seattle.⁴⁰ First gay bar owners fought Seattle’s police payoff system. Police Chief Frank Ramon responded by asserting, “We’re not going to let this city get like San Francisco,” an indication of gay Seattleites’ exclusion from recognition as citizens in the mid-1960s.⁴¹ While gay bars in San Francisco were subject to occasional police harassment even under its payoff system because of the discretionary powers given police officers, Seattle’s gay establishments were generally left alone and even protected by police officers in some cases in exchange for payoffs.⁴² This changed with the end of the payoff system, as new Police Chief George Tielsch launched campaigns against both police corruption and victimless vice crimes. In the early 1970s, gay

⁴⁰ Christopher Agee and Timothy Stewart-Winter argue that gay men and lesbians first asserted themselves as citizens by combatting police abuses in San Francisco and Chicago, respectively. While Chicago represents a case of gay activists combatting police brutality, similar to the iconic Stonewall riots in New York City, San Francisco’s case was more complicated with a “gayola” system, whereby police officers allowed gay spaces such as bars and bathhouses to operate so long as owners paid off police officers. Stewart-Winter, *Queer Clout*; Agee, *The Streets of San Francisco*, Chapter 3 specifically discusses the “gayola” scandal and its role in the inclusion of sexual pluralism in San Francisco’s cosmopolitan liberalism, 73-108.

⁴¹ John Wilson, “Seattle Homosexual Problem Reported to Be ‘Out of Hand,’” *Seattle Times*, September 21, 1966, 48, cited in Gary Atkins, *Gay Seattle*, 91.

⁴² Agee, *The Streets of San Francisco*.

activists wrote letters to the mayor and protested police abuses, asserting themselves as citizens. City officials recognized gay activists and granted legal recognition of sexual minorities in Seattle's updated employment nondiscrimination ordinance. Seattle became the largest city in the country with such an ordinance covering sexual minorities employed in the private sector. Seattle caught up to and even passed San Francisco in city officials' efforts to recognize gay men and lesbians as citizens. Gay men and lesbians still did not have full citizenships rights, but they had gained recognition as a political constituency by 1973 *not* through respectability politics but through asserting their sexual differences and using direct action tactics.

Police Payoffs and the Making of Seattle's Gay Community

Prior to gay men and lesbians coming out as political actors, the police payoff system enabled a vibrant gay culture to develop in Seattle out of view of Seattle's white heterosexual middle class by the late 1960s. Gay men and lesbians could socialize with less fear of arrest than in other cities because owners of gay establishments decided to pay given the alternative of potential arrest for any number of offenses. Bar manager John DelleVitti paid police officers almost \$6,500 a year to keep these two establishments open during the 1960s. Ivan Prather, owner of the Mocambo cocktail lounge, paid as much as \$150 a month to police officers. Edwin McCleary, owner of the South End Steam Baths, which catered to men seeking sexual activity with other men on First Avenue, paid \$200 a month by the late 1960s.⁴³ MacGiver Wells, who owned a few gay bars by the mid-1960s, reported paying about \$4,400 a year for all of his establishments.⁴⁴ However, these payments mostly guaranteed that police officers would not

⁴³ Atkins, 81-84.

⁴⁴ MacGiver Wells, interview for Northwest Lesbian and Gay History Museum Project with Ruth Pettis and Angie McCarrel, October 12, 1997.

harass these establishments, and oftentimes, police even protected these spaces from harassment by straight Seattleites as paid bouncers.⁴⁵ Under the payoff system, Seattle's vibrant gay community existed in relative peace and obscurity, out of view of Seattle's white middle class in Pioneer Square, America's original "Skid Road," and protected from police raids because bar owners paid off police officers instead. The police payoff system helped keep Seattle's gay establishments out of view of the white, middle class.

Seattle's gay bars, clubs, and bathhouses were numerous and concentrated in Pioneer Square and First Avenue amidst much of Seattle's underclass, where police officers extorted the highest number of establishments run by or for nonwhite and gay people. Historian Coll Thrush describes the area in his work on Native Americans in Seattle: "Among the black jazz clubs, gay cabarets, Chinese restaurants, and Filipino night cafes that also sprung up in the area, Native Skid Road had by the 1960s developed into a functioning, if troubled, community with three key institutions: the Indian bar, the single-resident occupancy (SRO) hotel, and the streets themselves."⁴⁶ Pioneer Square was the most lucrative precinct for police officers, as the area had a reputation as "Skid Road," a run-down area catering to Seattle's marginal populations, including gay men and lesbians. As historian Gary Atkins argues, "The brunt of the extortion fell on groups in Seattle that were stigmatized because of their color, their class, or their sexuality. Throughout [Pioneer Square] and in Seattle's Asian American and African American neighborhoods, those who ran social establishments for the city's outcasts paid the heaviest price."⁴⁷ Given Washington State's stringent restrictions on drinking, gambling, sodomy, and

⁴⁵ Atkins, 81-84.

⁴⁶ Coll Thrush, *Native Seattle: Histories from the Crossing-Over Place* (Seattle: University of Washington Press, 2007), 175

⁴⁷ Atkins, *Gay Seattle*, 71.

other victimless vice crimes, many nightlife establishments were liable to extortion by police officers particularly among marginalized people.

Because Pioneer Square was home to Seattle's most marginal communities and out of public view of Seattle's respectable middle-class, middle-class gay men and lesbians could visit the bars without fear of being outed to their families, employers, or landlords, and the payoff system provided gay men and lesbians great license once inside the door. A self-identified heterosexual described the presence of about three dozen underage boys at the Caper Club, one of which he knew to be fourteen years old. He observed several boys soliciting sex for money with police obviously present. He described same-sex dancing, kissing, and fondling both in the Caper Club and the Golden Horseshoe, a nearby gay bar. Another observer reported having visited "The Dance" at the Casino several times between 1963 and 1966. This person took issue with police officers' acceptance of licentious behavior: "[The police] are going too far in contributing by their acquiescence to public acts of oral sexual intercourse and extreme acts of mutual sexual stimulation in public" and in allowing underage patrons. However, all sexual activity was observed to be "peaceably consensual." In response to a visible instance of fellatio, a police officer "seemed more interested in seeing how I would react to seeing such a thing than in the act itself or the fact that it was occurring in public." Another straight observer at the Casino echoed the above observations: French kissing, mutual masturbation, fellatio, and underage patrons in full view of police officers. This observer added, "All who entered while I stood aside and watched were of doubtful sex due to dress and costume...It was difficult to tell which sex was using which wash room."⁴⁸ Patrons could thus express their gender with relative freedom. Therefore, the payoff system allowed gay men and lesbians to freely express

⁴⁸ Affidavits, *Keith Milton Rhinehart v. The Dorian Society of Seattle* (1972), Box 13, Folder 14, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, University of Washington Libraries' Special Collections.

themselves in gay spaces and engage in public sexual activity inside some gay establishments even with police officers and underage patrons present.⁴⁹

Ultimately, the payoffs were so lucrative that police officers generally embraced Seattle's growing gay subculture, which facilitated a growth in the number of gay establishments in Pioneer Square and along First and Second Avenues in the Central Business District. Thus, by the mid-1960s, gay men and lesbians not only had relative freedom inside gay bars but had a visible gay district. In 1965, a group of police officers even approached the MacIver Wells and Jake Heimbigner, who both owned multiple gay establishments by that time, about opening an after-hours club for gay men. While Wells wanted nothing to do with the venture, Heimbigner agreed, and the Caper Club opened across the street from the headquarters of the Seattle Police Department. Police officers charged Heimbigner \$600 month, making the Caper Club the single largest payoff for Seattle police officers.⁵⁰ That a club that had been proposed by police officers for them to profit off the payments they would receive from Heimbigner came into existence near the city's central police precinct demonstrates the degree to which the police officers embraced Seattle's gay subculture as a lucrative venture for themselves.

⁴⁹ Looking at the role of the Washington State Liquor Control Board in policing and shaping behavior in gay bars, Michael Brown and Larry Knopp argue that gay bars were privileged in some ways because of the police payoff system and state authorities' desire to keep the existence of a homosexual community out of public view, although gay bars were cited disproportionately for underage drinking, which Brown and Knopp connect to the lack of other means of socialization for gay youth at that time. They also argue that gay men and lesbians were particularly adroit at self-governing, also shielding gay bar patrons from interference by the Liquor Control Board, Michael Brown and Larry Knopp, "Sex, Drink, and State Anxieties: Governance through the Gay Bar," *Social and Cultural Geography* 17:3 (2016): 335-358. The evidence provided here from anonymous affidavits in King County Superior Court case *Keith Milton Rhinehart v. The Dorian Society* (1972) suggests that lesbians and, perhaps especially, gay men were *not* overly concerned with self-policing their behavior in at least some gay establishments in Pioneer Square under the police payoff system, Affidavits, *Keith Milton Rhinehart v. The Dorian Society of Seattle* (1972), Box 13, Folder 14, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, University of Washington Libraries' Special Collections.

⁵⁰ Atkins, *Gay Seattle*, 85.

While bar owners were required to pay off police officers, police officers offered some protection of these spaces in return. Often, police extortion included the requirement that bar owners hire police officers as bouncers, while the knowledge of the city's geography of gay bars also meant police officers could discourage straight patrons from entering gay bars.⁵¹ This allowed gay men and lesbians who could access those spaces to exist inside gay bars with relative freedom from heterosexual society. One self-identified heterosexual reported that a uniformed police officer told him that he "really didn't want to come in" to the Madison Tavern with his platonic female companion and then proceeded to encourage them to find another bar because of the "expensive" three-dollar cover charge. This man concluded, "It sounded as if he had been instructed to keep out 'straight couples.'"⁵² In San Francisco, lesbian bars in particular were subject to harassment by men, which went unaddressed by the San Francisco Police Department, but there were no reports of any routine harassment of gay bars in Seattle under the payoff system.⁵³ While some straight people did enter gay spaces, the forced employment of police officers as bouncers provided a certain level of gatekeeping of these spaces.

Gay bar owners resisted when police officers began raiding gay bars for a brief period in 1958, demonstrating the limited, albeit real power they had in their relationship with police under the payoff system because of city officials' desire to avoid publicity over Seattle's gay subculture. In 1958, police officers feared Mayor Gordon S. Clinton might demand the end of the payoffs, so officers stopped taking payoffs and raided gay bars instead. During raids, police officers collected names, addresses, and employers of bar patrons, thus creating a homosexual

⁵¹ Atkins, *Gay Seattle*, 71-72.

⁵² Affidavit, *Keith Milton Rhinehart v. The Dorian Society of Seattle* (1972), Box 13, Folder 14, Accession No. 4440-001: Tim Mayhew Collection on Gay Rights, UWLSC.

⁵³ Agee, *The Streets of San Francisco*, 79.

directory.⁵⁴ Sodomy was still illegal in Washington State, and no laws were yet in place to prevent discrimination against gay men and lesbians. Gay men and lesbians on the registry were thus liable to losing their jobs or homes and, therefore, less inclined to socialize in the bars. MacIver Wells and John Chadwick, co-owners of the predominantly lesbian Madison Tavern, and Jim Watson, owner of the recently opened Blue Note, began losing money on their establishments as these police actions scared away most of their customers.⁵⁵ Wells, Chadwick, and Watson found a lawyer willing to take their fight to court, Gale Hilyer, who filed their case against the city on October 9, 1958. Had the case gone to trial, Seattle would have seen a case of gay bar owners taking on the Police Department two years prior to that happening in San Francisco. To avoid a legal embarrassment at the hands of three gay men, City Attorney A.C. Van Soelen agreed to ban police officers from raiding gay bars without reasonable cause in connection with an ongoing investigation, while allowing the payoffs to continue.⁵⁶ The decision ultimately protected gay Seattleites from the kind of police harassment gay men, lesbians, and trans people faced in other cities until the end of the payoffs. Gay bar owners did not have the opportunity to assert themselves as citizens in public court, but they did gain protections from police harassment in exchange for continuing the payoffs.

The End of the Payoffs

While MacGiver Wells, John Chadwick, and Jim Watson's 1958 case against the city did not bring an end to the payoff system, Wells later played a central role in exposing both the payoff system and Seattle's gay community by asserting his rights as a citizen and standing up to

⁵⁴ MacGiver Wells, interview for the Northwest Lesbian and Gay History Museum Project with Ruth Pettis and Angie McCarrel, October 12, 1997.

⁵⁵ Ibid.

⁵⁶ Atkins, *Gay Seattle*, 72-74.

police corruption. The Federal Bureau of Investigation (FBI) had been looking for an informant on the Seattle police payoff system to see if any of the payoff money was linked to federal political candidates. An agent strong-armed MacIver Wells into documenting his payments to the police with dates, times, and names of people involved. Wells was not yet a citizen of the United States, so the agent used the threat of deportation to force his compliance with the investigation. As Wells's collection of gay establishments grew, the payoffs he made were all reported to the FBI.⁵⁷ Thus, the FBI had about eight years' worth of documentation of payoffs to police officers when Wells decided he had enough and worked with *Seattle Times* reporters John Wilson and Marshall Wilson to break the story. This was risky given that an end to the payoffs could result in police raids of and even forced closures of bars and bathhouses, but Wells decided it was time for him to assert his right as a citizen not to payoff police officers.

The police payoff system had kept Seattle's gay establishments, and sexual vice more broadly, out of view of the white, middle class both geographically in Pioneer Square and in local media. This changed when MacGiver Wells began unveiling information to John Wilson and Marshall Wilson. The first story in their series publicized Seattle's vibrant gay community, which until then developed largely out of public view relative to other cities. Published September 21, 1966, the headline "Seattle's homosexual problem reported to be out of hand" indicated the degree to which gay men and lesbians were generally not viewed as worthy citizens in 1966. Police Chief Frank Ramon was quoted in the article saying, "We're not going to let this city get like San Francisco," an indication of how a vibrant gay community was viewed negatively by city officials.⁵⁸ However, Seattle already was like San Francisco. It had a vibrant

⁵⁷ MacGiver Wells, interview for NWLGHMP with Ruth Pettis and Angie McCarrel, October 12, 1997.

⁵⁸ John Wilson, "Seattle Homosexual Problem Reported to Be 'Out of Hand,'" *Seattle Times*, September 21, 1966, 48, cited in Gary Atkins, *Gay Seattle*, 91.

gay subculture, and the average gay Seattleite visited gay establishments with less fear of interference inside those establishments than did gay San Franciscans even. The previous lack of publicity involving conflicts with gay Seattleites and police officers meant Seattle had less of a reputation for sexual diversity than San Francisco, but both cities had sizeable gay populations and subcultures.

Ramon's and Mayor Dorm Braman's negative reactions to the article's exposure of Seattle's gay community demonstrated the continued marginality of the gay men and lesbians in 1966 despite the existence of a large gay community, which the police payoff system had facilitated. Braman wanted to demonstrate that Seattle was not tolerant of gay spaces, encouraging Ramon to increase "harassment of the most troublesome and noisome establishments."⁵⁹ Ramon moved swiftly, recommending that certain gay establishments lose their licenses. These included Jake Heimbigner's Caper Club, which had been founded with assistance and encouragement from police officers.⁶⁰

Like MacGiver Wells asserted his citizenship in sharing his knowledge of the payoffs with *Seattle Times* reporters, Jake Heimbigner asserted his citizenship by taking licensure of his establishments to the City Council, putting gay men and lesbians' right to socialize to the Council. The Washington State Liquor Control Board had stringent rules about dancing, which a required a more expensive permit than a mere tavern.⁶¹ However, Heimbigner took gay men and lesbians' right to dance to the City Council anyways in his fight to keep his businesses open.

⁵⁹ J. D. Braman, letter to Police Chief Fran Ramon, Sept. 28, 1966, Seattle Mayors' Papers, Seattle Municipal Archives, cited in Atkins, *Gay Seattle*, 95.

⁶⁰ Atkins, *Gay Seattle*, 96.

⁶¹ Wells, interview with Pettis and McCarrel.

The hearing was very well-attended by those supportive of the gay community and those critical of it.⁶²

The most vocal supporter of leaving gay establishments open was Reverend Mineo Katagiri of the United Church of Christ, who sought to normalize gay men and lesbians to the point of deterring queer sexualities. In a private letter sent to Police Chief Frank Ramon after the hearing, Katagiri revealed that he believed homosexuality could not be eradicated, but homosexual behavior could be molded to align with white, middle-class sexual mores through liberal measures taken by city officials and police officers:

The problem is twofold: society needs to learn to accept homosexuals as legitimate members of the community and homosexuals must learn to behave as responsible members of a larger community...Any action which can be interpreted as persecution will make the task of integration more difficult...For instance, I would like to see them say that sex should be between consenting adults and in the privacy of the bedroom...This means we will need to help the responsible ones take over "power positions" in the gay community and set standards of conduct.⁶³

Katagiri believed rewarding gay men and lesbians who emulated white, middle-class domesticity with recognition as citizens would encourage those engaging in queer sexualities – in public space, in non-monogamous or polygamous arrangements, in exchange for money – to emulate the behavior of those gay men and lesbians recognized as legitimate by the municipal state. Katagiri thus advocated a homonormative municipal state, whereby the city recognized gay citizens reproducing white, middle-class norms but continued to police queer sexualities that did not fit the mold of white, middle-class domesticity. Katagiri's reasoning for leaving the bars open to allow city officials to identify "responsible," prudish gay leaders, was prescient for how city officials related to the gay community from the mid-1970s onward.

⁶² Douglas Willix, "Standards Studied for Deviate Cabarets," *Seattle Times*, November 29, 1966, 48.

⁶³ Mineo Katagiri, letter to Mayor J. D. Braman, Dec. 1, 1966, Seattle Mayor's Papers, Seattle Municipal Archives, cited in Atkins, *Gay Seattle*, 97.

Despite John Wilson and Marshall Wilson's article on Seattle's "homosexual problem," MacGiver Wells continued to work with them as a private citizen looking to expose police corruption and bring an end to the payoff system. City officials continued to question whether a now high-profile gay subculture was tolerable, and the Seattle police officers continued to profit off payoffs from business owners in marginalized communities. Following a visit from the Washington State Liquor Control Board, MacGiver Wells arranged for John Wilson and Marshall Wilson to witness payoffs taking place at another Pioneer Square bar in late December 1966 and early January 1967 as he was no longer making his payments to police officers. John Wilson and Marshall Wilson published seven articles exposing the payoff system over two ending on January 17, 1967, detailing a history of the payoffs and police corruption since 1958.⁶⁴

The *Seattle Times* exposé led to an investigation of the payoff system because Wells had asserted his right as a citizen not to pay corrupt police officers. Mayor Dorm Braman appointed a Special Ad Hoc Citizen's Committee to Inquire into Alleged Payoffs to Members of the SPD just three days later on January 20; however, the committee was given very little power to compel witnesses to testify. Their final report issued in April 1967 did not find there to be any payoff system short of "a few policemen in isolated cases." The committee did, however, find that the command structure of the Seattle Police Department lacked necessary supervisory channels to prevent individual officers from receiving payoffs. The committee also recommended that police officers should not be allowed to work off-duty in taverns, bars, or cabarets and that all secondary employment should be tracked. While falling short of discovering a department-wide payoff scandal, the report's findings and recommendations suggested that the committee was nevertheless suspicious of corruption within the Seattle Police

⁶⁴ Atkins, 101-102; Christopher T. Bayley, *Seattle Justice: The Rise and Fall of the Police Payoff System in Seattle* (Seattle: Sasquatch Books, 2015), 67-70.

Department.⁶⁵ Gay bar owners' role in instigating the SPD investigation was a testament to the real power gay bar owners had as partners with the police in the payoff scandal.

Although owners of gay establishments were no longer asked to pay off police as the investigation unfolded, Seattleites outside of the normative parameters of sexual conduct, especially black sex workers, were more likely to face arrest after the payoff system was exposed. Under greater scrutiny, police officers increased the number of arrests for sex-related crimes to give the appearance that the police force was not corrupt. Black women were disproportionately represented among those arrested for sex crimes. Among adults, prostitution arrests increased from 248 in 1966 to 347 in 1967, while other sex offenses increased from 147 in 1966 to 162 in 1967. In 1967, there was a low of a single juvenile sodomy arrest, although there was a total of fifty-three arrests for sex-related crimes among juveniles, including indecent exposure, fornication, and obscene phone calls.⁶⁶ In 1968, arrests for prostitution were up to 441, 233 of which were black women compared to 111 white women. 87 men were arrested for prostitution, 25 of whom were black.⁶⁷ By 1969, adult prostitution arrests were up to 661, including 439 black women, and other adult sex offenses were up to 298, though these were mostly white men.⁶⁸ A black man arrested as a pimp in 1970 further accused Vice Squad officers of unnecessary use of force.⁶⁹ Thus, the policing of sex crimes, especially for black sex

⁶⁵ "Report of the Special Ad Hoc Citizens' Committee Appointed by Mayor J. D. Braman on January 17, 1967 to Inquire into the Alleged Payoffs of the Seattle Police Department and General Supervisory and Administrative Procedures," Vertical File 743, Seattle Municipal Archives.

⁶⁶ Seattle Police Department, "Annual Report: 1967," Box 3, Folder 6, Record Series 1802-H8: Office of the City Clerk – Annual Reports – Police Department, SMA. While annual police reports did not delineate sex crimes for adults further than prostitution and other sex crimes, sex crimes for juveniles were delineated further.

⁶⁷ Seattle Police Department, "Annual Report, 1968," Box 3, Folder 7, Series 1802-H8, SMA.

⁶⁸ Seattle Police Department, "1969 Annual Report," Box 3, Folder 7, Series 1802-H8, SMA.

⁶⁹ Box 162, Folder 11, Record Series 5210-01: Office of the Mayor, SMA.

workers, was already increasing before anyone was brought to trial in connection to the payoff system because the Police Department wanted to improve its public image.⁷⁰

Seattle's only homophile organization, the Dorian Society, formed in 1967 in response to the changes in policing of Seattle's gay establishments. Its members presented themselves as respectable citizens whose sexuality was a private matter. Before that, the average gay Seattleite did not have the urgency to organize as gay men and lesbians in city's with more violent police encounters did. The increased scrutiny of the gay population and shift toward greater policing of gay spaces presented Seattle with the conditions around which homophile organizing happened elsewhere. The Dorian Society officially organized on January 22, 1967, just five days after the *Seattle Times* article citing details provided by MacGiver Wells and two days after the Ad Hoc Citizens' Committee had been called by the mayor. Having participated in homophile organizations in the Northeast, University of Washington Professor Nicholas Heer was elected president. Reverend Katagiri was their first spokesman. Employing a straight religious leader advocating that city policy shape gay men and lesbians into good moral citizens as their spokesperson demonstrated the Dorian Society's sexblind orientation, aiming to shape public perception of gay men and lesbians as upright and moral middle-class citizens, and therefore worthy of full citizenship rights.⁷¹

Mayor Wes Uhlman and the Contradictions of Police “Reform”

⁷⁰ In addition to policing sexual vice, the Seattle Police Department also policed organizing by young black activists, especially after the assassination of Martin Luther King, Jr. Despite the FBI's investigation of political funds potentially coming from police payoffs, the FBI worked *with* the Seattle Police Department to thwart organizing efforts of the Seattle Chapter of the Black Panther Party. See Aaron Dixon, *My People Are Rising: A Memoir of a Black Panther Captain* (Chicago: Haymarket Books, 2012).

⁷¹ Atkins, 108-110.

With publicity over the possibility of police corruption, activists in Seattle began pushing for city government reform. Seattle's City Council at the time was deeply entrenched. City Councilmembers averaged sixty-seven years in age and over thirteen years of service on the council. One Councilman held his seat for 37 years.⁷² *Seattle Magazine* writer James Halpin referred to it as "Our Musty, Crusty City Council."⁷³ Formed in April 1967, young, middle-class activists formed Choose an Effective City Council (CHECC), a bi-partisan organization to shape Seattle's government into one reflective of the social changes brought by the 1960s. Members of the Young Republicans, Metropolitan Democratic Club, and the Junior Chamber of Commerce sought to bring in a more active city government that reflected the social changes of the 1960s. They wanted to diversify the City Council by electing women and non-white Councilmembers, a liberal response to the social movements of the 1960s, and they wanted to diversify Seattle's economy, especially after 1968.⁷⁴ Seattle's economy had depended on the Boeing Corporation since World War II, but the airplane manufacturer cut its workforce from 100,000 workers in 1968 to 32,500 workers by the end of 1971, precipitating an economic crisis, known locally as the "Boeing Bust," similar to other deindustrializing cities.⁷⁵

CHECC's goals reflected the kind of liberal politics gaining traction in San Francisco by the late 1960s – pro-growth, inclusive of greater diversity, and supportive of a more effective and less corrupt police force – and they played a role in overhauling the City Council by 1971.⁷⁶ CHECC was less focused on police corruption but did support candidates for the City Council

⁷² Peter LeSourd, "CHECC's Emergence in 1967 as an Agent of Political Change in Seattle: A Memoir," *The Pacific Northwest Quarterly* 100:3 (2009): 107-119. LeSourd was the first chair of Choose an Effective City Council.

⁷³ James Halpin, "Our Musty, Crusty City Council," *Seattle Magazine*, May 1965, 12.

⁷⁴ LeSourd, "CHECC's Emergence in 1967."

⁷⁵ Sharon Boswell and Lorraine McConaghy, "Lights out, Seattle," *The Seattle Times*, November 3, 1996, accessed July 11, 2017, http://old.seattletimes.com/special/centennial/november/lights_out.html.

⁷⁶ Agee, *The Streets of San Francisco*.

who supported economic diversification and the inclusion of women and racial minorities as full citizens. With five seats up for election in the fall of 1967, CHECC played a role in electing three new City Councilmembers: Phyllis Lamphere, Tim Hill, and Sam Smith, the first African American elected to the City Council. After the 1971 municipal elections, all nine members of the “Musty, Crusty City Council” had been replaced by new, reform-minded councilmembers.⁷⁷

Although the gay community was not a factor in the 1969 campaign, the election was in many ways a referendum on the Seattle Police Department, which had come under public scrutiny because of MacGiver Wells eschewing the payoff system. With the ongoing investigation of the Seattle Police Department, Seattle voters elected reformer Wes Uhlman mayor on November 4, 1969. Uhlman began serving in the Washington State House of Representatives a decade earlier at the age of twenty-three while still a law student at the University of Washington. He campaigned for mayor as an urban reformer, attracting support from laborers, educators, and feminists.⁷⁸ Although two CHECC-endorsed City Council candidates lost, Wes Uhlman was elected mayor as a cosmopolitan liberal and the youngest mayor ever elected in Seattle at age 34. He advocated recruiting a city administration that reflected the diversity of the city, including in the Police and Fire Departments.⁷⁹ According to King County Attorney Christopher Bayley, who brought police officers to trial over the payoffs in 1971 and 1972, Uhlman’s victory “showed that a race pitched by youth against the Establishment might succeed.”⁸⁰ In the 1969 election, the establishment included a corrupt police force that had yet to have any action taken against it. Uhlman’s victory speech promised

⁷⁷ LeSourd, “CHECC’s Emergence in 1967.” LeSourd was the first chair of Choose an Effective City Council.

⁷⁸ Atkins, *Gay Seattle*, 194.

⁷⁹ Wes Uhlman, interview for Seattle Civil Rights and Labor History Project with James Gregory, undated, accessed July 12, 2017, <http://depts.washington.edu/civilr/uhlman.htm>.

⁸⁰ Bayley, *Seattle Justice*, 109.

he would immediately get to action by appointing “the most representative board possible to recommend and appoint a new chief of police.”⁸¹

The investigation instigated by MacGiver Wells resulted in changes in the leadership of the Seattle Police Department, especially after the election of Wes Uhlman as mayor. As corruption in the Seattle Police Department was made evident, the department went through a quick succession of four police chiefs in one year as Seattleites debated the very nature of what police work should be. Interim Mayor Floyd Miller forced the resignation of Police Chief Frank Ramon on November 6, 1969 as he had allegedly tried to bribe an assistant police chief. This followed two days after Wes Uhlman one the mayoralty. By early 1970, the United States Attorney’s office had begun pursuing indictments in connection with the payoff system. Miller elevated Assistant Chief M.E. “Buzz” Cook to Chief of Police following Ramon’s resignation, but Cook was accused of perjury in the US Attorney’s investigation.⁸² Wes Uhlman then became responsible for the appointment to replace Cook with Frank Moore filling in as Interim Chief of Police. Uhlman would have kept Moore on, except he too was indicated in the payoffs.⁸³

Mayor Wes Uhlman held hearings to solicit residents’ thoughts on what qualities a Chief of Police should possess, opening a civic conversation about what the very nature of police work should be. Many public comments stressed the need for civilian control over the Seattle Police Department because of corruption under the payoff system and disproportionate policing in predominantly non-white neighborhoods. Civil rights activists particularly made their voices heard on the civilian-identified qualities a police chief should possess. Lloyd Jackson of the

⁸¹ Lyle Burt, “Wes Uhlman Wins Big, Starts Search for New Chief,” *Seattle Times*, November 5, 1969, 1.

⁸² Atkins, *Gay Seattle*, 193.

⁸³ Uhlman, interview with Gregory.

Black Voters' League expressed that black Seattleites should not be subject to police harassment or payoffs, but he also advocated for more policing of vice crimes, including sexual vice, gambling, and drugs, which his in view ran rampant under the payoff system.⁸⁴ "Seattleites debated whether a new chief should come from outside Seattle given SPD's corruption through the 1960s or from within Seattle, having a better understanding of the social dynamics of the city. Several community organizations, including the American Friends Service Committee and the League of Women Voters, took the opportunity to promote civilian control over the police department."⁸⁵

While police treatment of gay men and lesbians was not discussed in any of the public comment on the hiring of a new chief in May 1970, several comments stressed that a new chief should be adaptable to shifting mores and norms, suggesting SPD should not be concerned with policing morality. With hippies in mind, Bob Shupe of the University District Center noted the lack of concern for sexual morality among a large swath of the population: "We have a revolutionary life-style...People with long hair, people with different clothes, people who are not hung up with the sexual morality of this country, people who decide to explore with drugs..."⁸⁶ Shupe suggested that the policing of vice crimes writ large should be deprioritized, including crimes related to consensual sexual activity. The Law and Justice Task Force of the Advisory Council of the Seattle Model Cities Program recommended that the new chief should "be sensitive to changing mores, customs, social patterns, and laws in the broader society,"

⁸⁴ Lloyd Jackson, memo to Mr. Benjamin Feigenbaum re: "Police Chief," January 13, 1970, Box 162, Folder 9, Office of the Mayor, Record Series 5210-01, SMA.

⁸⁵ Box 162, Folder 9, Office of the Mayor, 5210-01, SMA.

⁸⁶ Bob Shupe, statement in public hearing on hiring of new police chief, January 14, 1970, Box 162, Folder 9, Office of the Mayor, 5210-01, SMA.

recognizing the dynamism of society.⁸⁷ Following the hearings, “ability to deal with the various different communities that make up a city” was included as a qualification for the new police chief, indicating a shift toward San Francisco’s model of cosmopolitan liberalism, making room in the urban body politic and social fabric for greater diversity in lifestyles.⁸⁸

Despite the many calls for greater acceptance of cultural and sexual diversity in policing and the inclusion of the stipulation that the Seattle Police Chief should be attentive to the city’s diversity, Uhlman prioritized cleaning up corruption in the Seattle Police Department over the cosmopolitan liberal vision of policing advocated by people of color and sexual liberationists. Uhlman fell short of his promise on greater acceptance for diversity in hiring Police Chief George Tielsch. Though Tielsch did not tolerate payoffs to officers, he also orchestrated greater policing of gay men and lesbians, consensual sex crimes, and victimless vice crimes more broadly. Tielsch hailed from the largely white Orange County suburb of Garden Grove, California. He promised to bring discipline to the Seattle Police Department, and he asserted a strong distaste for vice. Immediately upon taking office, he openly opposed Washington State Attorney General Slade Gordon’s proposal to legalize minimal forms of gambling, such as bingo games benefitting community groups.⁸⁹ Tielsch’s anti-vice sentiments extended to victimless sex crimes, which were already being enforced to a greater extent since the *Seattle Times* published the first article exposing Seattle’s “homosexual problem” in November 1966.⁹⁰ In 1971, 75 arrests were made related to sodomy compared to just fifteen arrests related to sodomy in 1970. Only one of these sodomy arrests led to a conviction, but the increased number of

⁸⁷ Law and Justice Task Force, “Proposed Statement Regarding Selection of the Chief of Police,” Box 162, Folder 9, Office of the Mayor, 5210-01, SMA.

⁸⁸ Mike Conant, “83 Seek Job as Police Chief,” *Seattle Post-Intelligencer*, May 2, 1970, available in Box 162, Folder 10, Office of the Mayor, 5210-01, SMA.

⁸⁹ Atkins, *Gay Seattle*, 194.

⁹⁰ See the discussion of arrest statistics for sexual vice crimes in the late 1960s on pages 42 and 43.

arrests indicated an increased prioritization of policing consensual sexual activity under Tielsch.⁹¹

In response to the greater police presence, gay activists asserted themselves as citizens with a right to avoid police harassment through letters to the mayor. On December 7, 1971, gay activist and co-founder of the Gay Community Center Paul Barwick wrote Wes Uhlman inquiring about the definition of “lewd and lascivious” as it related to public displays of homosexuality in response to the increased policing of gay Seattleites. Two days prior, Barwick had asked a police officer what behaviors he could publicly engage in as a gay man, and the officer told Barwick to ask a religious leader whether soliciting sex from men constituted lewd and lascivious behavior.⁹² Uhlman responded by assuring Barwick that Tielsch was training officers in public relations and interpreting laws. Furthermore, Uhlman asserted that Washington State still had a law against sodomy, advising Barwick to police his own behavior, including public solicitation of sex to be had in private.⁹³

Barwick followed up with Uhlman in July 1972 after enduring another unpleasant encounter with a Seattle police officer, explicitly declaring himself a citizen. Pulled over for having a license plate light out, the officer began launching insults at Barwick and the other men in the car. The driver was dressed in drag. The officer called the men “faggots,” “queers,” and “scum” and asserted, “All you people need to cure you, is just to fuck a good pussy!” Barwick fought police abuse by asserting his citizenship in his letter to Uhlman: “I as a Gay person suffer enough oppression and persecution in this society without having the oppression officially or

⁹¹ Seattle Police Department, “Statistical Report: 1970,” Box 3, Folder 7, Series 1802-H8, SMA; Seattle Police Department, “Statistical Report, 1971,” Box 4, Folder 1, Series 1802-H8, SMA.

⁹² Paul Barwick, letter to Wes Uhlman, December 7, 1971, Box 12, Folder 3, Accession No. 4440-001: Tim Mayhew Collection on Gay Rights, UWLSC.

⁹³ Wes Uhlman, letter to Paul Barwick, December 22, 1971, Box 15, Folder 2, No. 4440-001, UWLSC.

non-officially directed at me by local government. I and the other approximately 50,000 Gays in the Seattle look for you to uphold your duty in providing equal right to ALL citizens.”⁹⁴

Barwick asserted both his gay identity and his citizenship. This activism was facilitated by the shift from the payoff system, where police rarely harassed gay men and lesbians, to Tielsch’s tenure as Chief of Police, where gay men and lesbians faced more regular harassment at the same time they were asserting their sexual difference and gender non-conformity in public space.

Despite Barwick’s and other activists’ letters to Uhlman, Tielsch’s vice raids against sexual vice and gambling only escalated over the course of 1972, and Uhlman did not intervene. Tielsch escalated his anti-vice campaign in response to a King County Superior Court ruling that Seattle’s ordinances against topless dancing were unconstitutional in April 1972, pitting the city police department against the judicial branch of county government. That August, police officers raided peep show arcades along First Avenue, where patrons could rent individual booths to watch pornographic films, including homosexual pornography. Just that month alone, police officers arrested over 200 people, including thirty-six for “homosexual” lewd conduct. Rick Anderson of the *Seattle Post-Intelligencer* particularly drew attention to cases of entrapment of men into sexual situations with police officers at Sultan’s Lavender Cinema, one of the arcades. Anderson noted that sixty men had been arrested in “recent weeks,” indicating how much SPD focused their attention on sexual behavior in a privately owned pornography arcade.⁹⁵ Following Anderson’s op-ed criticizing the raids at Sultan’s Lavender Cinema, Federal Judge Morell Sharp found the policing of the arcades to be excessive and

⁹⁴ Paul Barwick, letter to Wes Uhlman, July 10, 1972, Box 15, Folder 2, Accession No. 4440-001: Tim Mayhew Collection on Gay Rights, UWLSC.

⁹⁵ Rick Anderson, “The Lesson on First Avenue,” *Seattle Post-Intelligencer*, October 6, 1972, A11, available in Box 9, Folder 5, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

unconstitutional in October 1972, pitting the federal judicial branch against the Seattle Police Department, demonstrating how reactionary Tielsch's police force was in the era of sexual liberation.⁹⁶

In addition to increased arrests for victimless sex crimes, gay men and lesbians were also more likely to encounter harassment at the hands of police officers as they made themselves more visible and unapologetically asserted their sexualities and gender non-conformity in public space. Though gay establishments were still primarily located in Pioneer Square, Capitol Hill had grown as an area with a high concentration of gay male residents. Middle-class homophile activists began taking advantage of large homes vacated by families moving to the Eastside suburbs in the late 1960s, and then younger gay men took advantage of the affordable rents made possible by the Boeing Bust in the early 1970s.⁹⁷ Regular harassment and arrests of gay men began on September 12 in Broadway Park on Capitol Hill. Police officers even teargassed the men's restroom at Broadway Park because of suspicion of sexual activity. Police also raided Seattle Counseling Service for Homosexuals and harassed staff and disrupted services. In response to these abuses, the Gay Students Association of the University of Washington wrote Wes Uhlman, suggesting that police officers be screened for homophobia before serving on the Vice Squad.⁹⁸

⁹⁶ Atkins, *Gay Seattle*, 196.

⁹⁷ Lesbians were more concentrated in the University District and Wallingford, as their politics were more tied into feminist groups on the University of Washington campus. Lesbian feminism was by and large a separate movement from male-dominated gay liberationist groups. The Dorian Society and Seattle Counseling Services for Sexual Minorities were both established on Capitol Hill in the late 1960s. See Atkins, *Gay Seattle*. According to Seattle Gay Alliance President Tim Mayhew, rents on Capitol Hill were even about \$20 a month cheaper than rents in the University District, Tim Mayhew, letter to Ken Rackow, December 26, 1972, 2, Box 12, Folder 7, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

⁹⁸ Gay Students Association, letter to Mayor Wes Uhlman, undated, Box 15, Folder 2, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

While gay men and lesbians had already been sending complaints to Wes Uhlman and the Seattle Police Department regarding police harassment, gay activists turned to direct action against Wes Uhlman, George Tielsch, and the Seattle Police Department in the spring of 1973. A group of gay men and women formed a picket line in front of the headquarters of the Seattle Police Department on April 23, demanding a meeting with George Tielsch. The following day, a police lieutenant phoned Robert Sirico of the gay Metropolitan Community Church to inform him, “Chief Tielsch feels that homosexuals are not a socially recognized minority [so] he feels no need to grant an interview.”⁹⁹ Thus far, Wes Uhlman had largely supported his police chief, but with his reelection campaign looming Uhlman continued to face pressure from gay activists. After receiving word that Tielsch did not find homosexuals to a “socially recognized minority,” Sirico led a group of about 40 gay activists in a protest in front of Tielsch’s home in North Seattle’s Sand Point neighborhood, putting more direct pressure on the police chief rather than the mayor or SPD as an institution.¹⁰⁰ Wes Uhlman had to consider a visible, vocal gay protest movement with his reelection campaign looming.

Wes Uhlman, Jeannette Williams, and Seattle’s First Gay Rights Ordinance

Whereas Mayor Dorm Braman expressed a fear of Seattle becoming “like San Francisco” in gaining a reputation as a hotspot for homosexuality, his successor Wes Uhlman gradually and cautiously recognized the need to engage gay men and lesbians as an urban constituency. Gay activists questioned whether Uhlman was capable of action on issues pertinent to the gay community, particularly police harassment and protections from discrimination. As the election approached, Uhlman’s desire to convince gay men and lesbians that he was gay-friendly

⁹⁹ Robert Sirico, letter to Wes Uhlman, May 25, 1973, cited in Atkins, *Gay Seattle*, 198, 400.

¹⁰⁰ “‘Gay’ pickets pay a call on George Tielsch,” *Seattle Times*, May 6, 1973, D11.

underscores the influence gay activists had already achieved in municipal politics by 1973 through activism against the Seattle Police Department. More than Wes Uhlman, Councilwoman Jeannette Williams felt compelled to begin doing more for Seattle's gay community with her own reelection campaign looming.

Elected to the City Council alongside Wes Uhlman in 1969, Jeannette Williams was another member of Seattle's incoming reformist government who had a profound impact on changing the direction of Seattle politics to be more inclusive of women and gay residents. Prior to her election, however, she was viewed more as an experienced pragmatist, and she was not endorsed by CHECC.¹⁰¹ Williams had been the first woman to chair the King County Democratic Central Committee prior to being elected to the City Council. As chair of the Judiciary and Personnel Committee, Williams pushed for the Creation of the Seattle Women's Commission in 1971. In May 1973, Williams turned to Seattle's employment nondiscrimination ordinance, looking to add gender to the ordinance. At a hearing at the University YWCA, which housed the Lesbian Resource Center at the time, Chair of the LRC Board Karen West suggested sexual orientation also be added to the nondiscrimination ordinance. Williams and the Seattle Women's Commission endorsed the inclusion of sexual minorities in the ordinance as well as political beliefs and marital status, added for fear that feminist activism or cohabiting singles could be excluded by some employers even if gender and sexual orientation were included in the ordinance.¹⁰²

Rather than vote on amendments to the preexisting Fair Employment Practices Ordinance, the city attorney's office returned a rewritten ordinance; thus, the vote was about

¹⁰¹ Jeannette Williams was even described as a "traditionalist" after winning reelection in 1973 despite her roles in the creation of the Office of Women's Rights and the inclusion of "sexual orientation" in the Fair Employment Practices Ordinance, Sam R. Sperry, "'Progressives' gain in City Council," *Seattle Times*, November 7, 1973, B1.

¹⁰² Ann Montague, "Gay Action Caused Seattle Law," *Advocate*, Nov. 7, 1973, 36; Atkins, *Gay Seattle*, 202-203.

discrimination writ-large and less focused specifically on gay men and lesbians, which facilitated its passage and made Seattle the largest city to protect sexual minorities from discrimination in private sector employment. Sex, sexual orientation, political beliefs, and marital status were added to the ordinance alongside race, ethnicity, nationality, age, religion, and ability, which had passed a year earlier. Furthermore, the proposed ordinance created the Office of Women's Rights to enforce discrimination cases based on sex, marital status, and sexual orientation. The City Council was thus voting on an entire employment nondiscrimination package that included sexual orientation, and they voted eight-to-one in favor of the ordinance in September 1973. Uhlman signed the law on September 18, 1973 upon learning that Washington's anti-sodomy statute and the American Psychiatric Association's classification of homosexuality as a mental disorder could provide the Police and Fire Departments avenues for refusing to hire gay men and lesbians despite the nondiscrimination protections. Thus, Uhlman was not yet willing to side with the gay community on making any changes to the Police Department.¹⁰³ San Francisco had banned discrimination against sexual minorities in municipal employment, and some college towns had passed nondiscrimination ordinances extending to the private sector in 1972, but Seattle was the first city of its size to pass an employment nondiscrimination ordinance covering sexual minorities that included private employers.

Many gay Seattleites were not convinced that Wes Uhlman was on their side despite his signing of the Fair Employment Practices Ordinance, and continued to pressure him on police harassment with his reelection bid looming. Chair of the Seattle Gay Alliance's Political Action Committee Tim Mayhew wrote Uhlman a letter highlighting the hypocrisy in Uhlman's promises that he accepted his gay community and his refusal to interfere with rampant police harassment

¹⁰³ Montague, "Gay Action Caused Seattle Law," Atkins, *Gay Seattle*, 201-204.

under Tielsch. In response to the excessive policing of sexual vice on First Avenue, which included police entrapment of gay men, Mayhew wrote, “You decided to be the cautious politician and pander to bigotry rather than stand up for justice. You may well lose the election on this issue alone.” He insisted that the “minority populations of the city” would not respond to any positive spin on the Seattle Police Department, such as the decrease in Seattle’s crime rate. Mayhew attached a survey to the letter, which he had sent to all candidates running for municipal office that year. He concluded the letter threatening that if Uhlman’s opponent Liem Tuai responded favorably to the survey, the gay community might abandon the mayor in droves despite his signing of the employment ordinance.¹⁰⁴

Despite the economic woes Seattle was facing in the middle of the Boeing Bust, gay rights became a central issue in the 1973 mayoral race with Incumbent Mayor Wes Uhlman arguing gay men and lesbians deserved at least some citizenship rights and City Council President Liem Tuai running an anti-gay campaign. Tuai would have become the first Asian American mayor of a major American city if elected.¹⁰⁵ Gay activists hoped Tuai might side with them based on an early promise to replace Tielsch as Chief of Police, but Tuai ultimately took the position that discrimination should be allowed against homosexuals.¹⁰⁶ Tuai had been the sole vote against the employment nondiscrimination ordinance. Following its passage, Tuai continued to speak out against the ordinance, particularly that employers should have the right to fire homosexuals if they choose.¹⁰⁷ Around the same time as Tuai’s statement, police officers arrested Robert Sirico for jaywalking while he was trying to assist another gay man who police

¹⁰⁴ Tim Mayhew, letter to Wes Uhlman, September 27, 1973, Box 12, Folder 7, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

¹⁰⁵ Richard W. Larsen, “Uhlman by slim edge,” *Seattle Times*, November 7, 1973, A1.

¹⁰⁶ Mayhew, letter to Uhlman.

¹⁰⁷ Atkins, *Gay Seattle*, 203-204.

were arresting in Pioneer Square. Sirico's Metropolitan Community Church organized a protest in response, beginning at Tuai's campaign headquarters and then moving to the headquarters of the Seattle Police Department on October 20, 1973, about two weeks before Election Day.¹⁰⁸ Uhlman won the election, albeit by a much smaller margin than he had running as a reformer against a corrupt city government and police force in 1969. However, as an open, albeit questionable and partial, ally of gay men and lesbians, Uhlman defeated an opponent who represented a sizeable minority community but who ran in opposition to gay rights.

Under pressure from underserved communities and individual complainants against police harassment, Uhlman finally intervened to force Tielsch's resignation over the case of twenty-four-year old Jon Bisha, which reopened conversations about the very nature of what police work should be in Seattle.¹⁰⁹ Bisha had intervened when two plainclothes officers attacked a hitchhiker only to find himself brutally attacked by the two officers on October 30, 1973. The *Seattle Times* published the story offering both the officers' and Bisha's takes on the incident on November 3, days before Uhlman was reelected. Bisha sued the city on December 6, and Municipal Court Judge T. Patrick Corbett found Bisha not guilty of the crimes for which he had been arrested. Tielsch dismissed one of the officers in question on January 14, but then reinstated him to the force on February 5. After meeting with Bisha, Uhlman demanded Tielsch fire the officer amidst the growing opposition from civil rights activists against police

¹⁰⁸ Metropolitan Community Church, "Saturday, October 20th – Gays Picket Liem Tuai 12 noon to 2:30, Gays Picket the Police – 2:30 to 5:00 P.M.," Box 5, Folder 15, Accession No. 4440-001: Tim Mayhew Collection on Gay Rights, UWLSC.

¹⁰⁹ Without any citations, Gary Atkins claims that the African American and Chinese communities were also actively protesting police harassment, calling for civilian review boards. He claims that weekend raids in Chinatown under the pretext of gambling resulted in the arrest of Chinese families who were not gambling at all, resulting in complaints from Chinese leaders, Atkins, *Gay Seattle*, 205. If these claims are valid, then widespread calls for changes in policing from gay men and lesbians, African Americans, and the Chinese community likely turned Uhlman against Tielsch after his narrow reelection.

brutality.¹¹⁰ Tielsch resigned rather than fire the officer on March 15, 1974. Uhlman immediately promoted Robert Hanson, a police captain critical of Tielsch's vice raids, to Chief of Police.¹¹¹ The Seattle Gay Alliance (SGA) issued a statement in support of a Citizens' Review Board of the Seattle Police Department, reflecting members' concerns over the possibility of continued harassment of gay men and lesbians after Tielsch.¹¹²

While gay men and lesbians had succeeded in gaining employment protections and the promise of less aggressive policing towards them with Tielsch gone, the Seattle Police Department under Robert Hanson continued to aggressively police prostitution. A poll in March 1972 indicated that forty percent of Seattleites favored legalizing prostitution, and the Feminist Coordinating Council, a coalition of left-leaning feminist organizations, advocated for sex workers right to exchange sex for money. However, the Seattle Police Department continued to police prostitution as though there was a universal moral objection to sex work, reflecting municipal state anxieties about public sexuality. Despite Hanson's critique of Tielsch's vice raids, he sought to expand the policing of prostitution beyond the street. With the crackdown on street prostitution that began prior to Tielsch's tenure as police chief, several body painting studios had opened in Pioneer Square. Hanson policed the body painting studios as brothels and called on the City Council to ban the studios in July 1974.¹¹³ One month earlier, sex workers had formed the Association of Seattle Prostitutes, which filed a lawsuit with the American Civil Liberties Union of Washington in 1975 to overturn Seattle's anti-prostitution law as

¹¹⁰ Ross Anderson, "Incident 4 ½ months ago led to the resignation of Tielsch," *Seattle Times*, March 16, 1974, A3.

¹¹¹ Dave Birkland and Sam R. Sperry, "Hanson is acting chief as Tielsch walks out," *Seattle Times*, March 16, 1974, A1.

¹¹² Seattle Gay Alliance, press release, March 27, 1974, Box 13, Folder 9, Tim Mayhew Collection on Gay Rights, UWLSC.

¹¹³ Rick Anderson, "Police need curb on body painters," *The Seattle Times*, July 19, 1974, A10, available in Box 9, Folder 5, Tim Mayhew Collection on Gay Rights, UWLSC.

unconstitutional, framing the law as gender discrimination and a violation of the First Amendment.¹¹⁴ Sex work remains outside the City of Seattle's parameters of legal sexual behavior.

Conclusion

Contrary to Police Chief Frank Ramon's assertion that Seattle "would not get like San Francisco," by 1974 Seattle had exceeded San Francisco in covering private sector employment in Seattle's Fair Employment Practices Ordinance and witnessed a police chief ousted for abuses against minority communities, including gay men and lesbians. As the City Council considered the employment ordinance, Seattle Gay Alliance President Tim Mayhew described Seattle as "one of the most liberal" and "cosmopolitan" cities in the world to a gay man getting ready to move, even arguing Seattle was better than San Francisco.¹¹⁵ Seattle Gay bar owners played a critical role in the end of the police payoff system, but the reformed Seattle Police Department actively policed vice crimes and harassed gay men and lesbians. Gay liberationists, including Mayhew, directly fought these abuses. In doing so, they asserted their citizenship status without apologizing for their queer sexuality and/or gender expression. The relationship between the gay community and the Seattle Police Department remained tenuous after 1974, but with the passage of the Fair Employment Practices Ordinance and the forced resignation of George Tielsch, gay men and lesbians had entered the social and political fabric of Seattle. A reluctant ally, Wes Uhlman nonetheless had recognized a gay political constituency by the end of his first term because of the letters sent and protests staged by gay men and lesbians against Tielsch and SPD.

¹¹⁴ "A Red Light History of Seattle," *Seattle Met*, February 2010, accessed July 12, 2017, <https://www.seattlemet.com/articles/2010/1/29/red-light-history-0210>.

¹¹⁵ Tim Mayhew, letter to Ken Rackow, December 26, 1972, Box 12, Folder 7, Tim Mayhew Collection on Gay Rights, UWLSC.

Gay men and lesbians successfully gained city officials' attention *without* adhering to respectability politics. But when a new group of gay professionals began organizing and engaging with City Hall as respectable citizens, city officials preferred their cautious and respectable approach to gay politics over the unapologetically queer politics of those who fought Tielsch in the early 1970s.

Chapter 2

“Your Privacy Is at Stake”?

Initiative 13 and the Politics of Sexblindness, 1975-1978

At the outset of 1977, gay rights seemed to be gaining traction, not only in a growing number of cities but also in national politics. However, the Washington, DC-based Gay Rights National Lobby (GRNL) and New York-based National Gay Task Force (NGTF), which purported to represent the interests of gay men and lesbians nationwide, generally represented white, middle-class, cisgender gay men and, to a lesser extent, lesbians who desired inclusion as citizens in society as it currently existed. These organizations adhered to respectability politics, positing gay men and lesbians as normative citizens worthy of inclusion *because* of their willingness to follow white, middle-class norms and contain their sexuality in private.¹¹⁶ The new president, Jimmy Carter, welcomed representatives of these organizations, including Seattle’s Charlie Brydon, to meet with his White House aide Midge Costanza just two months into his presidency, indicating the traction the gay and lesbian movement had made.¹¹⁷

By the summer of 1977, however, this optimism, at least among this newly organized gay middle class, was challenged by a growing anti-gay movement. On June 7, 1977, anti-gay

¹¹⁶ For example, at the 1973 Gay Pride rally in New York City, NGTF Co-President Jean O’Leary had shouted down Sylvia Rivera, a trans woman of Puerto Rican descent who was a founding member of the Gay Liberation Front and Street Transvestite Action Revolutionaries in New York, after Rivera called out cisgender, or gender-conforming, gay men and lesbians who ignored the plight of vulnerable trans and queer people, including people of color, who faced disproportionate violence on the street and in prison. O’Leary adhered to gender essentialist lesbian feminist politics, misgendering Rivera as a man who insulted women by “impersonating” them in her effort to delegitimize her gender identity and political position. Susan Stryker, “1973: Remembering Queer History Otherwise,” Keynote Address, Gay American History at 40 Conference, New York, NY, May 5, 2016, accessed July 14, 2017, <https://www.youtube.com/watch?v=y3nI2uKH39Y>.

¹¹⁷ “Anita Bryant Scores White House Talk With Homosexuals,” *New York Times*, March 28, 1977, 56, accessed July 19, 2017, <http://www.nytimes.com/1977/03/28/archives/anita-bryant-scores-white-house-talk-with-homosexuals.html>.

activists led by gospel singer Anita Bryant succeeded in overturning a gay rights ordinance in Miami-Dade County, Florida by voter referendum. And the margin of defeat for gay rights was not close, with about seventy percent of voters overturning the ordinance. The spring of 1978 continued the devastation with three more votes overturning municipal nondiscrimination ordinances in St. Paul, Minnesota, Wichita, Kansas, and Eugene, Oregon. As these votes happened, Seattle police officers Dennis Falk and David Estes were collecting signatures to get a similar voter initiative on the ballot in the 1978 General Election in Seattle, and Proposition 6, which would have banned homosexual teachers in California public schools, qualified as the first statewide initiative to restrict the rights of gay men and lesbians.¹¹⁸

The 1978 General Election in Seattle is historically important for two reasons. First, the multiple campaigns against Initiative 13 revealed the divides within the gay community over political goals and tactics. The arguments made by moderate gay rights organizations relied on individual rights rather than systemic inequality, which actively countered arguments many civil rights activists were making to address economic disparities along racial lines. In the fight against Initiative 13 specifically, Citizens to Retain Fair Employment constructed arguments framing the initiative as an attack on a universal right to privacy, erasing gay men, lesbians, and bisexuals as the specific targets of the initiative, creating a political closet. Meanwhile, queer activists pursued a campaign continuing the politics of gay liberation – that sexuality should be open and that liberation for all oppressed people required a coalition of the oppressed to achieve reparative justice. The Seattle Committee Against Thirteen and Women Against Thirteen believed that Initiative 13 provided an opportunity to educate Seattleites about gay men and lesbians, and their campaign centered discrimination against gay people as a slippery slope for

¹¹⁸ See Fred Fejes, *Gay Rights and Moral Panic: The Origins of America's Debate on Homosexuality* (New York: Palgrave MacMillan, 2008).

the further eradication of civil rights. City politicians unequivocally adopted the political perspective of the former group, foreshadowing the municipal state's continued inclusionary measures that privileged individual rights over reparative justice.

Second, voters approved gay rights as they simultaneously ended busing to achieve racial integration in public schools and granted police officers license to use firearms even to the point of murder in all felony cases, even nonviolent ones. The 1978 vote in Seattle indicated a shift in public opinion toward the inclusion of gay men and lesbians as citizens at the same time that racial tensions produced a lack of political will for busing and a desire for more aggressive policing not only to protect people, but to protect property. Seattle voters approved the enforcement of nondiscrimination on a case by case basis, while overturning efforts to systematically correct the historical injustice of racial segregation and its effects on public education and to curb police brutality, which disproportionately affected people of color and disadvantaged queer people. The 1978 election in Seattle thus offers a window into how sexblind politics built on colorblind politics in the late twentieth century, as liberals rejected systemic solutions to racial injustice that required race consciousness and challenged white, middle-class liberals' position in the social hierarchy in favor of individual rights, embodied by Initiative 13's protection of gay men and lesbians from discrimination on a case by case basis.

Housing Nondiscrimination and the Right to Privacy

Immediately following the passage of the Fair Employment Practices Ordinance, the Seattle Department for Human Rights encouraged the City Council to bring Seattle's Fair Housing Ordinance in line with the Fair Employment Practices Ordinance by including "sex,

marital status, sexual minorities, and political ideology.”¹¹⁹ An emerging cohort of white, middle-class gay activists emphasized that gay people were entitled to a right to privacy that should allow them to rent wherever they choose rather than emphasize the injustice of housing discrimination, which could leave queer people homeless.¹²⁰ However, landlords similarly claimed the ordinance was an impingement on their individual right to sell or rent to whomever they chose. North Seattle landlord Shirley-Anne Darnell asserted her “DEMOCRATIC RIGHT TO RENT TO WHOM WE WISH.”¹²¹ Thus, the debate over sexual minorities’ right to rent centered on individual rights rather than discrimination and justice.

Though it took two years to become law, Councilwoman Jeannette Williams suggested amending the Fair Housing Ordinance immediately following the passage of the Fair Employment Practices Ordinance to more fully grant gay Seattleites their rights as citizens. The Seattle Human Rights Commission and the Seattle Women’s Commission sent drafted amendments to Seattle’s preexisting Fair Housing Ordinance to all members of both commissions on October 3, 1973 in preparation for an upcoming meeting.¹²² The Seattle City Council had already passed a Fair Housing Ordinance in 1968 for the primary purpose of banning racial discrimination in housing practices. These amendments would bring the Fair Housing Ordinance in line with 1973 Fair Employment Practices Ordinance, thus including sexual minorities. While the Human Rights Commission and Women’s Commission began drafting the amendments soon after the passage of the Fair Employment Practices Ordinance, the

¹¹⁹ Jeannette Williams and John R. Miller, press release re: “Aug. 13 Hearing: Unfair Housing Practices Amendment,” July 25, 1974, Box 55, Folder 2, Councilmember Jeannette Williams Subject Files, Legislative Department, Record Series 4693-02, Seattle Municipal Archives.

¹²⁰ Atkins, *Gay Seattle*, 212.

¹²¹ Shirley-Anne Darnell, letter to Jeannette Williams, July 1, 1975, Box 55, Folder 3, Councilmember Jeannette Williams Subject Files, Legislative Department, Record Series 4693-02, SMA, capitalization in source.

¹²² Ron Chatburn, memo re: “Amendments to Fair Housing Ordinance” to Seattle Human Rights Commission and Seattle Women’s Commission, October 3, 1973, Box 55, Folder 4, Councilmember Jeannette Williams Subject Files, Legislative Department, Record Series 4693-02, SMA.

City Council did not begin seriously discussing the proposed bill until the summer of 1974. Councilwoman Jeannette Williams, who had spearheaded the effort to include sexual minorities in the Fair Employment Practices Ordinance, sent a letter to City Council President Sam Smith on July 10, 1974 requesting that the Fair Housing Ordinance be “put in agreement with the Fair Employment Practices Ordinance.”¹²³

Including sexual minorities in housing proved more controversial than including them in employment, however, as homophobia was still common throughout Seattle and the fear of living near gay people was more tangible than granting gay people the right to participate in the economy. The City Council held a hearing on the ordinance on August 13, after which the Human Resources and Judiciary Committee of the Seattle City Council voted on August 27 to remove “sexual orientation” and “political ideology” from the list of protected categories under the Fair Housing Ordinance. The rationale for the vote was that landlords “could lose money” because others would not want to live with or near gay men and lesbians, and “other tenants would have their rights violated by being forced to accept as neighbors persons whose lifestyles they found disagreeable.”¹²⁴ This language of a right to a specific kind of neighborhood echoes racial covenants that were found unconstitutional in the famous 1947 Supreme Court ruling in *Shelley v. Kraemer* and already banned by Seattle’s current Fair Housing Ordinance. “Political ideology” had been added in the employment ordinance primarily to prevent discrimination against feminists as a way around protections based on “sex” and “marital status,” which were approved for the new housing ordinance in the same August 27 vote.¹²⁵ In addition to potentially

¹²³ Jeannette Williams, letter to Sam Smith, July 10, 1974, Box 55, Folder 4, Series 4693-02, SMA.

¹²⁴ Dorothy Young Sale and Linda B. Miller, letter to Jeannette Williams, September 19, 1974, Box 55, Folder 4, Series 4693-02, SMA; Thomas H. Weaver and James L. Hays, letter to Jeannette Williams, September 2, 1974, Box 55, Folder 4, Series 4693-02, SMA; Richard Zahler, “Sex, political-bias clause OK’d for open-housing law,” *Seattle Times*, May 14, 1975.

¹²⁵ Atkins, *Gay Seattle*, 202-203.

excluding “feminists” as way to exclude single women, for example, the absence of “political ideology” conceivably allowed discrimination against members of civil rights groups such as the Black Panther Party to exclude people based on the protected category “race.” Even if “sexual orientation” had been included and “political ideology” excluded, membership in Seattle’s growing number of gay organizations could have enabled landlords to exclude politically active gay men and lesbians from housing.

The removal of “sexual orientation” and “political ideology” from the proposed amendments to the Fair Housing Ordinance resulted in a large mobilization of feminists to reintroduce the inclusion of these categories into the legislation. Several organizations sent letters to the City Council applauding the inclusion of marital status while expressing concern over the exclusion of sexual minorities as a protected category against discrimination in housing. The Seattle Chapter of the National Organization of Women issued a statement specifically criticizing the exclusions of both sexual orientation and political ideology from the proposed amendments to the Fair Housing Ordinance, claiming such exclusions condoned “the perpetuation of discrimination based on subjective definitions and private moral judgments of these terms and whom they describe.”¹²⁶ The Feminist Coordinating Council, representing twelve left-leaning feminist organizations including Radical Women and Seattle Counseling Services for Sexual Minorities, opposed the removal of sexual orientation and political ideology, arguing, “If discrimination is broken down on paper into a number of types and only certain of those types are protected, such protection is token and partial...Who is to say, for example, on what basis a foreign-born, divorced, lesbian has been discriminated against? As long as one of

¹²⁶ Sale and Miller, letter to Williams.

those classifications remains unprotected, so does the person, and so do we all.”¹²⁷ While calling for the immediate inclusion of sexual orientation and political ideology in the Fair Housing Ordinance, the Feminist Coordinating Council offered the intersectional queer perspective that the state’s need to specify the scope of inclusion inherently excludes those who do not fit such categorizations. While seeking liberal legal reform, the member organizations thus also criticized the politics of recognition and inclusion that granted the liberal state power over who could count as full citizens and who could be excluded based on membership in an unrecognized group or group targeted for exclusion.

Unlike NOW and the Feminist Coordinating Council, the Political Action Committee of the Seattle Gay Alliance issued a statement against the exclusion of sexual minorities that made no mention of political ideology, indicating a shift toward single-issue gay politics by the gay middle class even before The Dorian Group formed explicitly to represent the gay middle class. The Seattle Gay Alliance was the successor organization of the Dorian Society, which sought to bring homophile and gay liberationist perspectives together into a single organization. The Seattle Gay Alliance’s opposition to the removal of “sexual orientation” relied on creating a parallel between gay men and lesbians and black Americans, whose activism resulted in the original Fair Housing Ordinance:

The American people are increasingly desirous of explicit protection for the civil liberties that most people need only take for granted. Among these is the right to ‘compete’ for the housing of one’s choice. Most middle-class white Americans need never think further than their income and tastes. Unfortunately, many classes in our society must think in more limited [sic] terms: specifically, they must think of who will let them live where. Black Americans have always had to think of this. But it is now one of the most important objectives of local, state, and federal governments that this be a consideration no longer. And more to the point, unmarried men and women, and gay people of both sexes, have felt the necessity to choose their housing carefully to avoid quick and certain rejection by landlords and sellers. Responsible elected officials cannot fail to see the need to extend the same protection to all minorities to whom such group restrictions apply.¹²⁸

¹²⁷ Feminist Coordinating Council, letter to Seattle City Council, September 9, 1974, Box 4, Folder 55, Councilmember Jeannette Williams Subject Files, Legislative Department, Series 4693-02, SMA.

¹²⁸ Weaver and Hays, letter to Williams.

The Seattle Gay Alliance worked from the assumption that the original Fair Housing Ordinance succeeded in its goal of correcting segregation in Seattle, while explicitly recognizing the market as that which the liberal state should guarantee. This letter cites the ability to “compete” fairly, where “income and taste” should dictate housing choices and not one’s identity. Thus, SGA’s statement openly supported classism in the housing market and accepted socio-economic inequality, so long as gay men and lesbians of socio-economic privilege had access to Seattle’s most exclusive neighborhoods.

As the housing debate continued into the fall, a cohort of white, middle-class gay activists gained access to City Hall under the leadership of insurance salesman Charlie Brydon. Brydon arrived in Seattle in 1974 and began organizing a consciously middle-class, and subconsciously cisgender and white, gay movement that appealed to municipal officeholders. He emphasized the inclusion of gay men and lesbians who otherwise proved themselves to be respectable, normal citizens. Aside from his sexual orientation, Brydon held conservative political views. Unlike gay liberationists such as San Francisco’s Carl Wittman, whose vision of sexual liberation meant a deconstruction of heteronormativity in the dominant culture, Brydon viewed his sexuality as a fixed identity and described gay men and women as a minority, thus comparing sexual orientation to racial and ethnic identity.¹²⁹ Brydon was openly disgusted by the overt sexuality of the gay liberation movement, even writing to San Francisco’s KQED-TV in praise of its coverage of gay liberation that “the individual homosexual is sometimes his own worst enemy” for failing to adhere to an image of white, middle-class respectability.¹³⁰ Thus, even in

¹²⁹ Timothy Stewart-Winter discusses organized gay politics in Chicago as rooted in an ethnicity model, Stewart-Winter, *Queer Clout*; Carl Wittman, “Refugees from Amerika: A Gay Manifesto,” *Liberation*, February 1970.

¹³⁰ Gary Atkins, *Gay Seattle*, 207; Charlie Brydon, letter to KQED-TV (February 5, 1971), Charles F. Brydon Papers, WSHSRC, cited in Atkins, *Gay Seattle*, 207, 401-402.

the early days of gay liberation, Brydon sought an approach to gay politics in which gay men and lesbians could be included as normative members of society save for their choice in partner and rejected queer activism as counterproductive to that goal.

The Seattle Gay Alliance's election of Charlie Brydon as president represented a marked shift away from gay liberation's social criticism toward respectability politics aimed at inclusion within the dominant heteronormative culture. While the Seattle Gay Alliance was the successor organization of the Dorian Society, Seattle's first and only homophile organization, the goal of the organization was to integrate the homophile movement's reliance on respectability politics with gay liberationists' calls for societal change. These political approaches always existed in tension with one another, and ultimately Charlie Brydon, as a newcomer and a pragmatist, was the only leader different camps of the organization could agree on in 1975. The group quickly dissolved, however, as Brydon's political leanings were in direct opposition to those of anti-capitalist, anti-imperialist gay liberationists and radical lesbian feminists. Following the Seattle Gay Alliance's dissolution, the Union for Sexual Minorities formed, carrying on the anti-capitalist and anti-imperialist politics of gay liberationists, and Brydon went on to organize other gay businessmen who shared his view of desexualizing and individualizing gay politics.¹³¹

Charlie Brydon and former Dorian Society and Seattle Gay Alliance member Glen Hunt began bringing together gay businessmen who worked downtown at invitation-only lunch gatherings in 1975, laying the groundwork for a politically moderate gay rights organization and building relationships with city officials. While many of these lunch attendees were closeted at work, Brydon took it upon himself to begin inviting politicians who had demonstrated sympathy for gay men and lesbians. Brydon first invited Office of Women's Rights Director Susan Magee,

¹³¹ Atkins, *Gay Seattle*, 208.

as she was ultimately responsible for enforcing the protection of sexual minorities under Seattle's 1973 Fair Employment Practices Ordinance. As debate reopened over including sexual minorities in Seattle's Fair Housing Ordinance, Brydon extended an invitation to Jeannette Williams for their April 1975 gathering, and Mayor Wes Uhlman attended their May 1975 lunch.¹³² Brydon quickly gained recognition from city officials as an authority within the "gay community" by engaging respectfully with local officeholders during these lunchtime conversations.

Activists who rejected respectability politics and viewed gay oppression as one of many intersecting oppressions made their voices heard via letters to City Councilmembers when discussion over expanding the Fair Housing Ordinance resumed in March 1975. These left-of-center organizations differed, however, on the issue of protecting political ideology and on how far inclusion should extend to sexual minorities. At that time, the American Civil Liberties Union of Washington (ACLU-W) endorsed "the efforts of the Seattle gay community to re-include sexual orientation as a protected class in the housing discrimination ordinance."¹³³ The ACLU-W remained silent on the issue of political ideology, however, a curious omission for the ACLU, as one of the preeminent defenders of free speech in the United States. The Union of Sexual Minorities (USM) coalesced around an anti-imperialist, anti-capitalist queer politics. They submitted a letter penned by Sam Daederick in support of adding sexual orientation back into the Fair Housing Ordinance while offering a more expansive definition of sexual orientation that included "trans-sexuality and transvestism."¹³⁴ Furthermore, the members of the Union for

¹³² Atkins, *Gay Seattle*, 209.

¹³³ Carol Vanairadale, letter to Human Resources and Judiciary Committee, March 14, 1975, Box 55, Folder 4, Councilmember Jeannette Williams Subject Files, Legislative Department, Series 4693-02, SMA.

¹³⁴ Sam Daederick, letter to Human Resources and Judiciary Committee, March 27, 1975, Box 55, Folder 4, Councilmember Jeannette Williams Subject Files, Legislative Department, Series 4693-02, SMA.

Sexual Minorities endorsed adding political ideology back into the ordinance as most members might be subject to exclusions based on political ideology themselves given their outspoken anti-imperialism, anti-capitalism, and critiques of heteronormative culture.

The City Council's Human Resources and Judiciary Committee considered the Union for Sexual Minorities inclusion of trans people in the category of "sexual orientation," a moment of possibility for more inclusive nondiscrimination protections. In preparation for an upcoming committee meeting, committee members received a memo on April 14, 1975 on proposed changes to the definition of "sexual orientation." The first definition came from Seattle's 1973 Fair Employment Practices Ordinance, which defined sexual orientation as "male or female homosexuality, heterosexuality, or bisexuality by preference or practice." The second definition was proposed by the Seattle Women's Commission, which included "male or female heterosexuality, bisexuality, or homosexuality, which includes a person's attitude, preferences, beliefs, and practices pertaining to sex." This definition extended nondiscrimination beyond one's sexual identity to include non-normative sexual practices so as not to provide any basis for a policing of sexual behavior by landlords as grounds for housing discrimination. The memo also included the Union for Sexual Minorities' definition that included "trans-sexuality" and "transvestism," recognizing the existence of non-normative gender identities and presentations that should also be protected.¹³⁵ The recognition of sexual orientation as a "preference" or a "practice" affirmed that sexual orientation could be a choice, which was commonly affirmed by gay liberationists.¹³⁶

¹³⁵ Memo from Suzi Forbes to Members of the Human Resources and Judiciary Committee re: Briefing on Housing Ordinance (April 14, 1975), 3, Box 55, Folder 3, Series 4693-02, SMA.

¹³⁶ See, for example, Carl Wittman, "Refugees from Amerika: A Gay Manifesto," *Liberation* (February 1970).

Although the Human Resources and Judiciary Committee considered expanding the definition of “sexual orientation,” its members ultimately decided to maintain the same definition that had been provided in the Fair Employment Practices Ordinance, continuing to exclude more vulnerable gender non-conforming people from nondiscrimination protections. By a vote of three-to-one, the committee did add “sexual orientation” and “political ideology” back into the amendment to the Fair Housing Ordinance on May 13, 1975. Councilwoman Phyllis Lamphere defended the committee’s decision by recognizing a fundamental right to privacy: “The notion of the privacy of a person’s own abode is something we ought to support, unless it is damaging to someone else...I think there is sufficient variety of other recourses available to a landlord if there is any activity that is disturbing others.” Building on this logic of privacy, duplexes in which the landlord lived in one of the units were exempted, making room for personal preferences when lessees were proximate to their landlord.¹³⁷ However, the committee maintained the most limited definition of “sexual orientation” already outlined in the Fair Employment Practices Ordinance, leaving open gender non-conformity and queer sexual practices as possible “recourses” that could leave tenants vulnerable to discrimination. Inclusion of USM’s definition would have made Seattle the first city in the country to recognize and protect trans residents, but the committee decided not to go any further in their definition of “sexual orientation” than they already had in the employment ordinance.¹³⁸

As the drawn-out process of adding, removing, and re-adding “sexual orientation” and “political ideology” into the Fair Housing Ordinance already indicated, not all Seattleites were

¹³⁷ Richard Zahler, “Sex, political-bias clause OK’d for open-housing law,” *Seattle Times*, May 14, 1975.

¹³⁸ Minneapolis became the first city to adopt nondiscrimination protections for trans residents later that year, Emma Margolin, “How Minneapolis Became the First U.S. City to Pass Trans Protections,” *NBC Out*, June 3, 2016, accessed July 14, 2017, <http://www.nbcnews.com/feature/nbc-out/how-minneapolis-became-first-u-s-city-pass-trans-protections-n585291>.

pleased with the inclusion of these categories in antidiscrimination law, and the right to privacy was claimed by both supporters and opponents of this amendment to the Fair Housing Ordinance. The most outspoken resistance came from North Seattle neighborhoods, which had the most widespread history of racial covenants in the city.¹³⁹ Writing the day after the *Seattle Times* published the news of the Human Resources and Judiciary Committee’s decision to add “sexual orientation” and “political ideology” back into the Fair Housing Ordinance, a North Seattle woman signing her name Mrs. Allan R. Galbraith wrote Committee Chairwoman Phyllis Lamphere in opposition to the proposed amendment to the ordinance:

We think that far too much has been done in leaning over backward, to give people personal freedom to do as they choose. When you speak of discriminating against people of ethnic background or color, you are speaking of people who have no choice, because they were born this way. But when you speak of people who are sexually deviant or homo-sexual, you are speaking of people who choose to live that way. There is a vast difference. Certainly people have a right to live as homo-sexuals, to party all night, etc., but they don’t have a right to impose their lifestyle on people who do not wish to have any contact with it. Does the rights of this type of person outweigh the rights of the other tenants and the owner?¹⁴⁰

Galbraith’s opposition demonstrates how the right to privacy cut both ways on the issue of housing nondiscrimination, though she did recognize the merits behind housing nondiscrimination based on race and ethnicity. Given that landlords owned the property they rent, they could claim a right to choose who and who not to rent to without interference by the state, while gay residents claimed a right to privacy to live wherever and however they choose.

With backing from the Director of the Office of Women’s Rights Susan Magee, who would ultimately be responsible for enforcing cases of housing discrimination against sexual

¹³⁹ The Lake City Township was incorporated in 1949 with 40,000 residents, having grown substantially as a result of wartime industry. The City of Seattle annexed Lake City in 1954. The woman writing this letter hails from the area of Lake City adjacent to the Wedgewood neighborhood at 3506 NE 95th St. On the history of racial covenants in Seattle, see Catherine Silva, “Racial Restrictive Covenants: Enforcing Neighborhood Segregation in Seattle,” Seattle Civil Rights and Labor History Project, 2009, accessed July 14, 2017, http://depts.washington.edu/civilr/covenants_report.htm; Restrictive Covenants Database, Seattle Civil Rights and Labor History Project, accessed July 14, 2017, http://depts.washington.edu/civilr/covenants_database.htm.

¹⁴⁰ Mrs. Allan R. Galbraith, letter to Phyllis Lamphere, May 15, 1975, 2, Box 55, Folder 3, Series 4693-02, SMA.

minorities, as well as letters of support from range of liberal and leftist groups, the City Council approved the new Fair Housing Ordinance on August 4, 1975 by a five-to-four vote, far closer than the previous Fair Employment Practices Ordinance. Unlike the employment vote, however, this vote narrowly focused on the inclusion of gay and politically radical Seattleites as an amendment to the Fair Housing Ordinance; Councilmembers were not considering a fully rewritten ordinance as was the case with the Fair Employment Practices Ordinance.

The passage of the ordinance was not the end of the debate, however. Three days later, Republican Washington State Representative William Leckenby of West Seattle wrote City Councilman Paul Kraabel, who voted for the amendment both in committee and in the full council, criticizing the new ordinance from a business perspective. Leckenby argued that the Council made renting properties an undesirable business that would ultimately reduce the number of rental units available thereby increasing demand for public housing by forcing landlords to disregard sexuality and politics when renting to tenants.¹⁴¹ The adoption of nondiscrimination protections for sexual minorities in Seattle and a few other cities contributed to the reactionary growth of the anti-gay movement across the country.

The Dorian Group and Respectability Politics

Out of the housing debate emerged Charlie Brdyon's new organization The Dorian Group, which promoted respectability politics as the most effective strategy for recognition and inclusion granted by municipal officials. The Dorian Group (TDG) organized gay professionals and actively courted Seattle's political establishment, the reformist mayor and council that were now the entrenched government of the city after Wes Uhlman's reelection in 1973. The group

¹⁴¹ William S. Leckenby, letter to Paul Kraabel (August 7, 1975), Box 55, Folder 2, Series 4693-02, SMA.

derived its name from Seattle's earlier homophile organization, the Dorian Society, which had also adhered to representing gay men and women as respectable citizens— normative white, gender-conforming middle-class citizens whose sexual lives were kept private. *Advocate* reporter Randy Shilts quoted Charlie Brydon in October 1975: "The Dorian Group is reaching to a set of people who have never had a gay-identified group before. The gay middle class are non-radical, conservative, establishment people who have never felt represented by any gay organization." Brydon added, "When [middle-class gay men and lesbians] start exercising our power, that's when the establishment starts taking civil rights seriously."¹⁴² These comments angered community activists who had been active in gay liberation, socialist feminism, and other strands of radical sexual liberation that offered broader critiques of the liberal state. Queer sexualities, save same-sex partners, clearly made Brydon uncomfortable. He and The Dorian Group sought to remake the image of gay people from one of sexual deviants to one of respectable citizens whose sexuality was a private matter.

Brydon strictly enforced The Dorian Group's adherence to respectability politics during his term as president. He maintained full control over the organization's media presence and maintained a confidential mailing list, ensuring the privacy of group members for those who did not want to be publicly out.¹⁴³ He developed a hierarchical organization in which leadership largely determined the activities of the organization. The organization's statement of purpose indicated a commitment to respectability politics and working with the political establishment:

The Dorian Group (TDG) shall serve the gay community and citizens of Washington through the active pursuit of legal equality and human dignity for all gay people. In fulfilling this purpose we shall work through existing political, legal and social structure using proven techniques to secure

¹⁴² Randy Shilts, "Future of Gay Rights? The Emerging Middle Class," *The Advocate*, Oct. 22, 1975, 10.

¹⁴³ "General Office Procedures" (approved by Board of Trustees Executive Committee June 7, 1977), Box 6, Folder 3, Brydon Papers, WSHSRC; Article II, Section 3 and Article VIII, Section 6, "By-Laws of the Dorian Group" (approved January 29, 1977), Box 6, Folder 3, Brydon Papers, WSHSRC; "Mailing List Use" (approved by Board of Trustees February 4, 1978), Box 6, Folder 3, Brydon Papers, WSHSRC.

the ends desired. We shall ally ourselves with those organizations and individuals whose philosophy and methods are similar to ours and who share our concerns.¹⁴⁴

The Dorian Group pursued legal protections for gay men and lesbians by seeking recognition of gay men and lesbians as normal, respectable citizens, indicating the organization's faith in the liberal state to correct its own injustices. TDG's Statement of Purposes portrays their politics as mainstream, denying the possibility that persons or organizations with different approaches and methods might succeed in gaining recognition from the state, ignoring the fact that gay liberationists did succeed in pushing Wes Uhlman toward a more pro-gay position in the early 1970s.

The Dorian Group was a strictly professional class organization, but its members hoped to attract a more diverse membership, and they had some success in recruiting lesbians. The organization's by-laws approved on January 29, 1977 required a male and female co-president. Given the general split between gay liberation, as a predominantly male movement, and lesbian feminism, The Dorian Group recognized the importance of bringing men and women together to advance a gay rights agenda. Lesbian feminists would not submit to male leadership, so there was to permanently be two leaders of equally high esteem – one male and one female.¹⁴⁵ Middle-class lesbians could comfortably support the goal of a sexblind society, where their gender and lesbianism would not limit their professional careers.

While the organization built gender equality into its structure, the desire to recruit a more racially and culturally diverse membership was less successful because of their strict adherence to single-issue gay politics. By focusing exclusively on gay identity, which was the only source of oppression for male TDG members, the organization failed to recognize intersectional forms

¹⁴⁴ Article II, Section 1, "By-Laws of the Dorian Group" (approved January 29, 1977), Box 6, Folder 3, Brydon Papers, WSHSRC.

¹⁴⁵ "By-Laws of the Dorian Group" (approved January 29, 1977), Box 6, Folder 3, Brydon Papers, WSHSRC.

of oppression queer people of color faced. An early member of The Dorian Group, Roger Winters, stated in a February 1978 meeting of the SMC, “We should try to recruit minority members, if they’re interested in working with us.”¹⁴⁶ Winters sought to recruit minorities who agreed with an agenda already set by a committee comprised exclusively of white gay men and lesbians, disregarding the specific concerns queer people of color might raise. Furthermore, the Dorian Group’s statewide gay rights bill in 1978 specifically noted that gay men, lesbians, and bisexuals were *not* seeking affirmative action. Rather, the bill stated, “That nothing herein shall be construed to require an employer to establish employment goals or quotas based upon sexual orientation.”¹⁴⁷ This stipulation specifically distinguished gay rights from affirmative action, which directly countered arguments made by civil rights activists seeking the protection of affirmative action programs coming under attack by the conservative movement’s use of the politics of colorblindness. TDG politics thus reflected its members’ overwhelming white and middle-class identities, leaving little to no space for queer and intersectional politics.

The single-issue gay politics shaped by the overwhelming white, middle-class membership of TDG mirrored the membership and politics of the National Gay Task Force (NGTF), a national gay-rights lobbying organization founded in New York City in 1975. Charlie Brydon served as the male co-director of NGTF from 1978 to 1980. The National Gay Task Force’s 1980 member survey, conducted during Brydon’s tenure as co-director, indicated that approximately 85 percent of members were male and approximately 95 percent of members were white.¹⁴⁸ Thus, the politics of the National Gay Task Force were largely shaped by male

¹⁴⁶ ACLU-W Sexual Minorities Committee Minutes, February 15, 1978, Box 10, Folder 4, Tim Mayhew Collection, University of Washington Special Collections.

¹⁴⁷ The Dorian Group, State of Washington Gay Rights Bill (1978), 10, in Box 6, Folder 25, Charles F. Brydon Papers, Washington State Historical Society Research Center.

¹⁴⁸ National Gay Task Force, “Membership Survey: Report to the Board of Directors” (1980), Box 7, Folder 10, Charles F. Brydon Papers, WSHSRC.

privilege and even more so by white privilege, shaping the organization's complicity with single-issue gay politics that treated sexual orientation as the only basis of discrimination against gay people, a privilege afforded white middle-class gay men. President Carter's openness to lobbying from the National Gay Task Force and the Washington, DC-based Gay Rights National Lobby reflected the City of Seattle's openness to TDG, reflecting the state's ability to recognize and legitimate respectable activists arguing for minimal forms of inclusion.¹⁴⁹

The Gay Rights Battle Arrives in Seattle

Following the passage of the two anti-discrimination ordinances covering sexual minorities in Seattle in 1973 and 1975, the City of Seattle further cemented itself as a refuge for gay people wanting to live in a tolerant city, and Wes Uhlman gained a reputation as the most gay-friendly mayor in the United States. In 1976, Uhlman employed a gay community liaison, Tim Hilliard.¹⁵⁰ In a letter to Jimmy Carter following his aide Midge Costanza's meeting with gay rights leaders, Uhlman declared Seattle "a leader in addressing the human rights problem of homosexuals."¹⁵¹ Uhlman also declared the city's first city-sanctioned Gay Pride Week in 1977, coinciding with the anniversary of the Stonewall Riots in New York City the final week of June. In response to news that Seattle was becoming more diverse with fewer families, *The New York Times* reported Uhlman saying, "I'm not wringing my hands. If Seattle is more desirable to singles and older people, or smaller households, or gays, that's not necessarily bad."¹⁵² No

¹⁴⁹ See page 59 for discussion of Carter's open-minded approach to gay rights.

¹⁵⁰ Wes Uhlman, letter to Charlie Brydon (date?), Box 6, Folder 20, Charles F. Brydon Papers, WSHSRC.

¹⁵¹ Wes Uhlman, letter to Jimmy Carter, April 18, 1977, Box 6, Folder 27, Charles F. Brydon Papers, WSHSRC.

¹⁵² Ross Rheingold, "Seattle's Families Are Pulling Out, But the City May Learn to Like It," *New York Times*, March 28, 1977, 62.

longer the reluctant supporter of minimal gay rights, by the end of Uhlman's second term, he celebrated and promoted Seattle's reputation for tolerance of gay men and lesbians.

Despite the mayor's growing support for gay rights, many Seattleites continued to question the necessity of anti-discrimination protections for sexual minorities. Local CBS affiliate KIRO's coverage of gay rights expressed a predominantly anti-gay position. The State of Washington's first gay rights bill was taken up by the state legislature in 1977, and KIRO's president and general manager Lloyd Cooney personally opposed any recognition of gay people as citizens. In the second part of series entitled "Homosexuals as a Minority," which aired April 26, 1977 as state legislators debated the gay rights bill, KIRO included editorials that challenged the idea that gay rights are civil rights. For example, the show made the argument that sodomy was "immoral by public standards," and therefore not worthy of legal protection.¹⁵³

Charlie Brydon responded to the KIRO series by emphasizing gay rights were necessary to ensure a universal right to privacy, an argument that allowed for the policing of public sexuality, which Brydon did not oppose. His arguments reflected those he made in defense of including "sexual orientation" in the Fair Housing Ordinance, which again passed with less support than gay inclusion in the Fair Employment Practices Ordinance had. Brydon argued, "Repeal of sexual privacy protections, carried to its logical end, justifies an invasion of privacy by your employer and your landlord...Gay people see themselves as human beings, not simply sexual beings...To submit to such prejudice is to sacrifice personal integrity. And that, is fundamentally immoral."¹⁵⁴ In addition to framing the issue in terms of privacy, Brydon

¹⁵³ KIRO-TV, "Homosexuals as a Minority II," aired April 26, 1977, Box 8, Folder 1, Accession No. 4440-001: Tim Mayhew Collection on Gay Rights, University of Washington Libraries' Special Collections, Seattle, WA.

¹⁵⁴ Charles F. Brydon, resume (January 7, 1977), Box 5, Folder 14, Charles F. Brydon Papers, Washington State Historical Society Research Center, Tacoma, WA; KIRO-TV, "Another Viewpoint" (aired May 27, 1977), Box 8, Folder 1, Accession No. 4440-001, UWLSC.

couched his argument in gay respectability politics by stating that gay people do not view themselves as “simply sexual beings.” Brydon tried to erase sexuality from the conversation, framing gay rights as an individual rights issue. In doing so, Brydon legitimized the state’s opposition to open sexuality and sexual vice.¹⁵⁵

Brydon’s emphasis on a universal right to privacy allowed the conversation about gay rights to take place using legal abstractions rather than address the issue that gay people disproportionately faced discrimination. City Councilman Tim Hill reacted to Brdyon’s response to KIRO by taking the position that ordinances protecting sexual minorities were unnecessary, arguing that current nondiscrimination laws already protected everyone.¹⁵⁶ Thus, the debate between the liberal establishment’s recognized gay leader Charlie Brydon and anti-gay rights Councilman Tim Hill were both arguing within the political terrain of sexblindness. Brydon argued that the bill was necessary to guarantee a universal right to privacy, while Hill argued that the bill was unnecessary because “sexual orientation” did not need to be specifically cited to prevent discrimination against gay men and lesbians.

Responsible for enforcing cases of discrimination based on sexual orientation, Office of Women’s Rights Director Susan Lane asserted the necessity of recognizing discrimination against gay men and lesbians and protecting them from it. Lane laid out the work the Office of Women’s Rights had done to address cases of discrimination based on sexual orientation in direct response to Tim Hill, indicating that twenty-seven cases had been adjudicated by the Office of Women’s Rights. In addition, the Office of Women’s Rights received an average of one to two complaints each month with many complainants ultimately deciding not to file charges for fear of publicizing their sexual orientation. Lane argued that the antidiscrimination

¹⁵⁵ Anti-porn Initiative 335 passed in Washington State in 1977.

¹⁵⁶ Susan Lane, letter to Tim Hill, June 15, 1977, Box 53, Folder 4, Series 4693-02, SMA.

ordinances may have deterred further cases of discrimination by employers and landlords, noting that several employers and landlords had shared with OWR that they had adopted their own nondiscrimination policies to align with the City of Seattle's ordinances. She also connected discrimination against sexual minorities to discrimination based on marital status, stating, "The Office has encountered, for instance, cases where two non-gay persons of the same sex were denied opportunity to rent housing because of the commonly held views as to the sexual orientation of non-married adult persons of the same sex living together."¹⁵⁷ For Lane, both the execution of successful cases and the fact that gay men and lesbians feared bringing nondiscrimination cases before OWR demonstrated the need for gay nondiscrimination to stay on the books, combatting Hill's argument that sexual minorities were more or less covered without receiving "special rights," language that had gained currency among conservative activists combatting civil rights by the late 1970s.

As local and state officials and activists debated the merits of gay rights, the New Right began an effort to overturn gay rights by plebiscite in municipalities, including cities and counties, that had passed nondiscrimination protections for sexual minorities like Seattle had. The movement to use voter referendum to overturn municipal gay rights ordinances across the United States began in Miami-Dade County, Florida in 1977. Publicly led by the gospel singer Anita Bryant, the religious right's attack on gay rights was framed as a "family values" issue. These activists employed the mantra "Save Our Children," a slogan that implied gay Americans were child molesters that actively recruited others to participate in the "gay lifestyle." Fearing most voters did not like or, at the very least, did not understand homosexuality, gay rights advocates in Miami framed their campaign to protect nondiscrimination ordinances as an attack

¹⁵⁷ Susan Lane, letter to Tim Hill, June 15, 1977, Box 53, Folder 4, Series 4693-02, SMA.

on a universal right to privacy rather than an attack on gay people. However, the voters of Miami-Dade County voted 70 to 30 percent in favor of overturning nondiscrimination protections for sexual minorities. In the spring of 1978, gay rights activists in St. Paul, Minnesota, Wichita, Kansas, and Eugene, Oregon followed the lead of activists in Miami, fighting democratic initiatives to overturn gay rights ordinances as an attack on privacy while the right continued making accusations about the “gay agenda.” But gay rights activists in all the above municipalities failed to convince voters that their privacy was at stake by overturning nondiscrimination protections for sexual minorities.¹⁵⁸

Anita Bryant’s anti-gay campaign was brought to Seattle by two police officers representative of the New Right. David Estes drafted Initiative 13 to overturn Seattle’s nondiscrimination protections for sexual minorities. Estes was a Mormon, and he had vocally supported the policing of vice under Police Chief George Tielsch in 1974. He expressed discomfort with Seattle’s employment nondiscrimination ordinance and its implications for openly gay people entering the police force, and viewed the Initiative 13 campaign as part of a larger war against public acceptance of homosexuality. Fellow police officer Dennis Falk joined David Estes in organizing the group Save Our Moral Ethics (SOME) to gather signatures and campaign for Initiative 13 with arguments rooted in Christian morality. Falk faced criticism for police brutality when he was a police officer in the University District between 1969 and 1971 to the point that Wes Uhlman intervened to get him moved to a different patrol area. In 1976, Police Chief Robert Hanson rebuked Falk for using more powerful ammunition in his gun than SPD regulations allowed in 1976. In 1978, Falk served as both the highest-ranking Seattle-area officer of the conservative John Birch Society and president of the 46th Legislative District

¹⁵⁸ Fejes, *Gay Rights and Moral Panic*.

Republican Club, indicating the conservatism of the Republican Party in Northeast Seattle.¹⁵⁹

Initiative 13 was approved for signature-gathering on January 25, 1978, effectively bringing Anita Bryant's anti-gay campaign to Seattle.¹⁶⁰

SOME's arguments reflected the anti-gay arguments rooted in Christian morality that had been used in the Miami-Dade County and subsequent campaigns. SOME released its first press release, authored by Anita Bryant's pastor and vice president of Protect America's Children Bill Chapman, indicating the degree to which the Seattle campaign was part of the larger anti-gay movement in the United States. Chapman wrote, "We are a group of Americans working together to keep our Christian-Judaic culture and constitutional principles...Judaism and Christianity are strongly against homosexual acts."¹⁶¹ The press release made clear that the campaign against Seattle's protections for sexual minorities would be rooted in religious morality and the protection of the heteronormative family rather than a right-to-privacy argument like the one articulated by Seattle resident Mrs. Galbraith in opposition to the city's inclusion of sexual minorities in the Fair Housing Ordinance in 1975.¹⁶² The Initiative 13 campaign was thus *not* sexblind; Falk, Estes, and SOME sought to make Initiative 13 a referendum on the city's growing acceptance and inclusion of gay residents as citizens.

Citizens to Retain Fair Employment and the Right to Privacy

Like the previous campaigns against anti-gay initiatives, the Citizens to Retain Fair Employment's anti-Initiative 13 campaign framed Initiative 13 as an individual privacy issue,

¹⁵⁹ Neil Modie, "The Cops Who Lead the Fight Against the Gays," *Seattle Post-Intelligencer*, August 6, 1978, A3.

¹⁶⁰ Atkins, *Gay Seattle*, 235-237.

¹⁶¹ Bill Chapman, press release for Save Our Moral Ethics, March 31, 1978, Box 8, Folder 7, Charles F. Brydon Papers, WSHSRC.

¹⁶² Mrs. Allan R. Galbraith, letter to Phyllis Lamphere, May 15, 1975, 2, Box 55, Folder 3, Jeannette Williams Subject Files, Legislative Department, Series 4693-02, SMA.

thereby not engaging SOME's anti-gay arguments. While Citizens to Retrain Fair Employment (CRFE) began organizing out of The Dorian Group in February 1978, they did not officially launch their campaign until August 28 after signatures had been certified to put the initiative on the ballot. The Dorian Group refused to endorse Seattle's 1978 Gay Pride Week in June, fearing gay visibility would provoke a backlash against gay men and lesbians in the November election.¹⁶³ This predominantly white, middle class gay rights organization's position was that legal recognition of gay identity should take precedence over freedom of expression. TDG and CRFE not only used the right to privacy argument as a tactical strategy but also embraced the notion that sexuality should be a private matter, complicit with the dominant heteronormative culture and ultimately allowing and supporting sexual minorities who chose to live their lives in the closet.

Like The Dorian Group, Citizens to Retain Fair Employment represented the interests of white professional class individuals who sought to portray themselves as respectable citizens and downplay their sexual differences. These activists' commitment to working within the system and their belief that gay identity politics would inevitably lose the fight to maintain nondiscrimination for sexual minorities directed them toward the universal politics of privacy that had been cited in legal cases dealing with sexuality, such as *Griswold v. Connecticut* and *Roe v. Wade*. CRFE's politics of privacy represented a sexblind gay politics, making the terms of debate about individual rights and not about gay discrimination, benefitting those whose gay identity was the only basis of denying them access to political power and economic well-being because of their whiteness, professional careers, normative gender presentation, and willingness to contain their sexuality in private. In CRFE's press release announcing the official launch of

¹⁶³ The Dorian Group, press release re: "Statement on Gay Rights [sic] Week, 1978," June 3, 1978, Box 6, Folder 14, Charles F. Brydon Papers, WSHSRC.

their campaign on August 28, 1978, Charlie Brydon asserted, “The practical effect of the sexual orientation prohibition is to create a barrier to the invasion of privacy by the private sector and big government.”¹⁶⁴ Brydon appealed directly to the broad anti-government fervor in the wake of the Vietnam War, Watergate, and continued economic “stagflation,” and his use of “big government” echoed conservative activists seeking to dismantle the welfare state.¹⁶⁵

Charlie Brydon and other activists from The Dorian Group recruited a majority of Seattle’s political establishment into Citizens to Retain Fair Employment’s ranks, demonstrating local politicians’ commitment to supporting this respectable, individual rights-oriented gay politics that required the least amount of state action while still promoting Seattle as a tolerant city. This politics of individual rights did not require economic redistribution. Seattle’s liberal establishment shifted away from policies that recognized historic injustice against minority communities that required reparative policies to address the inherent inequalities that existed along racial and class lines. Prominent Seattle politicians both in City Hall and in Olympia signed on as members of the Citizens to Retain Fair Employment Steering Committee. These politicians included Secretary of State Bruce Chapman, State Senator and future Congressman Jim McDermott, and Wes Uhlman, who had recently ended his second term as mayor. CRFE activists also recruited several religious leaders as Steering Committee members, including Catholic Archbishop Raymond Hunthausen. Generally, white, middle to upper-class heterosexual allies played prominent roles in directing CRFE’s activists.¹⁶⁶ On August 21, the City Council unanimously endorsed a “no” vote on Initiative 13, describing the measure as

¹⁶⁴ Charles F. Brydon, “No on 13 Campaign Begins” (press release, August 28, 1978), Box 3, Folder 8, Tim Mayhew Collection, UWLSC.

¹⁶⁵ Activists against Proposition 6 in California convinced Ronald Reagan to oppose the initiative by framing the issue as an individual rights issue rather than a gay issue, Fejes, *Gay Rights and Moral Panic*, 207.

¹⁶⁶ Citizens to Retain Fair Employment, “Steering Committee,” Box 3, Folder 8, Tim Mayhew Collection on Gay Rights, UWLSC; Atkins, *Gay Seattle*, 249.

“misguided and dangerous,” once SOME had gathered enough signatures to qualify the initiative for the ballot.¹⁶⁷ Even Councilmember Tim Hill voted with the majority. Seattle’s liberal establishment demonstrated a nearly united front, on promoting gay tolerance for those who otherwise resembled them – white, professional, majority male, and maintaining sexuality as a private matter.

In addition to gaining endorsements from powerful local politicians, CRFE’s campaign relied on organized fundraising campaigns, which allowed for a media-based campaign spreading their “right to privacy” message.¹⁶⁸ Newspaper ads and flyers insisted “Your privacy is at stake!,” depicting the numeral “1” in 13 as a keyhole with an eye looking through at the viewer. Within a month of the campaign’s official launch, Citizens to Retain Fair Employment bought ads on local radio stations that “emphasize the threat of I-13 to the rights of all people, especially the right to privacy.”¹⁶⁹ In the final two weeks prior to Election Day, CRFE even bought ads on KIRO-TV, Seattle’s CBS affiliate that had aired its anti-gay series one year prior.¹⁷⁰ Through the substantial economic means of CRFE activists and the level of support from the political establishment, CRFE was able to run a robust media campaign framing Initiative 13 as an attack on a universal right to privacy.

¹⁶⁷ CRFE, “Chronicle of Key Events in the Campaign Against Initiative 13,” Box 3, Folder 8, Tim Mayhew Collection, UWLSC.

¹⁶⁸ CRFE, “The campaign to DEFEAT INITIATIVE 13 is underway...be part of it!” (flyer), Box 3, Folder 8, Tim Mayhew Collection on Gay Rights, UWLSC.

¹⁶⁹ CRFE, *Campaign Update...* No. 6 (September 27, 1978), Box 3, Folder 8, Tim Mayhew Collection, UWLSC.

¹⁷⁰ CRFE, *Campaign Update...* No. 8 (October 25, 1978), Box 3, Folder 8, Tim Mayhew Collection, UWLSC.



CRFE's imagery depicted the numeral "1" as a keyhole through which a private citizen had his or her privacy invaded, communicating to voters that the initiative could affect anyone regardless of sexual orientation without raising the issue of discrimination based on sexual orientation.¹⁷¹

Like The Dorian Group, members of Citizens to Retain Fair Employment sought to diversify their ranks but were not willing to alter their politics and, therefore, were largely unsuccessful in attracting people of color into their coalition. Unlike white, middle-class gay activists, gay men and women of color had other barriers rooted in entrenched histories of injustice that generally would not have granted them equal access to the labor market merely by

¹⁷¹ Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC Digital Collections, accessed July 14, 2017, <http://digitalcollections.lib.washington.edu/cdm/compoundobject/collection/pioneerlife/id/24447/rec/206>.

protecting their sexual identities from discrimination. Queer people of color had other issues to worry about in addition to the possibility of discrimination based on their sexualities, including other initiatives on the 1978 Seattle ballot. Citizens to Retain Fair Employment's relationship with the political establishment and focus on the municipal state as an agent of reform were criticized by other gay and lesbian activists who viewed Brydon, Winters and other CRFE activists as presuming to know what was best for all gay Seattleites. These activists formed their own organizations rooted in the politics of gay liberation and lesbian feminism. Seattle's political leaders embraced the individual rights-oriented arguments made by the Citizens to Retain Fair Employment campaign, allowing them to claim progressive values without having to make any bolder commitments to address entrenched histories of racism or recognize residents who were gender non-conforming or who did not reflect white, middle-class domesticity.

The Seattle Committee Against Thirteen, Women Against Thirteen, and Queer Visibility

Unlike Citizens to Retain Fair Employment, the Seattle Committee Against Thirteen (SCAT) and Women Against Thirteen's (WAT) approach to defeating Initiative 13 was rooted in the politics of radical feminism and gay liberation. These organizations sought to make visible gender and sexual diversity in the campaign rather than erase gay and lesbian sexuality in favor of a liberal politics centered around a sexless, raceless, and classless individual. SCAT and WAT insisted that nondiscrimination protections were not worth defending if gay and lesbian expression and behavior were going to be policed in the process of defeating Initiative 13. SCAT and WAT carried the politics of gay liberation and lesbian feminism into the fight against Initiative 13, demonstrating that many gay men and lesbians opposed the political tactics and

goals of The Dorian Group, Citizens to Retain Fair Employment, and the National Gay Task Force.

Following the dissolution of the Seattle Gay Alliance in 1975, the Union for Sexual Minorities expressed a multi-issue platform tying homophobia to sexism, racism, capitalism, and imperialism in line with gay liberationists who viewed homophobia as a product of the interrelated oppressions of capitalism, imperialism, and heteropatriarchy. Facing an increasingly organized gay middle class committed to “assimilation” into mainstream society and recognition by the liberal state, the Union of Sexual Minorities (USM) sought to bring together a coalition of the oppressed in resisting and critiquing the liberal state, as the organization’s statement of purpose made clear:

We recognize that the oppression we face is confronted by men and women of all ages, nationalities, and races, and that is an inherent part of a sexist culture. Accordingly, we stand in solidarity with the feminist movement, the racial and ethnic minority movements, the efforts of young and elderly to fight the oppression of ageism, and the struggles of poor and working people – both here and abroad.¹⁷²

USM’s newsletter, *The Other Side*, also included stories relating to other oppressed minorities. It called for support for the legal appeal of Leonard Peltier, who was wrongfully convicted of murdering two FBI agents on the Pine Ridge Indian Reservation in South Dakota in 1975, and covered the University of Washington’s dismissal of Chicano studies secretary and outspoken Chicana feminist Rosa Morales. And the newsletter criticized the US Supreme Court’s *Bakke* decision, which was a major setback for affirmative action programs, indicating USM members’ belief that racial oppression should not be treated separately from homophobia.¹⁷³

¹⁷² “Union of Sexual Minorities: Who We Are – What We Do,” *The Other Side*, Spring 1978, 12, Box 6, Folder 12, Tim Mayhew Collection, SC-UWL.

¹⁷³ Harry McCart, “‘Justice’ at Pine Ridge: FBI Frames Indian Freedom Fighter,” *The Other Side*, Winter 1977, 5; Lenore Norregard “Rosa Morales: Number One Threat to UW Administration,” *The Other Side*, Winter 1977, 4-5;

USM members identified the United States as the primary source of violence and inequality in the contemporary world, viewing homophobia, racism, and other forms of oppression as symptoms of the systemic violence done by capitalism and imperialism. *The Other Side* specifically called out American corporations for their support of South Africa's apartheid government, military intervention in Chile and Vietnam, and the sterilization of one-third of Puerto Rican women under colonial policies. The article explicitly asserted, "USM supports the struggle of third world people against US imperialist and neocolonialist polices."¹⁷⁴ While the Union of Sexual Minorities may not have been as directly involved in the fight against American imperialism in comparison to queer of color activists in California, its members openly discussed and raised awareness of such issues, demonstrating that some gay activists in Seattle maintained an anti-imperialist gay liberation ethos at least into the late 1970s.¹⁷⁵

The Union of Sexual Minorities openly attacked The Dorian Group's "assimilationist," respectable approach to gay activism. Opposed to gay liberationists' assertion of their sexual identities in public, which challenged social constructions of gender and sexuality, The Dorian Group's discourse of privacy allowed and promoted keep sexual lives in the closet. USM criticized Charlie Brydon's close relations with the Seattle Police Chief Robert Hanson.¹⁷⁶ Policing was an issue gay activists and the Third World left often coalesced around in the early 1970s, but as Christina Hanhardt and Emily Hobson have argued, moderate gay activists

John Sheets, "Rosa: The Struggle Continues," *The Other Side*, Spring 1978, 4; Dennis Raymond, "Thousands Demand: Overturn Bakke!," *The Other Side*, Winter 1977, 10, Box 6, Folder 12, Tim Mayhew Collection, SC-UWL.

¹⁷⁴ Tom Boot, "Imperialism Educational," *The Other Side* Winter 1977, 9.

¹⁷⁵ On queer solidarity activism in California, see Emily Hobson, *Lavender and Red: Liberation and Solidarity in the Gay and Lesbian Left* (Berkeley: University of California Press, 2016).

¹⁷⁶ "Activists, Reformists Square Off," *The Other Side* Spring 1978, 8, 10, Tim Mayhew Collection, SC-UWL.

engaged the police as an agent of protection, disrupting queer critiques of the police as an agent of state violence.¹⁷⁷

USM identified the threat of the “Save Our Children” campaign and the negative effects of the anti-gay movement that were already affecting Seattle in early 1978 and wanted to combat SOME’s goal of spreading homophobia across Seattle. USM members derided the anti-gay movement and described it as one of many right-wing movements that “are the response of capital to the demands for social justice and economic equality.”¹⁷⁸ USM asserted that the anti-gay movement must be defeated by a coalition of the oppressed, including women, racial minorities, and the working class. Rejecting liberal gay politics in which city government could serve as guarantor of the right of gay men and lesbians, the Union of Sexual Minorities criticized the liberal state for protecting a racist, patriarchal, capitalist social order that divided the many for the benefit of the few.

In response to Anita Bryant’s anti-gay campaign, Union of Sexual Minorities members mobilized the Washington Coalition for Sexual Minority Rights (WCfSMR), which brought together gay and lesbian activists opposed to the political tactics of TDG. The Washington Coalition spawned two organizations to fight Initiative 13 that utilized identity politics – the Seattle Committee Against Thirteen (SCAT) and Women Against Thirteen (WAT). These two organizations formed to specifically address how Initiative 13 would negatively affect gay people and women, framing the initiative as a dangerous precedent in reversing civil rights gains. Recognizing that the politics of privacy had failed in each of the previous fights to protect gay

¹⁷⁷ Christina Hanhardt, “Safe Space: Gay Neighborhood History and the Politics of Violence” (Durham, NC: Duke University Press, 2013); Hobson, *Lavender and Red*.

¹⁷⁸ Union for Sexual Minorities, “‘Save Our Children’ Theme Fronts Right-Wing Attack,” *The Other Side* Vol. 1, Issue 5 (Winter 1978), 2, Box 6, Folder 12, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

rights around the country, these activists decided that the anti-gay politics from the right should be fought with pro-gay politics from the left. Thus, SCAT and WAT sought to fight SOME on their own terms, a sex-conscious fight over the basic humanity of gay men and lesbians rather than CRFE's sexblind strategy of framing the issue as one of an individual's right to privacy. These organizations followed New Left principles of radical democracy, organizing themselves through committees rather than through a hierarchical structure. While these activists were predominantly white, they represented a larger cross-section of socio-economic classes, were generally younger, and were willing to forge political coalitions with minority activists on mutually agreed upon terms.¹⁷⁹

Formed first, the Seattle Committee Against Thirteen primarily worked on taking gay visibility door-to-door, particularly in working-class communities and communities of color. The Union for Sexual Minorities had expressed the need for coalitional work with the labor movement and people of color to achieve a large-scale transformation of an inherently unequal society based on capitalism, and SCAT's campaign reflected those goals. Activists specifically called out Initiative 13 as a bigoted attempt to legalize discrimination against sexual minorities. SCAT activist Dennis Raymond described the difference between Citizens to Retain Fair Employment and the Seattle Committee Against Thirteen in the following way:

As I saw them [CRFE], they were sort of an outcropping of the Mattachine Society sort of approach, which is: we're here and we definitely want to be considered, but we're not going to make *too* much of a fuss. We're going to go through existing channels...I didn't want anything to do with the channels they were trying to suck up to. I was looking to essentially, not anarchistic, but to *upset* the apple cart. To be *disruptive* of the status quo. And that was an approach at the time that pitted the forces of Dorian Group against later what became SCAT and WAT.¹⁸⁰

¹⁷⁹ Michael Siever, interview with author, August 12, 2016.

¹⁸⁰ Dennis Raymond, interview with Larry Knopp and Charlies Fuchs for the Northwest Lesbian and Gay History Museum Project (May 27, 2000), transcript held by UWSC.

Raymond described how Charlie Brydon and Roger Winters disagreed with their approach in private, believing a sexblind campaign to be the most effective. Importantly, this disagreement between the separate anti-13 campaigns never spilled into public view, which could have potentially derailed the anti-13 effort.¹⁸¹

Women Against Thirteen formed out of the objection to male-dominance within the Seattle Committee Against Thirteen. Jan Denali described members' tendency to use male-specific language as off-putting to her and the other women involved in the Union of Sexual Minorities and the Seattle Committee Against Thirteen. For Denali, "The thing that made it so cool was that WAT--being able to have that organization of women to work with and process with and all that, and then go to these SCAT meetings with that support behind you, and just the *power of that*-- It's just, the balance was amazing and wonderful."¹⁸² While SCAT included both gay men and lesbians, WAT addressed the specific concerns of feminists – gay and straight. Initiative 13 called for the disbanding of the Office of Women's Rights (OWR), which would have placed cases of discrimination against women under the purview of the Office of Human Rights (OHR). OHR already handled cases of discrimination on the basis of race, ethnicity, class, religion, political beliefs, ability, and age. Thus, in addition to providing a space for lesbians to organize among themselves, Women Against Thirteen also addressed the concerns of other Seattle women who objected to the disbanding of the Office of Women's Rights for fear that women might be a lower priority for protection by OHR.¹⁸³

¹⁸¹ Raymond, interview with Knopp and Fuchs.

¹⁸² Denali, interview with Luboff.

¹⁸³ The Seattle-King County Chapter of the National Organization of Women called out the disbanding of the Office of Women's Rights in the "small print" of Initiative 13, but this aspect of the initiative was never emphasized by CRFE, Jackie Griswold, "Press Conference Statement on Initiative 13: Initiative 13 and the Office of Women's Rights," Box 3, Folder 8, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

SCAT and WAT's central goal in the anti-13 campaign was to humanize gay men and lesbians in the eyes of as many Seattleites as possible. Because SCAT and WAT had less economic support than CRFE, so their campaign relied more heavily on volunteer hours rather than media campaigns. Their campaign began by counter-leafletting SOME activists gathering signatures to qualify Initiative 13 for the ballot.¹⁸⁴ After the initiative did qualify for the ballot, activists identified swing precincts where they directed their canvassing campaign and introduced themselves as gay men and lesbians with the goal of making sexual minorities visible to Seattle residents as gay people.¹⁸⁵ Through door-to-door outreach, these activists encouraged supporters to call local media and write letters to the editors of local papers, so their reasons for opposing Initiative 13 might find their way into media outlets without a funded media campaign. They hoped to convince Seattleites that discrimination against gay men and lesbians was wrong. These efforts led SCAT and WAT to raise enough funds to run ads on buses and print campaign ephemera for distribution, publicizing gay men and lesbians rather than making them private, for example, through their campaign slogan, "Someone you know is gay."¹⁸⁶ Rather than convince straight Seattleites that their privacy was at stake if Initiative 13 passed, SCAT and WAT activists sought to convince straight Seattleites that gay men and lesbians were human beings who deserved to be treated as such.

SCAT framed Initiative 13 as a slippery slope for the rights of all marginalized groups, not because everyone's privacy was at stake but because stripping rights away from one group of people would set a precedent for the stripping away of rights from other groups who had recently

¹⁸⁴ Jack Broom, "SOME, SCAT trade charges," *Seattle Times*, July 24, 1978, A15.

¹⁸⁵ Jan Denali, interview with Karina Luboff for the Northwest Lesbian and Gay History Museum Project, March 4, 1998, transcript held by UWSC.

¹⁸⁶ Larry Knopp, interview with author, December 14, 2013; Atkins, *Gay Seattle*, 241.

had their own rights recognized by the state. A fundraising flyer outlined SCAT's goal of building alliances with "gays, straights, women, workers and people of color."¹⁸⁷ Activists distributed brochures "Who Are These People?: Common Myths about Homosexuality" that deconstructed the arguments being made by the Save Our Children and Save Our Moral Ethics campaigns that homosexuals were child molesters.¹⁸⁸ With an imagined audience that included communities of color, these activists sought to educate Seattleites on sexual orientation, thus humanizing gay men and lesbians to argue that taking away the rights of sexual minorities was merely the first front in a broader war against civil rights.

A Left-Leaning Coalition Takes Shape

Gay rights were not the only issue on Seattle's 1978 ballot with broader political implications, and black and queer activists worked in coalition with each other especially to address police violence. Within the climate of the national War on Crime, the Washington State Legislature reintroduced a section of the state's criminal code that permitted police officers to use deadly force in efforts to arrest felony suspects even if the officer did not sense any danger to himself or anyone else.¹⁸⁹ Mayor Charles Royer, elected to replace Wes Uhlman in 1977, objected to the state statute, introducing a city ordinance restricting officers' license to use firearms only in cases in which there was a perceived threat of deadly force by the suspect or if a suspect was fleeing a crime since after using a deadly weapon. Royer won the election for

¹⁸⁷ Seattle Committee Against Thirteen, "Urgent...funds needed" (flyer), 1978, Box 5, Folder 16, Tim Mayhew Collection on Gay Rights, Accession No. 4440-011, UWLSC.

¹⁸⁸ Seattle Committee Against Thirteen, "Who Are These People?: Common Myths About Homosexuality" (brochure), 1978, Box 5, Folder 16, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

¹⁸⁹ Elizabeth Hinton demonstrates how even under Jimmy Carter, the War on Crime continued to grow, albeit at a slower pace than under Nixon and Reagan, by looking at federal policies, Hinton, *War on Poverty to War on Crime*. This Washington State legislation shows how the War on Crime extended beyond the federal government, which influenced and was influenced by political decisions made by state and local governments.

mayor much as Uhlman had, though he had no political experience. He had been a commentator on KING-TV, Seattle's NBC affiliate. He was thirty-eight years old, promised to hire women and minorities to work in city administration, and had the endorsement of several prominent labor unions.¹⁹⁰ Both Uhlman and Royer were officially members of CRFE's Steering Committee.¹⁹¹ After Royer's measure to curb excessive use of firearms by police passed the City Council, the police guild drafted Initiative 15 to overturn Royer's restrictions on officers' use of firearms. City Councilman Tim Hill, the only Councilmember not to be named a member of CRFE's Steering Committee, supported the initiative. Seattle's African American community was particularly troubled by the prospect of police officers having legal protection to fatally shoot suspected felons, given black citizens were disproportionately subject to police violence.¹⁹²

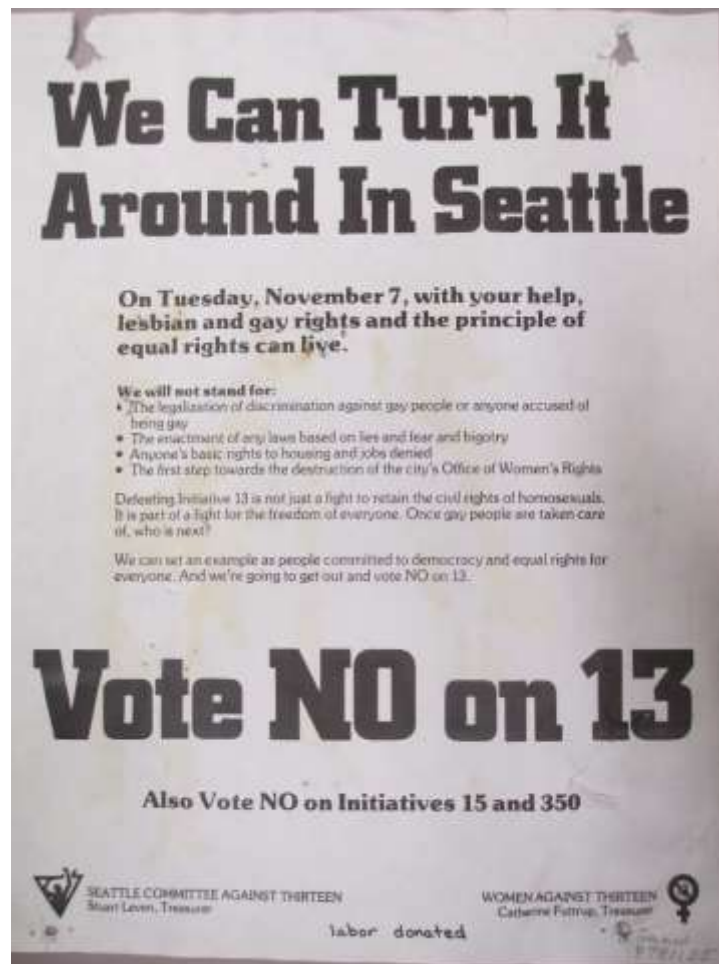
Save Our Moral Ethics co-chair and Initiative 13 co-author Dennis Falk inadvertently fueled coalitional activism between the Seattle Committee Against Thirteen and the black community when he fatally shot John Alfred Rodney, a mentally challenged twenty-six-year-old black man suspected of robbery. Royer's restrictions on officers' use of deadly force had been signed into law, but the city ordinance did not take effect until November 1. As a result, Falk merely needed to convince a jury that he believed a felony had taken place with no concern whatsoever regarding any threat Rodney may have posed to anyone. Falk was exonerated on September 9. Following the shooting, SCAT's argument that overturning gay rights was a "slippery slope" for all minority residents resonated with the black community in a very real way. In addition to the fact that the police officer in question was central to Initiative 13's

¹⁹⁰ Richard W. Larsen, "Royer Eager to Get Started," *Seattle Times*, November 9, 1977, B6; Richard W. Larsen, "'Royer Machine' Was Purring, But...," *Seattle Times*, November 9, 1977, B6.

¹⁹¹ Citizens to Retain Fair Employment, "Steering Committee," Box 3, Folder 8, Tim Mayhew Collection on Gay Rights, UWLSC.

¹⁹² Atkins, *Gay Seattle*, 252.

existence and the campaign for its passage, historian Gary Atkins argues that WAT's efforts to prevent the dismantling of the Office of Women's Rights also had a pronounced resonance within the black community because the Office of Human Rights already had a large enough discrimination caseload, which already included far more than just cases dealing with racial discrimination, without adding cases against women.¹⁹³ A bumper sticker produced by SCAT and WAT after the Rodney shooting even read, "LET PEOPLE LIVE! VOTE NO ON 13 & 15!"¹⁹⁴ The bumper sticker drew attention to the adverse effects faced by minorities subject to discrimination and state violence.



¹⁹³ Atkins, *Gay Seattle*, 254.

¹⁹⁴ Seattle Committee Against Thirteen and Women Against Thirteen, bumper sticker, Box 5, Folder 16, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

This flyer produced by both SCAT and WAT in the final stages of the anti-13 campaign demonstrates how both groups emphasized that discrimination against gay men and lesbians was the issue that Seattleites should oppose. The flyer draws attention to the disbanding of the Office of Women's Rights and advocates voting "no" on both Initiatives 15 and 350 in addition to 13. SCAT's logo depicts someone punching through an upside-down triangle, the Nazi symbol for homosexuals, and WAT's logo depicts "13" inside a no sign made of the symbol for Venus, representing women.¹⁹⁵

The politics of the Seattle Committee Against Thirteen and Women Against Thirteen were both sex-conscious and race-conscious, directly addressing sexism, homophobia, and racism in coalition with communities directly affected by the War on Crime provision that granted police officers greater license to use deadly force. A few weeks prior to the election, the Seattle Committee Against Thirteen sent out a letter recruiting activists from other organizations to meetings of a Community Board Against Thirteen (ComBAT) to battle both Initiative 13 and Initiative 15. Citizens to Retain Fair Employment was focused exclusively on Initiative 13, but the Seattle Committee Against Thirteen and Women Against Thirteen actively worked to build a coalition of the oppressed to protect and continue to proactively fight for legal rights but also fight state violence against marginalized peoples.¹⁹⁶

Race, Sexuality, and the November 7, 1978 Election

On November 7, 1978, Seattle voters made their decision regarding gay rights, police officers' use of firearms, and busing to achieve integration in public schools. Initiative 13 was overwhelmingly defeated, by about a two-to-one margin. However, Initiative 15 passed by a similar margin, meaning approximately one-third of Seattle voters favored gay rights while

¹⁹⁵ Seattle Committee Against Thirteen and Women Against Thirteen, "We Can Turn It Around Seattle" (flyer), Box 5, Folder 16, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

¹⁹⁶ Outreach Committee, Seattle Committee Against Thirteen, form letter, undated, Box 5, Folder 16, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

providing police officers immunity in instances of lethal firearm use in felony cases. Furthermore, statewide Initiative 350 passed in Seattle with sixty-two percent of the vote, less than the statewide margin of victory, but nevertheless a resounding referendum on Seattle Public Schools' busing program. Seattle voters thus repudiated the anti-gay movement while falling in line with the national retreat from the commitment to civil rights and an increasing commitment to the War on Crime. Almost a third of Seattle voters thus seemed to vote in line with colorblindness while various communities were convinced by the sexblind arguments put forth by Citizens to Retain Fair Employment and the support given them by most of the city's political establishment. Mayor Royer's wife Rosanne said the vote marked Seattle as "a place with concern for the human condition...and human rights," ignoring the lack of human rights concern expressed by Seattleites in the Initiative 15 vote.¹⁹⁷

Significantly, however, sex-conscious and race-conscious politics arguments in favor of gay rights, which were absent from the campaigns in Miami, St. Paul, Wichita and Eugene, convinced other communities to vote against Initiative 13, including the vast majority of Seattle's black community. The highest percentage of "no" votes on Initiative 13 came from the predominantly African American Central District, where voters decided 77 percent against the initiative. Some of this success can be attributed to Citizens to Retain Fair Employment's outreach to the black middle class, including the Urban League, some African American preachers, and Norm Rice, who was running in a special election for a City Council seat. Rice opposed Initiative 13 and signed on as a CRFE Steering Committee member. He won his race, joining Sam Smith as the second African American councilmember. The Seattle Committee Against Thirteen and Women Against Thirteen's coalitional work with black activists and their

¹⁹⁷ Richard W. Larsen, "Anti-gay initiative defeated," *Seattle Times*, November 8, 1978, A1.

efforts to frame Initiatives 13 and 15 together likely played a major role in making the margin of defeat so decisive in the African American community and the overall vote so drastically different from the previous four municipalities that overwhelming voted in favor of the anti-gay position.¹⁹⁸ Queer activists made themselves visible through door-to-door outreach not only as human beings, but as activists committed to issues affecting people of color as well the gay community.

Citizens to Retain Fair Employment, the Seattle Committee Against Thirteen, and Women Against Thirteen managed to engage in distinct brands of political activism, allowing the tensions between them to exist outside of the public eye. Together, these groups achieved a two-to-one defeat of Initiative 13. The efforts of CRFE, SCAT, and WAT demonstrated that a loose, liberal-left coalition could achieve political goals in the right political climate without necessarily working together but without demonstrating themselves as a divided front either. While it is possible Seattle's nondiscrimination clauses covering sexual minorities benefitted from having these ordinances in place longer than in Miami, St. Paul, Wichita, and Eugene, Seattle also witnessed two distinct strategies led by different factions of the gay community, which both contributed to the defeat of Initiative 13 by resonating with different audiences – a middle-class audience in the case of CRFE and racial minorities and feminists in the case SCAT and WAT.

For sexual minorities, nondiscrimination protections sufficed to fix a troubled historical past. Gay men and lesbians had no need for affirmative action as they represent all racial, ethnic, and class backgrounds. Seattleites supported this limited, case-by-case state action on behalf of sexual minorities, but refused to support busing to address the far more deeply and historically entrenched problem of racial segregation in the city. Initiative 15 and Initiative 350 passed,

¹⁹⁸ Atkins, *Gay Seattle*, 251-257; Larsen, "Anti-gay initiative defeated."

allowing police officers greater discretion to use firearms and ending Seattle Public Schools' busing program. Gay rights were entering the political mainstream, as Proposition 6 in California also failed to pass, but this movement existed alongside law and order politics and waning commitment for racial civil rights that would have required more state action to effectively address.

Conclusion

The effort to defeat Initiative 13 demonstrated the tensions within the gay community about what political aims to pursue and how to pursue those goals. Their collective victory in the fight against 13 gave the gay community power and recognition as a constituency in the social and political fabric of Seattle, not only among city officials but among the electorate. However, city officials overwhelmingly sided with sexblind, single-issue gay politics, while sex-conscious, institutionally critical activism gained the support of other marginalized groups, especially much of Seattle's black community. While the Seattle Committee Against Thirteen and Women Against Thirteen's activism was indispensable in gaining support from communities of color, the political establishment's nearly uniform alliance with Citizens to Retain Fair Employment indicated which gay voices were embraced in City Hall. Politically moderate gay activists became representatives of the "gay community" in shaping municipal state policy, as they had already begun to do in the housing debate in 1975. These were predominantly gay business owners and professionals who sought their right to engage fully in American society, only requiring that their sexual identities be protected from discrimination. This cohort of activists promised to be respectable citizens, keeping their sexual behaviors and practices a private matter

in line with longstanding white, middle-class heterosexual assumptions about where sex belonged.

The Dorian Group and Citizens to Retain Fair Employment's right-to-privacy argument was safer for city officials to recognize and embrace than the more systematic critiques of the Union for Sexual Minorities, the Seattle Committee Against Thirteen, and Women Against Thirteen. TDG and CRFE centered the individual rather than openly recognize the problem of discrimination against sexual minorities as though all individuals exist on equal footing in society. Following the defeat of Initiative 13, the City of Seattle continued to include those activists who dovetailed with the city's interests in economic development and social order. As gay business owners began organizing, the racial and class dimensions of the municipal state's inclusion of gay politics became evident not only in those gay politics recognized by city officials but in the effects of those politics' inclusion on the urban landscape.

Chapter 3

“Business First, Gay Second’: Business Activism, Gay Consumer Citizenship, and Gentrification on Seattle’s Capitol Hill, 1981-1991

Seattle’s Capitol Hill never had the same concentration of gay businesses as San Francisco’s Castro or West Hollywood, but by 1980, several gay businesses operated in the neighborhood, which had seen a large influx of gay residents over the prior two decades. Capitol Hill had historically been a center of Seattle’s Catholic community. The construction of the Evergreen Point Floating Bridge across Lake Washington facilitated a steady migration of families from Capitol Hill to the Eastside suburbs in the late 1960s, and the Boeing Corporation’s mass layoffs in 1969 and 1970 resulted in steady depopulation of the entire metropolitan area throughout the 1970s. The southern half of Capitol Hill became increasingly accessible as homes that had once belonged to large Catholic families were subdivided or shared as communal living spaces, and apartments depreciated in value, attracting many artists, hippies, and gay Seattleites. The relative growth of the African American community also resulted in an influx of African Americans residents into the southernmost parts of Capitol Hill bordering the historical center of African American life in the Central District.¹⁹⁹ In 1968, Capitol Hill residents identified the growing presence of African Americans and crime as the most pressing “problems” both in area schools and the neighborhood more generally in a community survey, and the Boeing recession only increased the diversity of the neighborhood’s southern portion.²⁰⁰

¹⁹⁹ Francis Eugene Sheridan, “The Gentrification of the Capitol Hill Community of Seattle in the 1970’s” (MA thesis, University of Washington, 1979).

²⁰⁰ Survey respondents were 90 percent “Caucasian” and 8 percent “Negro (African-American).” The number one problem identified in schools was “racial problems.” Taken together, about 75 more respondents cited “criminal activity,” “change in racial balance,” or “racial problems, civil disorder, riot” as reasons to leave the neighborhood than “hi-rise apartments,” which garnered the most the responses, “Capitol Hill Community Development Survey

The mutual courtship between Seattle officials seeking an image of social tolerance and gay business owners seeking a larger consumer base produced an alliance that shaped subsequent strategies of economic “revitalization” that had negative consequences for working-class and homeless Seattleites, disproportionately queer and people of color. Like white, professional gay activists beginning 1975, gay business owners gained access to city officials in shaping policy during the mid-to-late 1980s as a collective voice. The history of gay business owners’ activism from the formation of the Greater Seattle Business Association (GSBA) in 1981 through the conclusion of the Pike/Pine Planning Study in 1991 demonstrates how city officials accepted gay activists who otherwise supported and even facilitated the city’s goals of commercial development. This predominantly white business-owning class of gay men and, to a lesser extent, lesbians promoted economic policies benefiting their class. These policies resulted in affordable housing beginning to disappear from Seattle’s central neighborhoods as the local economy recovered from the Boeing Bust. The relationship between organized gay business owners and city officials accelerated the process of gentrification in the Capitol Hill neighborhood beginning in the mid-1980s, which benefitted business owners and the city’s desire for economic recovery at the expense of lower income residents, including many people of color.

The Greater Seattle Business Association

Recognizing the growing presence of gay men on Capitol Hill, fifteen gay business owners met in 1981 to form an organization to promote gay patronage of their businesses and establish a gay main street on Capitol Hill. Paul Gjefle, who owned a management services

Results,” May 1968, 11, 13, Box 13, Folder 1, Capitol Hill Service Center Records, Department of Neighborhoods, Record Series 5752-08, SMA.

company on Capitol Hill contested the proposed name Gay Business Owners on Broadway, demonstrating the organizations efforts to promote one of Capitol Hill’s main streets as a gay business district. Gjefle argued that the organization’s name should be more ambitious scope. His proposed name, the Greater Seattle Business Association (GSBA), was adopted, and he was named the first Vice President of the organization. Like The Dorian Group and Citizens to Retain Fair Employment, GSBA obscured gay identity politics by leaving “gay” out of its name, demonstrating the organization’s sexblind orientation that privileged members’ shared class status as business owners. Today, GSBA is the largest nominally gay business organization in the country, and the second largest business association in Washington State.²⁰¹ As GSBA grew in membership and scope, so the Capitol Hill neighborhood changed. While GSBA was not the first gay business organization – that distinction belongs to the Greater Gotham Business Council in New York and the Golden Gate Business Association in San Francisco, both founded in 1975 – its continued growth and political clout has made GSBA the most successful gay business organization in the United States. As GSBA has grown in size and influence, so the Capitol Hill neighborhood has developed and changed with increasing speed.

While GSBA was not a neighborhood business association, the concentration of gay-owned businesses on Capitol Hill made the organization a de facto player in neighborhood politics. Furthermore, gay business owners were active in the Capitol Hill Chamber of Commerce. After serving as President of GSBA in 1983 and 1984, Paul Gjefle went on to serve as President of the Capitol Hill Chamber of Commerce. Gjefle spearheaded the effort to establish a Broadway Business Improvement Association (BBIA), serving as the first Director of

²⁰¹ “About the Greater Seattle Business Association,” the Greater Seattle Business Association, <http://www.thegsba.org/about/> (accessed February 13, 2015).

the BBIA until his death in 1989. Following his death, a memoriam in GSBA's monthly newsletter applauded Gjefle for "reminding us that GSBA is Business First, Gay Second."²⁰² Gjefle's business activism promoted the organization of gay business owners to mobilize their shared class status as business owners to further Seattle's inclusion of gay people as citizens and maximize GSBA members' profits.

Professional and business class activists, claiming to represent their racial, ethnic, or sexual communities, shifted community politics toward market-driven solutions to local problems beginning in the late 1960s in urban communities across the United States. This story of an alliance of gay business owners, business-oriented neighborhood organizations, and City Hall in Seattle is thus part of broader history of American urbanism from the late 1960s into the 1980s as cities generally invested more in commercial development and less in social services. These policies were neither completely top-down or bottom-up but rather a mutually agreed upon strategy among a particularly privileged class of community activists and state actors at the federal, state, and local levels.

Politically organized gay business owners followed the lead of business owners in communities of color in mobilizing their status as capitalists and consumers in making the argument for inclusion in American society as full citizens. The President's Advisory Council on Minority Business Enterprise under Richard Nixon asserted that the path to greater racial equality was through minorities owning more businesses.²⁰³ The promotion of a corporate model by elites from both political parties to tackle economic inequality in minority neighborhoods indicates the degree to which changes to political economy in the 1970s were not a stark

²⁰² "In Memory of Paul W. Gjefle," *GSBA Perspective*, Vol. VIII, No. 4 (April 1989), 1, 7, available in Special Collections, University of Washington Libraries.

²⁰³ Samuel I. Doctors & Anne Sigismund Huff, *Minority Enterprise and the President's Council* (Cambridge, MA: Ballinger Publishing Co., 1973); Atkins, *Gay Seattle*, 258.

departure from mid-century liberalism; both fundamentally relied on the coordination of public and private institutions and served to reinforce a capitalist political economy. In the 1970s, minority business owners began asserting their leadership in community development organizations, converting these organizations into community development corporations that played a role in housing assistance, providing small business loans, and community programs such as job training.²⁰⁴

Like business-minded antipoverty activists in minority neighborhoods, gay activists promoted themselves as full citizens through their economic roles as producers, sellers, and consumers, but gay communities did not need community development as sexual minorities represented all class backgrounds. Beginning in New York and San Francisco, gay business owners organized themselves into chambers of commerce, mobilizing their collective purchasing power to assert themselves politically. The Greater Gotham Business Council reflected the President's Advisory Council's emphasis on entrepreneurship in minority communities in New York's 1979 Gay Pride Parade with dollar bills reading "Gay Money Is Gay Power."²⁰⁵ The liberal state encouraged business owners' to represent their racial, ethnic, and sexual communities, promoting a shift in identity politics away from arguments for justice and economic redistribution toward market-driven solutions promoting the growth of an entrepreneurial class that cut across categories of racial, ethnic, and sexual difference. In cities

²⁰⁴ See Laura Warren Hill and Julia Rabig, eds., *Community Development, Capitalism, and Corporate Responsibility in Postwar America* (Rochester: University of Rochester Press, 2012); Harry Berndt, *New Rulers in the Ghetto: The Community Development Corporation and Urban Poverty* (Westport, CT: Greenwood Press, 1977); Neil R. Pierce and Carol F. Steinbach, *Corrective Capitalism: The Rise of America's CDCs: Report of the Ford Foundation* (New York: Ford Foundation, 1987); Tom Adam Davies, "Black Power in Action: The Bedford-Stuyvesant Restoration Corporation, Robert F. Kennedy, and the Politics of the Urban Crisis," *Journal of American History*, Vol. 100, No. 3 (December 2013), 736-760.

²⁰⁵ *GGBC Newsletter*, July 1979, 5, Box 7, Folder 4, Charles F. Brydon Papers, Washington State Historical Society Research Center.

with visible, politically engaged gay populations, such as New York, San Francisco, and Seattle, gay business owners took the lead in organizing themselves through their shared sexual and class identities.

An example of the corporatization of minority and community activism in the late twentieth century, the GSBA's first order of business was to create a directory of gay-owned businesses, promoting the visibility of gay-owned business to attract gay consumers while leaving "gay" out of the organizations name in seeking credibility from the wider public and city officials. GSBA members hoped to keep gay consumers' money in the hands of gay business owners and their allies. The name Greater Seattle Business Association, which had been proposed by Paul Gjeffe, followed the lead of earlier gay business organizations including San Francisco's Golden Gate Business Association and New York's Greater Gotham Business Council, keeping "gay" out of their organizations' names, privileging members' identities as business owners over their sexual identities.²⁰⁶ While a majority of GSBA founders owned businesses specifically catering to the gay community, such as bars and bathhouses, Gjeffe owned a management services company.²⁰⁷ Therefore, the GSBA was particularly useful to Gjeffe, whose business relied on other business owners as his clientele. Expanding the GSBA could therefore attract more gay business owners to use his services.

By the end of 1981, the GSBA had produced *The Guide*, a 50-page directory of gay-friendly businesses, professionals, and community service organizations, promoting gay men and lesbians as respectable citizens because of their shared *class* with civic leaders. The GSBA Board of Directors hosted a launch party for *The Guide* on December 8, 1981 featuring guest

²⁰⁶ "In Memory of Paul W. Gjeffe," *GSBA Perspective*, Vol. VIII, No. 4 (April 1989), 1, 7, available at Special University of Washington Libraries' Special Collections.

²⁰⁷ "Members of Capitol Hill Chamber of Commerce as of 12/17/88," 3, Box 2, Folder 11, Capitol Hill Service Center Records, Record Series 5752-08, SMA.

speaker Arthur Lazere, former president of the Golden Gate Business Association and president-elect of the National Association of Business Councils (NABC), a national network of gay business organizations. Like its constituent members, the NABC obscured the fact that it was a gay organization by leaving any reference to sexuality out of the organization's name, privileging class over sexual identity. Lazere advocated GSBA's affiliation with the NABC, which he identified as "gaining momentum throughout the country as a significant entity in the gay rights movement." He further lauded the GSBA as "a good group" both for benefitting its members and serving "as an educational tool in the community at large by breaking down stereotypes," demonstrating that not all gay people are the same.²⁰⁸ In the case of GSBA, whose original nine-member board of directors was filled exclusively by white, male business owners, this meant showing that gay people can be just like other businessmen, encouraging full participation by gay men and lesbians of racial and economic privilege in a capitalist political economy that has increased economic disparities over the last four decades.

The second item on the GSBA's agenda was to develop an area on Capitol Hill similar to San Francisco's Castro Street, mobilizing a public image of gay respectability and normativity appealing to city officials by highlighting gay participation in economic development at the neighborhood level.²⁰⁹ Broadway was already beginning to see some development with the arrival of new restaurants and retailers by the late 1970s and was thus targeted by GSBA's original members.²¹⁰ On March 10, 1982, GSBA President Stan Hill announced that the GSBA would organize that June's "First Northwest" Pride Parade and that the route would go down Broadway, promoting GSBA's vision for the street as the center of the gay community while

²⁰⁸ "Local Guide Released by GSBA," *Seattle Gay News*, December 18-31, 1981, 4.

²⁰⁹ On San Francisco's Castro District, see Christina B. Hanhardt, *Safe Space: Gay Neighborhood History and the Politics of Violence* (Durham, NC: Duke University Press, 2013), 81.

²¹⁰ Sheridan, "The Gentrification of Capitol Hill in the 1970's."

promoting the GSBA as a regional organization and Seattle as a regional center for gay life. This preempted the Stonewall Committee, a coalition of radical gay and lesbian activists that had organized previous Gay Pride “Marches,” from organizing the 1982 parade. Stan Hill’s March 10 announcement stated that entries in the parade must register beforehand and pay a fee, thereby policing parade entries to ensure GSBA’s goal of promoting a commercial district would take precedence over political agitation, which had been central to previous Pride marches. Previous Stonewall Committee organized marches followed a route through Seattle’s Central Business District, stressing the importance of making political statements outside of area most tolerant of the gay community, but the location of the parade on Broadway promoted the GSBA’s goal of fostering a gay commercial district along Capitol Hill’s “main street.” Furthermore, holding the parade on Broadway would directly result in consumer spending by parade attendees, benefitting the “Gay Business Owners on Broadway.”²¹¹

White, professional class activists who supported respectability politics and the individual rights approach to gay politics advanced by The Dorian Group and Citizens to Retain Fair Employment generally supported the GSBA’s takeover of the parade as it dovetailed with their own political goals – demonstrating gay respectability in public to achieve sexblind policies that incorporated gay men and lesbians as normal citizens. Former co-president of the Dorian Group Maureen McKean “received loud applause” at the March 10 meeting at which Stan Hill made the announcement when she said, “What this march needs to do is make the leap of faith – take one day when the only thing that matters is that we are gay.”²¹² As an “individual” who happened to be a professional class, white woman, McKean endorsed the single-issue gay

²¹¹ Atkins, *Gay Seattle*, 261-270.

²¹² Robin Evans, “Lesbian/Gay pride week plans spark praise and dispute at meeting,” *Seattle Gay News*, March 12, 1982, 1.

politics and celebration of gay identity put forward by the GSBA in lieu of the multi-issue politics that were central to the Stonewall Committee-organized marches in previous years. Because of her whiteness and socio-economic status, McKean could recognize her gay identity as that which separates her from the heterosexual majority. Single-issue gay politics and the discourse of individual rights was all McKean needed to be a full citizen free from state harassment.

Queer people of color could not separate their sexual identity as more or less important than their racial identities, as both served to deny them full access to citizenship and freedom from state harassment. In a letter to the editor of *Seattle Gay News* entitled “Gay, proud, happy – yes, but there’s more,” Jenny Allen wrote, “As a relatively happy lower-class Native American lesbian mother of two children, I cannot, for adequately practical reasons, allow my homosexuality to become the most elemental aspect of my life, since, obviously, I am made up of more than one simple element.”²¹³ Allen opposed McKean’s advocacy for celebrating gay identity as the only thing that matters at Gay Pride, showing how her lesbian identity cannot be untangled from her Native American and “lower-class” identities. The Stonewall Committee’s Pride “March,” or protest, suited Allen better as someone marginalized through her intersecting race, class, gender, and sexual identities.

Radical activists were unsurprisingly angry about the GSBA’s cooptation of the parade, fully aware of the classism and white exclusivity of GSBA. Stonewall Committee member Debra O’Gara was invited to join the parade steering committee

²¹³ Jenny Allen, “Gay, proud, happy – yes, but there’s more,” *Seattle Gay News*, May 21, 1982, 6. Jenny Allen’s letter was in direct response to Vernon Wellington Jones’s letter to the editor of *Seattle Gay News*, published April 23, 1982. In addition to asserting her multiple identities, she calls out Jones’s ability to separate his gay identity because of his male, white, and class privilege.

because, in her words, “they needed a woman to appear more balanced,” reflecting the consciousness with which respectable gay organizations had women in leadership, such as The Dorian Group and the National Gay Task Force’s requirement of having male and female co-presidents. O’Gara asserted the need for multi-issue politics to exist in the parade in the tradition of the Stonewall Riots and urged other radical activists to “get out and march with us on June 19 in the Northwest Lesbian/Gay Pride Parade/March” despite the GSBA’s takeover of the march/parade’s organization.²¹⁴

Other Stonewall Committee members also made their voices heard through letters to the editor of *Seattle Gay News*, criticizing GSBA for declaring themselves representative of the gay community when the organization only represented a business-owning class. Sue Docekal wrote in a letter to the editor of *Seattle Gay News*, “We were appalled at the sheer arrogance of the GSBA which announced to a stunned community that they had ‘assumed’ complete financial and political ‘responsibility’ (read control) of this year’s march and would ‘appoint’ a parade steering committee! Talk about self-appointed leaders!”²¹⁵ Other letters to the editor from members of the Stonewall Committee leading up to the parade likewise stressed the need for the diversity of the gay community to be evident and multi-issue advocacy for social justice for all communities to be expressed in the parade. These demands came particularly in response to letters to the editor penned by white men in late April and early May in support of a parade focused on the celebration of gay identity devoid of intersectionality and broader political statements.²¹⁶

²¹⁴ Debra O’Gara, “Stonewall’s Tradition,” *Seattle Gay News*, June 18, 1982, 11.

²¹⁵ Sue Docekal, “Parade or March?,” *Seattle Gay News*, March 26, 1982, 4.

²¹⁶ Letters to the Editor, *Seattle Gay News*, April 23, 1982 and May 7, 1982.

The Stonewall Committee did make their political presence felt in the parade, but their message was no longer central as it had been in previous downtown marches. The Stonewall Committee agreed on a platform including gay rights, women's rights, racial justice, anti-imperialism, and workers' rights at a May 9 meeting.²¹⁷ They agreed on two slogans to be used on banners in the parade: "Support lesbian and gay resistance to the right wing" and "Solidarity of all oppressed in our common fight for social justice."²¹⁸ However, this political message was not central to the parade down Broadway as had been the case with previous downtown marches. Minority coalition-building and radical sexual politics were alive and well in the early 1980s, even as the GSBA and other politically moderate gay organizations were emerging as leaders of the "gay community" in the eyes of city officials. But the physical removal of the march/parade from the city center to the area of Seattle most tolerant of gay men and lesbians further marginalized the political significance of their message.

While the GSBA-led Pride Parade promoted Broadway as Seattle's Castro Street, Broadway never did become an exclusively gay business district; however, the politics of claiming urban space in early 1980s Seattle was very different than in early 1970s San Francisco. The "gay community," represented by The Dorian Group in City Hall by the late 1970s, had already cemented itself in the mainstream of local politics and society, particularly validated by the democratic defeat of Initiative 13. The GSBA succeeded in cementing gay and lesbian business owners as additional representatives of the "gay community" by the mid-1980s, and the incorporation of gay businesses on Capitol Hill was desirable to neighborhood activists – gay and straight – seeking to build a vibrant commercial district. Christina Hanhardt argues that the

²¹⁷ "Coalition sets out platform for parade," *Seattle Gay News*, May 21, 1982, 4.

²¹⁸ *Ibid.*

Castro “would not replace the Tenderloin or other parts of the Central City (known for deviant sexual behavior) so much as it would mark the fact that certain forms of homosexuality were no longer associated with urban disorder.”²¹⁹ Thus, the spatial strategies of claiming political power through the control of urban space in San Francisco was a product of a political moment in the early 1970s in which gay San Franciscans, particularly of a more privileged class background, fought social and political marginality by claiming space where white, gay men in particular could demonstrate their lack of criminal conduct in public space. While Pioneer Square functioned much like San Francisco’s Tenderloin – a neighborhood associated with society’s most marginal subjects in which gay spaces existed prior to gay liberation – Capitol Hill became an integrated community in which Seattle’s gay community was accepted alongside tolerant neighbors. Privileged gay Seattleites had no need for exclusively gay space to claim political power because they had already gained municipal state recognition. By the 1980s, the spatial integration of gay residents was more desirable in the eyes of city officials, gay business owners, and white, middle-class gay residents.

Following the organization of the 1982 Northwest Lesbian/Gay Pride Parade/March, GSBA’s scope extended far beyond Broadway, much as Paul Gjeffe had envisioned from the organization’s inception. The GSBA began holding monthly luncheons in 1983, much as TDG had done in the mid-1970s, inviting the organization’s membership and local politicians. The first monthly GSBA luncheon was held on April 13, 1983, attracting 75 attendees, mostly representing current and potential members of the organization. Also in attendance were Seattle City Councilman Norm Rice and Maury Bell, “a civilian employee with the Seattle Police

²¹⁹ Christina Hanhardt, *Safe Space: Gay Neighborhood History and the Politics of Violence* (Durham: Duke University Press, 2013), 78.

Department's Crime Prevention Division."²²⁰ The GSBA followed in the footsteps of The Dorian Group (TDG), attracting allies at City Hall and the Seattle Police Department. Whereas TDG was invested in legal reform while the GSBA was committed to business development, both organizations engaged the municipal state as quasi-state actors, encouraging the expansion of policing and economic development, marginalizing calls from more radical gay men and lesbians for social and economic justice. Both organizations were welcomed as representatives of the "gay community" at City Hall precisely because they supported the municipal state's interests in social order and economic development as opposed to sexual minorities of lesser privilege advocating for social justice and economic redistribution in coalition with workers and racial minorities.

The Broadway Business Improvement Association

Despite Paul Gjefle's grander visions for GSBA, his activism also reflected a commitment to developing commercial activity on Capitol Hill, where Gjefle had his business. Following his tenure as president of the GSBA in 1983 and 1984, Gjefle went on to serve as president of the Capitol Hill Chamber of Commerce (CHCC) and as the first program manager of the Broadway Business Improvement Association. The five goals of the CHCC outlined in the organization's 1987 bylaws were as follows: "the advancement of the general welfare of [Capitol Hill]," "To promote business, commerce, and patronage for the business and professional people in the area," "to promote the best possible relations with residents of the area," "to promote a closer business and social union among [its members]," and "to cooperate

²²⁰ "Luncheon Success," *GSBA News*, Volume 2, Issue 5 (May 1983), 1, available in Special Collections, University of Washington Libraries.

with the various echelons of government, other interested groups, and the citizenry, in promoting the interests of this community, and on a non-partisan basis, to sponsor good government.”²²¹

The conflation of the interests of the Capitol Hill neighborhood as a whole with the interests of the chamber’s members under the rubric “the interests of this community” indicates the degree to which neighborhood politics came to represent the interests of business owners rather than the interests of local residents by the mid-1980s.

Under Gjefle’s leadership, the CHCC began exploring a Business Improvement Area (BIA) for Broadway in September 1984, and held meetings in the winter and spring of 1985 to make plans for a Broadway BIA concrete. The first BIA was the Bloor West Village commercial established in Toronto in 1970, whereby businesses within the confines of the district paid additional taxes for beautification projects, development in the area, and marketing the area to consumers.²²² The following year, the Washington State Legislature passed a law, allowing for counties and incorporated cities to create BIAs.²²³ By this law, signatures were required from business owners representing 60 percent of the assessment base of the BIA, thereby allowing the largest businesses to sign on without input from smaller businesses. When this requirement was filled, the CHCC submitted their petition to the Seattle City Council, but small business owners in the area protested that 60 percent of merchants in the area should consent to the BIA. The CHCC met the 60 percent requirement by both standards before a

²²¹ “Bylaws of the Capitol Hill Chamber of Commerce,” 1 (Article II, Section 2), available in the Capitol Hill Service Center Records, Box 2, Folder: “Capitol Hill Chamber of Commerce, 1987-1990,” SMA.

²²² Jennifer Yang, “The birthplace of BIAs celebrates 40 years,” *thestar.com*, accessed June 17, 2016, https://www.thestar.com/news/gta/2010/04/18/the_birthplace_of_bias_celebrates_40_years.html.

²²³ State of Washington, “Chapter 45 (Engrossed Senate Bill No. 130): Parking and Business Improvement Areas” (Passed the House and Senate April 23, 1971, approved by the Governor and filed in Office of Secretary of State May 3, 1971), *Washington Laws, 1971 1st Ex. Sess.*, accessed June 17, 2016, <http://leg.wa.gov/CodeReviser/documents/sessionlaw/1971ex1c45.pdf?cite=1971%20ex.s.%20c%2045%20C2%A7%201>.

hearing was held at City Hall on August 28, 1986.²²⁴ On September 11, 1986, Mayor Charles Royer signed the Broadway Business Improvement Association (BBIA) into existence – Seattle’s first BIA – to promote commercial activity on Broadway and in turn “revitalize” a Capitol Hill neighborhood whose southern half had become more racially and socio-economically diverse over the past two decades.²²⁵

The Broadway Business Improvement Association (BBIA) was not exclusively gay, but the intersections between that organization and the Greater Seattle Business Association support Paul Gjefle’s claim that gay business owners were “Business First, Gay Second.” The BBIA was the board responsible for overseeing the Broadway Business Improvement Area, which centered on the stretch of Broadway previously identified by the founding members of GSBA as their desired gay main street. Following the BBIA’s creation, Paul Gjefle served as the first program manager of the BBIA, a role he served until his death in 1989, indicating his personal dedication to promoting business development on Capitol Hill. Gjefle’s commitment to commercial development on Broadway is curious given that his management services business may never have been in the boundaries of the BIA. In December 1988, his business was located in northwest Capitol Hill near Interstate 5, several city blocks removed from the area demarcated as the Broadway BIA, though he continued to serve as program manager for the BBIA at that time.²²⁶ As president of the CHCC, he may have felt that greater commercial activity on Broadway would benefit business owners throughout Capitol Hill. Paul Gjefle’s leadership roles

²²⁴ "Broadway BIA Background," 1, Box 2, Folder 11, Capitol Hill Service Center Records, Department of Neighborhoods, Record Series 5752-08, SMA.

²²⁵ City of Seattle, Ordinance 113209 (Passed by the City Council on September 8, 1986, approved by the Mayor and filed by the City Clerk on September 11, 1986), accessed June 17, 2016, http://clerk.seattle.gov/~archives/Ordinances/Ord_113029.pdf; Sheridan, “The Gentrification of the Capitol Hill Community of Seattle in the 1970s.”

²²⁶ “Members of Capitol Hill Chamber of Commerce as of 12/17/88,” 3, Capitol Hill Service Center Records, Box 2, Folder: “Capitol Hill Chamber of Commerce, 1987-1990,” SMA.

in GSBA, CHCC, and BBIA is one indicator of the degree to which these organizations served as allies in the commercial development of Broadway and Capitol Hill. The BBIA embraced the gay community, continually advertising gay businesses in the area and supporting the annual pride parade down Broadway, which grew to bring in the most sales to Broadway retailers of any week during the year.²²⁷

As the BBIA embraced the presence of gay-owned businesses in the area as good for the business community as a whole, the BBIA also stressed the need to criminalize and police political agitation and homelessness to ensure a consumer-friendly experience on Broadway. Similarly, the BBIA advocated that access to public space in the BIA be restricted to “desirable” consumers, perpetuating economic inequality and institutionalized racism in urban space.²²⁸ The September 1988 *Broadway Newsletter* asked its readers, “What can be done about the undesirables that discourage potential consumers from coming to the Broadway district?” The article, entitled “Street People,” then advocated for BIA members’ aid in aggressively policing panhandlers and homeless people in the area: “If you and your customers experience or observe this type of behavior...please report it to 911.”²²⁹ The BBIA made clear the ways in which business owners could report “street people,” resulting in their physical removal from the area by police force. The BBIA did not advocate for policies to manage homelessness or provide refuge

²²⁷ Kary Murakami, “Gay Pride Parade plans to leave Broadway,” *Seattle Post-Intelligencer*, June 16, 2005, <http://www.seattlepi.com/local/article/Gay-Pride-Parade-plans-to-leave-Broadway-1176217.php>, accessed December 4, 2014.

²²⁸ Lizabeth Cohen describes the suburban shopping mall as a privatization of “public” space that segmented the population into separate, controlled gathering places, thereby threatening democratic political culture while perpetuating economic inequality and institutionalized racism prior to this effort in actual public space in Seattle, Lizabeth Cohen, *A Consumer’s Republic: The Politics of Mass Consumption in Postwar America* (New York: Vintage Books, 2003), 257-289.

²²⁹ “Street People,” *Broadway Newsletter*, September 1988, 2, Box 1, Folder 12, Capitol Hill Service Center Records, Department of Neighborhoods, Record Series 5752-08, SMA. Seattle Mayor Charles Royer also organized a Task Force on Street People. Thus, city officials referred to the homeless population as “street people” before this language was used by the BBIA.

for people on the street. Advocating calling 911 indicates how the BBIA viewed the existence of panhandlers and homeless people along Broadway as an emergency that must be dealt with immediately to ensure maximum profits. The BBIA also expressed a desire to maintain their own separate police force, the Broadway Beat Patrol, to maintain a commercial district devoid of visible markers of urban social ills.²³⁰

The BBIA also took an aggressive stand against grassroots politicking on Broadway, making it clear that critical political messages were not welcome as they detracted from the consumer's experience. In the BBIA's May 1989 newsletter drew attention to 100 posters for a protest rally against American intervention in El Salvador that had been pasted up and down Broadway: "As of Sept. 1988 posting of signs on any city owned pole or box or posting on city right of way is not allowed under Board of Public Works rules (chap. 4.60)." In the eyes of the BBIA, confrontational politics detracted from a consumer-friendly environment. With the help of the City of Seattle's Board of Public Works, business activists on Broadway directly led to the erasure of multi-issue radical politics that had been part of the socio-political landscape of Capitol Hill since the early 1970s. The BBIA even charged the organization responsible for the posters for "clean up," indicating the degree to which business owners exerted control over urban space in the Broadway Business Improvement Area.²³¹ The BBIA requested, "If you spot illegal postings on Broadway, jot down the name or phone number or any other lead as to the offender," framing grassroots political activism as criminal activity by calling those responsible for spreading political messages "offenders."²³² Aside from opposing federal intervention in El

²³⁰ "Street People," *Broadway Newsletter*, September 1988, 2.

²³¹ "Illegal Posters Appear on Broadway," *Broadway Newsletter*, May 1989, 1, Box 1, Folder 12, Capitol Hill Service Center Records, Department of Neighborhoods, Record Series 5752-08, SMA.

²³² *Ibid.*

Salvador, these activists only offended the BBIA's goal of building a commercial district where residents could spend their money without being bothered by panhandling or critical politics.

By 1989, commercial development of the Broadway Business Improvement Area was producing gentrification even as the BBIA struggled to maintain a vibrant commercial district. In a November 28, 1989 letter, then BBIA president Joe Rogel noted that the BIA "is faced with an unprecedented number of vacancies, and rumors that significant retailers may move out of the area as well."²³³ Rogel proposed that the Department of Neighborhoods produce a Neighborhood Investment Guide for Capitol Hill in 1990 on behalf of the BIA, the Capitol Hill Chamber of Commerce, and the Capitol Hill Community Council. While Rogel sought assistance from the city to further commercial growth of the BIA, he also lamented the lack of low and middle-income housing: "Capitol Hill in general is also experiencing a shortage of low and middle-income housing, due in part to recent rent raises but also to a lack of rental construction."²³⁴ Rogel failed to understand of the connections between commercial development and the rising cost of housing. Capitol Hill was still in the process of "revitalization" in 1989, as Rogel's plea for city assistance suggests, but the effects of economic recovery on the local housing market were evident. And the proposal for rental construction in and of itself would not necessarily ensure access to low and moderate-income residents without policies in place to guarantee affordable housing units.

The integration of gay businesses on Broadway without a gay takeover of the area indicates the degree to which gay business owners and consumers were accepted by the Capitol Hill community and city government as a positive influence on economic development. With

²³³ Joe Rogel, letter to David Moseley, November 28, 1989, Box 1, Folder 12, Capitol Hill Service Center Records, Department of Neighborhoods, Record Series 5752-08, SMA.

²³⁴ Rogel, letter to Moseley.

the creation of the BBIA, an effort spearheaded by a white, gay businessman Paul Gjefle, business interests came to dominate the development of the area along Broadway with official backing from the City of Seattle at the request of organized business owners. Gay and straight business owners' agendas intersected along their shared class identity in pushing for a consumer-friendly commercial district, which gay business owners once hoped would resemble San Francisco's Castro Street. The Capitol Hill business community viewed gay consumers as a new market that could help reinvigorate the neighborhood's economy. Furthermore, social ills in the neighborhood were treated, as in other American cities, through criminalization rather than through social welfare policy solutions, and radical politics were branded inappropriate for public space; the Broadway BIA was reserved for respectable consumers.

The Pike/Pine Planning Study

The municipal state's role in the gentrification process became more direct by the final decade of the twentieth century as evidenced by the "Pike/Pine Planning Study," conducted from 1989 to 1991 with many recommendations city officials subsequently followed. While the BBIA relied on mandatory fees collected from the businesses within the confines of the Broadway Business Improvement Area, the Pike/Pine Planning Study (PPPS) received direct funding from Seattle's newly created Neighborhood Matching Fund. The City of Seattle created the Neighborhood Matching Fund in 1988 to provide financial resources for "community-driven projects that enhance and strengthen their own neighborhoods...in partnership with the City."²³⁵ Capitol Hill community groups took advantage of these newly available city funds to conduct the Pike/Pine Planning Study between spring 1989 and spring 1991. In the opening letter to Mayor

²³⁵ "Neighborhood Matching Fund," Seattle Department of Neighborhoods, <http://www.seattle.gov/neighborhoods/nmf/>, accessed November 6, 2014.

Norm Rice that accompanied the completed Pike/Pine Planning Study in May 1991, Pike/Pine Steering Committee Chairman and former Capitol Hill Chamber of Commerce President Richard Baldwin thanked the city for providing financial resources through the Neighborhood Matching Fund and called on the city to “share in our vision and provide the leadership needed to win city council and departmental commitments to make available money and personnel to carry out the recommendations of the planning study.”²³⁶ Geographer Jason Hackworth argues that greater state intervention in the process of gentrification was commonplace after 1990, but in Seattle this process was in motion before 1990.²³⁷ Business owners in Seattle called on the municipal state to play a more active role in commercial development by the end of the 1980s.

Business organizations were overrepresented in the “community organizations” participating in the Pike/Pine Planning Study, again indicating how the municipal state supported commercial development at the request of business owners, not neighborhood residents. By December 1989, redevelopment of the Broadway Business Improvement Area had “nearly reached that area’s capacity since there are few remaining sites...Assuming there is still demand for additional commercial/retail in the First Hill/Capitol Hill vicinity, the Pike/Pine/Union Neighborhood is a logical target for ‘spill-over’ conversion of several loft building in the Broadway/Pike vicinity to retail and office uses.”²³⁸ However, Pike Street was beyond the area demarcated as the Broadway Business Improvement Area. The Capitol Hill Chamber of Commerce under President Dick Baldwin showed interest in pursuing a Pike/Pine Planning Study in 1987 because of the area’s location near the Central Business District. Twelve

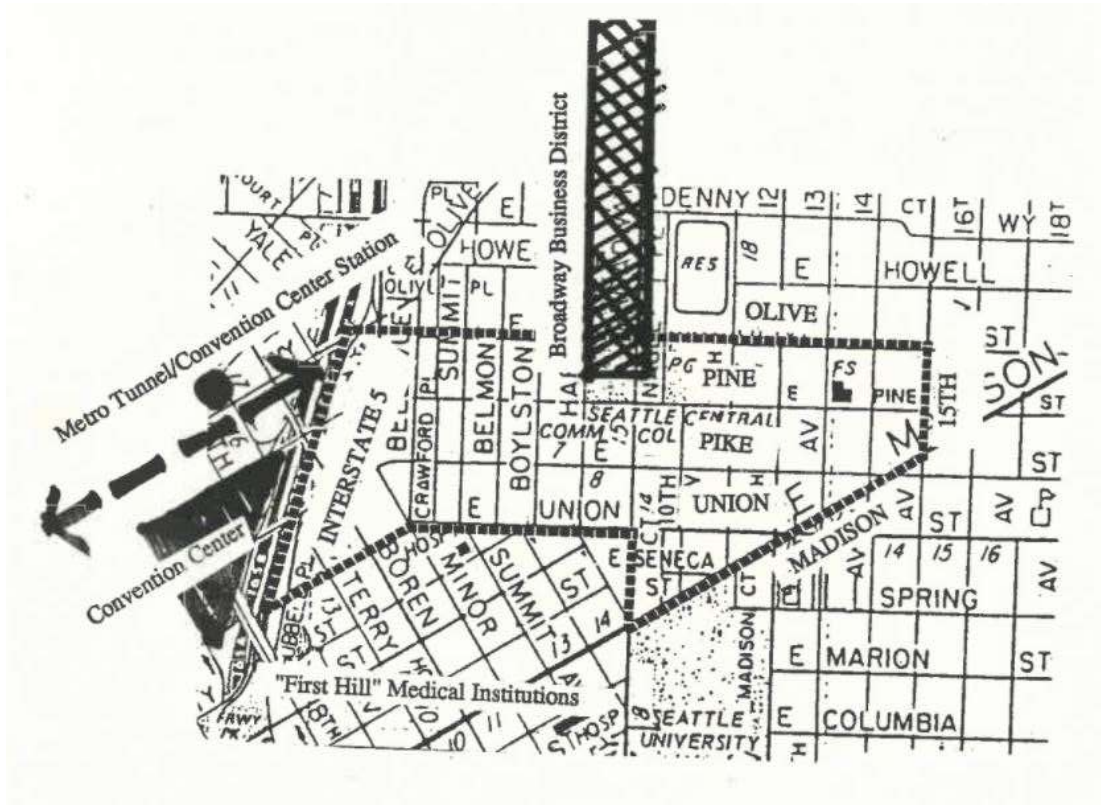
²³⁶ Richard E. Baldwin, letter to Norman B. Rice, May 3, 1991, “Pike/Pine Planning Study,” cover page.

²³⁷ Jason Hackworth, *The Neoliberal City: Governance, Ideology, and Development in American Urbanism* (Ithaca: Cornell University Press, 2007), 126.

²³⁸ Pike/Pine/Union Study Steering Committee, “Final Report: Pike/Pine/Union Neighborhood Survey” (Seattle: Pike/Pine/Union Study Steering Committee, 1989), 1.

organizations participated in the study: the Capitol Hill Chamber of Commerce, the Capitol Hill Community Council, the Seattle Tenants Union, the Capitol Hill Housing Improvement Project, the Capitol Hill Community Service Center, the University of Washington Department of Geography, Historic Seattle, Environmental Works, the Neighborhood Business Council, Seattle Central Community College, the Greater Seattle Business Association, and the Broadway Business Improvement Association. Business owners were overrepresented on the Pike/Pine Steering Committee, and none were rooted exclusively in the Pike/Pine Corridor, which had long been an “island of affordability” easily accessible to the Central Business District.²³⁹ Other voices, such as Historic Seattle and the Seattle Tenants Union, were clearly reflected in the study, but the goals of creating a vital commercial district and maintaining affordable housing proved incompatible with commercialization predominating.

²³⁹ “Pike/Pine Planning Study,” sponsored and conducted by Capitol Hill Chamber of Commerce, et al (Seattle: Pike/Pine Steering Committee, 1991), i, vii, A.2.



This map from the “Pike/Pine/Union Neighborhood Survey shows the Pike/Pine Planning Study boundary in the dotted line with surrounding landmarks, including the Broadway Business Improvement District highlighted by the crisscross-patterned strip stretching north from the center of the Pike/Pine Planning Study area.²⁴⁰

Through the overrepresentation of business owners on the Steering Committee and outreach strategies to solicit input from the community, business interests were clearly articulated in the study. It is unclear how much neighborhood residents’ concerns were voiced and included in the study beyond the advocacy of the Seattle Tenants’ Union. Five of eleven members of the study’s steering committee belonged to the Capitol Hill Chamber of Commerce. Steering Committee Chairman Dick Baldwin was a real estate agent with Windermere Real Estate who had previously served as president of the CHCC. As a real estate agent, it would have been in Baldwin’s personal interest to see property values rise in the neighborhood. Six

²⁴⁰ “Pike/Pine/Union Neighborhood Survey,” 0.EI C

public meetings were held to gather community input on the study, publicized through mailings to all property owners and business owners in the area. While property and business owners received direct mailings, “door-to-door outreach, flyers posted in apartment buildings, and prominent articles in the *Capitol Hill Times* were used to notify residents of the area, almost all of whom are renters.”²⁴¹ Thus, it was tenants’ responsibility to find out about the meetings themselves while business and property owners were contacted directly. The Pike/Pine Corridor had not yet been cemented as part of the Capitol Hill neighborhood. Therefore, the Capitol Hill “community,” represented most strongly by business interests, laid claim to the Pike/Pine Corridor through the study, including language purporting to protect the residents of the area from gentrification while simultaneously promoting commercial development of the area – two incongruent goals.

Despite the study’s stated interest in protecting the Pike/Pine Corridor from gentrification, the Pike/Pine Planning Study (PPPS) allowed the Capitol Hill business community to lay claim to the area, mobilizing public funds to increase commercial development, which ultimately accelerated gentrification in the neighborhood. While the overarching stated goal of the study was to preserve the “long-term needs of the **existing** neighborhood,” none of the study’s coauthors specifically represented Pike/Pine Corridor residents.²⁴² The Pike/Pine Corridor was generally higher density and lower income than the Broadway Business Improvement Area, and the historically African American Central District bordered the Pike/Pine Corridor to the southeast. Steering Committee Chairman Dick Baldwin’s

²⁴¹ “Pike/Pine Planning Study,” ii.

²⁴² Dick Baldwin, letter to Mr. Jim Diers, Director of the Office of Neighborhoods, Subject: “Final Report for Pike/Pine/Union Study,” December 12, 1989, cover page of Pike/Pine/Union Study Steering Committee, “Final Report: Pike/Pine/Union Neighborhood Survey,” December 1989; bold-type emphasis on “existing” in original source.

opening letter to the “Final Report for Pike/Pine/Union Study,” published in December 1989 as the preliminary document framing the “Pike/Pine Planning Study,” “clearly confirms [the Steering Committee’s] sense of the diversity of the area and its vulnerability to extensive redevelopment.”²⁴³ The Seattle Tenants’ Union arguably represented the voices of current residents most, but the union advocated on behalf of renters city-wide, not just within the Pike/Pine Corridor. Thus, the study most significantly served the interests of the Capitol Hill business community, looking to mobilize public funds to further commercial development in the area, reflective of a late twentieth-century shift toward state projects in support of business interests.

Like the Broadway BIA’s efforts to sanitize Broadway to encourage greater consumption in the area, the Pike/Pine Planning Study Steering Committee made similar recommendations. These recommendations included the following: “Coordinate efforts to rid the area of undesirable behavior, such as public drunkenness, and continue cooperative enforcement from the nearby police station,” and “Form a Crime Prevention Task Force to create a ‘Security Action Plan’ to prioritize security needs for the area.” Suggestions for a Crime Prevention Task Force’s activities include identifying areas “that need street lighting improvements, initiate a Drug Free Zone around the Northwest School, and coordinate with other crime prevention programs such as the East Precinct Crime Prevention Council and the Q Patrol.” Thus, the study identified the need for more aggressive policing in the area to reduce crime and thereby encourage pedestrian consumerism in the area. The PPS also recommended changes to the physical streetscape to encourage pedestrian use of the area, which were taken up the city. Today, consumers make use of the curb bulbs, “enhanced crosswalks,” and greater number of

²⁴³ Baldwin, letter to Diers.

parking spaces along the Pike/Pine Corridor. The study also promoted membership in the Capitol Hill Chamber of Commerce and the Greater Seattle Business Association as means to greater commercial development in the area, thereby promoting the growth of these business associations.²⁴⁴

The study's recommendations for preserving affordable housing included a combination of public and entrepreneurial solutions, but no individual proposal could guarantee the protection of affordable housing in the area. The PPPS recognized that the market value of newly constructed residential units would be unaffordable to current tenants but also recommended more public funds be made available to renovate housing in the area, which would likely make the price of housing rise. Many recommendations for affordable housing involved financial assistance to tenants rather than the maintenance of affordable units, making tenants more susceptible to state interference in their lives.²⁴⁵ Another proposed solution was the provision of employer-assisted housing programs, in which employee benefits would include financial assistance for housing costs. This would place the responsibility on the tenant to secure employment in a company willing to extend such benefits. The study also recommended providing incentives to private developers to build affordable units, assuming no new rental construction projects should provide exclusively affordable units, reflecting the shared class identity of most of the Steering Committee with real estate developers. Finally, the PPPS recommended the creation of a Pike/Pine Housing Task Force to monitor housing in the area, which would document rental prices and physical changes to housing units, but the ability of

²⁴⁴ "Pike/Pine Planning Study," v, ix-x.

²⁴⁵ For discussion of federal government interference in the lives of public housing residents in the late twentieth century, see Hinton, *War on Poverty for War on Crime*.

such a task force to promote policy changes to protect affordable housing in the area was not addressed.²⁴⁶

Tom Flint of *Seattle Gay News* recognized the potential gentrifying effects of the study even as study participants insisted that protecting low rents in the neighborhood was a priority, while also seeking the protection of gay businesses in the area. Flint wrote, “A danger of redevelopment in the neighborhood is the threat to low/moderate income housing which comprises significant portion of the community... A particular concern to the Gay/Lesbian community is that Gay business will be forced out of the neighborhood as other business moves in.”²⁴⁷ Flint encouraged gay residents and business owners to attend the information gathering meetings, ensuring voices from the gay community would be heard by those conducting the study. This would satisfy the stated goal of the Neighborhood Matching Fund to “serve diverse interests,” with the gay community serving as a minority group without any attention to the dynamics of race and class in the Pike/Pine Corridor. While Flint sought to protect gay-owned businesses from being gentrified out of Capitol Hill and to protect affordable housing, Flint did not make the connection between commercial growth through the proliferation of gay businesses and the displacement in the neighborhood that had already been happening.

The final “Pike/Pine Planning Study” stressed the need for the gay community’s safety in the area through better street lighting and police patrols, a proposal that would ensure gay Seattleites’ right to live and consume in the area without harassment. As Christina Hanhardt argues, both the turn toward police protection by gay communities in New York and San

²⁴⁶ “Pike/Pine Planning Study,” vii-viii.

²⁴⁷ Tom Flint, “Capitol Hill study needs input from Gay Lesbian community,” *Seattle Gay News*, June 1989, featured in “Appendices,” Pike/Pine/Union Study Steering Committee, “Final Report: Pike/Pine/Union Neighborhood Survey,” December 1989.

Francisco and the formation of gay street patrols were complicit with the expansion of criminalization and, by extension, incarceration, ignoring structural socio-economic problems that underlie intergroup violence.²⁴⁸ Likewise, the study's recognition of the need to protect the gay community resulted in recommendations for increased policing of the PPPS area. Like the BBIA, business owners sought to foster a commercial district free of urban social ills where consumers, including gay consumers, could feel comfortable walking around, shopping, dining, and drinking.

Even as the Pike/Pine Planning Study was freshly underway in May 1989, the Broadway BIA requested ideas for how to use the City of Seattle's Neighborhood Matching Fund for other purposes. In their call for proposals for the use of city funds, the BBIA advertised the Neighborhood Matching Fund as "available to the business community. These are city funds allocated to help make neighborhoods more attractive, provide public benefits, meet a need in the neighborhood, serve a specific geographic area, have some broad-based support, involve diverse interests, serve low and moderate income neighborhoods."²⁴⁹ The BIA's description of the Fund rhetorically fits the Pike/Pine Planning Study, though none of the "diverse interests" involved in the study originated in the specific geographic area, save a small number of member businesses of GSBA. While the Neighborhood Matching Fund was publicly intended to benefit low and moderate-income neighborhoods, the history of the Pike/Pine Planning Study and the implementation of its policy recommendations by the City of Seattle demonstrate how state funding for "neighborhood projects" predominantly supported business interests, which resulted in rising housing costs and thus produced gentrification. Ultimately, the study's goals of

²⁴⁸ Hanhardt, *Safe Space*.

²⁴⁹ "Matching Funds Available to B.I.A.," *Broadway Newsletter* (May 1989), Box 1, Folder: "Broadway BIA, 1988-1992," CHSCR, Department of Neighborhoods, Record Series 5752-08, SMA.

commercial development of the Pike/Pine Corridor and maintaining access to affordable housing were in conflict, and commercial development prevailed.

The GSBA & Gay Consumer Citizenship

By 1990, the national business community was discovering the purchasing power of the middle-class gay consumer, and the GSBA viewed the gay community's recognition as consumers worth marketing to as a step forward for the gay rights movement. In 1991, the *Wall Street Journal* ran a cover story describing the gay community as "a dream market." Rivendell Marketing Company President Joe Di Sabato, who specialized in selling ad space in the gay press, stereotyped gay consumers as "two people with good jobs, lots of money, and no dependents."²⁵⁰ This description erased the experience of non-normative and working-class sexual minorities, presupposing the gay consumer as part of a middle-class couple with a good job. Lisa Duggan coined the term "homonormativity" to describe the assimilation of economically, racially, and cisgender-privileged gay men and lesbians into mainstream American consumer culture, "a privatized, depoliticized gay culture anchored in domesticity and consumption."²⁵¹ Thus, privileged members of the "gay community" argued for rights as visible, normative consumer-citizens as gay rights entered national discourse in the 1990s, supplementing the right to privacy arguments made by this same sector of the gay community in the 1970s in Seattle and elsewhere. Nationally, liberals began to argue for the full inclusion of gays into normative institutions such as military service and marriage based on their equal

²⁵⁰ Joan E. Rigdon, "Overcoming a Deep-Rooted Reluctance, More Firms Advertise to Gay Community," *Wall Street Journal*, July 18, 1991, 1, Box 6, Folder "Greater Seattle Business Association – GSBA, 1991," Capitol Hill Service Center Records, Record Series 5752-08, SMA.

²⁵¹ Duggan, *The Twilight of Equality?*, 50.

contributions to the economy, and conservatives fought this inclusion, arguing that gays were better off financially than the average American and therefore had no need for “special rights,” associating “gay” exclusively with white, middle-class gay men and lesbians.²⁵²

The greater Seattle business community, including the GSBA, viewed the promotion of marketing to the gay consumer as a step toward the full realization of citizenship. The *Puget Sound Business Journal* echoed the arguments made in the *Wall Street Journal*: “Gay, lesbian market consists of upscale, loyal consumers.”²⁵³ Longtime GSBA board member Lonnie Lusardo lauded the national and local business community’s recognition of the gay consumer: “The latest publicity is part of a campaign to attract favorable media attention focusing on the economic viability of Seattle’s gay and lesbian community. This effort is deliberate in its attempt to a more meaningful understanding of gays as people who affect every facet of our community through the resources they contribute to the economy every day.”²⁵⁴ Here, Lusardo perpetuates the myth of a monolithic “gay community” comprised of affluent couples who like to spend money, and praises this recognition of gay consumers’ contributions to the economy as an advancement of the gay and lesbian movement’s cause. Thus, gay business owners continued to vocally represent the “gay community,” marginalizing the voices of gay, transgender, and queer activists whose sexual identity was not the only source of their oppression. Arguments for gay rights among white, middle-class respectability activists thus combined the goal of sexblindness, or the erasure of gender and sexual identity as a marker of difference, with visibility of gay

²⁵² Duggan, *Twilight of Equality?*

²⁵³ Debra Prinzing, “Business No Longer Overlooks Gays, Lesbians,” *Puget Sound Business Journal*, 1, 29, Box 6, Folder “Greater Seattle Business Association – GSBA, 1991,” CHSCR, 5752-08, SMA.

²⁵⁴ Lonnie Lusardo, “Equal Rights at the Cash Register?,” *GSBA Perspective: Newsletter of the Greater Seattle Business Association*, August 1991, 1, Box 6, Folder “Greater Seattle Business Association – GSBA, 1991,” CHSCR, 5752-08, SMA.

citizens adhering to white, middle class values, including domestic living arrangements and consuming goods and services.

According to the GSBA and other organizations of middle-class gay men and lesbians, gay people deserved respect as equal, perhaps even superior, consumers, contributing to a vibrant, global capitalist economy. GSBA President Bonnie Menzies announced in her goals for the year 1988, “We will be aggressive in pursuing our *raison d’etre*. We will be the vehicle through which members are able to network and market their business and/or profession within and outside of the organization.”²⁵⁵ The GSBA allied with other business organizations to advocate municipal policies that benefitted business owners, such as the BBIA and PPPS. In June 1991, GSBA began accepting non-gay-owned businesses. President Gary Thogersen explained the decision: “It makes good sense to include in our membership those from outside our community who: 1) respect, appreciate, and support the right of gays and lesbians to equal treatment under the law and 2) who recognize the economic vitality of the gay and lesbian community.”²⁵⁶ And in 1998, the GSBA began accepting corporate sponsorships.²⁵⁷ The inclusion of non-gay members and corporate sponsorships fueled the growth of GSBA into the largest nominally gay business organization in the United States and the second largest business association in Washington State.²⁵⁸ The GSBA therefore assumed that the social acceptance of gay people as citizens depended on the recognition of their contributions to society as capitalists

²⁵⁵ Bonnie Menzies, “New Year, New Ideas: The President’s Message,” *GSBA News* Vol. VII, Issue I (January 1988), 1, UWLSC.

²⁵⁶ Gary Thogersen, “President’s Message: Welcome Non-Gay Members to the GSBA,” *GSBA Perspective*, July 1991, 2, Box 6, Folder “Greater Seattle Business Association – GSBA, 1991,” CHSCR, 5752-08, SMA.

²⁵⁷ “Timeline: Honoring the Past,” the Greater Seattle Business Association, <http://www.thegsba.org/about/history/timeline.php> (accessed January 7, 2015).

²⁵⁸ “About the Greater Seattle Business Association,” the Greater Seattle Business Association, <http://www.thegsba.org/about/> (accessed February 13, 2015).

and consumers, a stance rooted in their members' own racial and class privilege and in line with city officials' privileging of economic development over social justice.

Conclusion

In the early twenty-first century, Capitol Hill and the Pike/Pine Corridor are no longer accessible for low-income residents seeking easy access to downtown Seattle, and this gentrification has spilled over into the Central District, which is no longer the center of Seattle's African American community that it used to be.²⁵⁹ The eastern portion of the area covered by the Pike/Pine Planning Study had been considered part of the Central District in the 1960s.²⁶⁰ The First African Methodist Episcopal Church, the oldest church established by African Americans in Seattle in 1886, remains in this area at East Pine Street and 14th Avenue.²⁶¹ But nowhere did the Pike/Pine Planning Study mention the needs of the African American community, whereas the gay community was central to the imagination of a Pike/Pine commercial district. The growth of gay businesses on Capitol Hill coincided with a revitalization of the neighborhood in the eyes of long-term residents and business owners, while other, less affluent, more racially diverse, and transient residents were increasingly pushed out of the neighborhood.²⁶²

²⁵⁹ Tricia Romano, "Cultures clash as gentrification engulfs Capitol Hill," *Seattle Times*, March 13, 2015), accessed June 23, 2016, <http://www.seattletimes.com/life/lifestyle/culture-clash-on-capitol-hill/>; Gene Balk, "Historically black Central District could be less than 10% black in a decade," *Seattle Times*, May 26, 2015, accessed June 23, 2016, <http://www.seattletimes.com/seattle-news/data/historically-black-central-district-could-be-less-than-10-black-in-a-decade/>.

²⁶⁰ Quintard Taylor, *The Forging of a Black Community: Seattle's Central District from 1870 through the Civil Rights Era* (Seattle: University of Washington Press, 1994), 232.

²⁶¹ "Our History," First African Methodist Episcopal Church, accessed February 10, 2015, <http://www.fameseattle.org/#!about/aboutPage>.

²⁶² Capitol Hill Chamber of Commerce, et al, "Pike/Pine Planning Study" (Seattle: Pike/Pine Steering Committee, 1991).

Gay business owner's praise of gay consumer citizenship and contribution to the gentrification of Capitol Hill foreclosed opportunities to foster a more integrated community and social justice movement. Gentrification accelerated on Capitol Hill in part through the relationship between gay business owners and city officials in the 1980s and has continued largely uninterrupted since. Gay business owners played a significant role in gentrification around Capitol Hill as in areas around gay neighborhoods in other American cities.²⁶³ GSBA members supported gay rights as they promoted expanding markets for their businesses' growth. Capitol Hill's neighborhood associations came to favor a predominantly white, middle-class community of gay men, reinforcing the exclusion of working class residents and people of color. Capitol Hill residents believed the visibility of racial minorities and homeless people lowered the neighborhood's economic value, but the contribution of gay business owners and consumers to the reinvigoration of the neighborhood's economy during the 1980s made gay people valuable to middle-class, heterosexual residents, local business interests, and the city. City officials' alliance with gay business owners perpetuated the image of an inclusive city while only embracing a politically moderate, racially, and socio-economically privileged sector of Seattle's diverse LGBTQ community that produced greater policing and economic disparities for others. As gay business owners won recognition for their contributions to the local economy at the expense of working-class queers and people of color, AIDS forced the sexual behavior of gay men into public conversation by gay public health officials, countering the work done by white, middle-class gay activists to portray gay men and lesbians as "normal," sexually contained citizens.

²⁶³ See Lawrence Knopp, "Gentrification and Gay Neighborhood Formation in New Orleans: A Case Study," Amy Gluckman and Betsy Reed, eds., *Homo Economics: Capitalism, Community, and Lesbian and Gay Life* (New York: Routledge, 1997), 45-60; Kwame Holmes, "Chocolate to Rainbow City: The Dialectics of Black and Gay Community Formation in Postwar Washington, D.C., 1946-1978," PhD diss., University of Illinois at Urbana-Champaign, 2011; Ian Baldwin, "Family, Housing, and the Political Geography of Gay Liberation in Los Angeles County, 1960-1986," PhD diss., University of Nevada, Las Vegas, 2016.

Chapter 4

“A Model of Safety and Caring for All Other Communities”?

Combatting AIDS in the Era of Sexblindness and Colorblindness

Compared to the City of Seattle’s efforts to recognize white, middle-class arguments for the inclusion of gay men and lesbians and gay business owners who promised to develop Capitol Hill as a commercial district, the Seattle-King County Department of Public Health’s (SKCDPH) response to the AIDS epidemic was queerer in its recognition of HIV transmission through non-domestic sexualities and drug addiction. As a public health issue, AIDS validated sex consciousness in public discourse, disrupting the city officials’ preference for respectable, sexblind gay politics over the previous decade.²⁶⁴ Seattle’s recognition of gay men and lesbians as citizens played a significant role in the appointment of two gay men to lead SKCDPH’s AIDS Prevention Project (APP). Thus, the APP effectively reached gay-identified men, influencing safer sexual decision-making and practices within the city’s recognized, predominantly white gay community. A 1992 flyer posted around Capitol Hill announced, “CONGRATULATIONS on being safe for almost a decade... We are a model of safety and caring for all other communities.”²⁶⁵ The APP was effective in combatting HIV transmission among gay-identified men by promoting safer sex, but white, middle-class assumptions of sexuality – that gay identity was necessary for same-sex sexual contact and was the only exception to domestic, heterosexual sex – challenged the APP in effectively reaching communities of color.

²⁶⁴ Jennifer Brier argues that AIDS brought sexuality into public discourse at the same time the state tried to erase sexuality from public discourse, which reinvigorated open conversations about sexuality that were central to the gay liberation movement, Jennifer Brier, *Infectious Ideas: U.S. Political Response to the AIDS Crisis* (Chapel Hill: University of North Carolina Press, 2009).

²⁶⁵ AIDS Prevention Project, “CONGRATULATIONS” (flyer), Box 6, Folder 5,

Recognition of black, Latinx, and Native American people as disproportionately affected by AIDS forced the APP to rethink its assumptions about sexuality, recognizing queer sexualities in those communities that did not involve men identifying as gay or bisexual, but racial assumptions continued to make outreach to these communities less effective than to the predominantly white gay community. In 1987, sexual transmission was associated with (white) gay men and intravenous needle transmission was associated with poor people of color, even though both high-risk activities affected a much broader range of Seattle's population. The APP subcontracted with the People of Color Against AIDS Network for studies and outreach involving intravenous drug users and the Northwest AIDS Foundation for studies and outreach involving gay men. By the early 1990s, however, the APP invented the category MSM – men who have sex with men – once it became evident that sexual transmission was occurring beyond the gay community. But outreach to communities of color continued to influence seroconversion rates less than in the gay community. Rather than providing a “model of safety and caring for all other communities,” the Department of Public Health's response to AIDS both reflected and reinforced institutional racism despite its best efforts to combat racial disparities in HIV transmission.

The Seattle-King County Department of Public Health & the Gay Community before AIDS

The Seattle-King County Department of Public Health's response to AIDS was exceptional in effectively combatting seroconversion rates among gay-identified men in part because of the well-established relationship between SKCDPH's STD Clinic and Seattle's gay community before Seattle's first AIDS diagnosis. The University of Washington (UW) and SKCDPH garnered federal funds to study sexually transmitted infections throughout the 1970s,

making Seattle a center for research on STDs. A UW/SKCDPH study on prophylactic treatment for STDs in gay men specifically occurred from 1976 to 1977, between the passage of Seattle's employment and housing nondiscrimination ordinances and the Initiative 13 campaign.

Geographers Michael Brown and Larry Knopp argue that the study expanded the imagination of sexual practices among medical providers. The study looked at the anus, rectum, and throat as sites of STD transmission, recognizing common sexual acts among gay men in federally funded medical research. Those who participated in the study were encouraged to live their lives without modifying their sexual behavior. This study was conducted the SKCDPH Venereal Disease Clinic at Harborview, just south of Capitol Hill on First Hill.²⁶⁶

Gay men's attitudes toward the Harborview STD Clinic varied significantly in the period between gay liberation and the arrival of the AIDS epidemic, an indication of the discretion nurses in the clinic had in counseling patients. Some had no issues getting tested at the clinic. However, others experienced feelings of judgement and dreaded visits to the clinic. For example, SKCDPH employee Tim Burak noted being treated "pretty insensitively, and it was real clear that staff there weren't particularly sympathetic to gay people nor very knowledgeable about gay sexual practices."²⁶⁷

Gay activists and physicians founded the Seattle Gay Clinic in 1979 to provide a space for gay men to get tested for sexually transmitted diseases without fear of being judged by nurses at the Harborview VD Clinic. The first director of Seattle Gay Clinic Jim Skeen discussed the purpose of the clinic in a letter to a gay physician: "Seattle is fortunate in being one of the best STI treatment clinic centers in the country. The Gay community here doesn't need a clinic to

²⁶⁶ Brown and Knopp, "The Birth of the (Gay) Clinic," 102-103.

²⁶⁷ Tim Burak, interview with author, July 22, 2014, accessed July 20, 2017, <http://depts.washington.edu/civilr/burak.htm>.

compete with presently available health services. But we do have to take upon ourselves responsibility for recognizing, confronting, and dealing with our own health problems.”²⁶⁸ Thus, the clinic provided an alternative space for the gay community rather than provide any new services. Public health activists in the gay community saw a need for spaces in which gay men could take charge of their own health openly and without shame. While many gay men preferred getting tested for STIs at Seattle Gay Clinic, others preferred the Harborview VD Clinic as a non-gay space versus the peer-to-peer setting at SGC. A gay physician described his reluctance to get tested at Seattle Gay Clinic: “The Harborview STI Clinic had no gay presence. There was nobody there that identified as...gay but yet they were so businesslike and thorough and Seattle Gay Clinic was a peer run clinic and...I knew the people there so I wasn’t sure that I wanted somebody that I knew to do my screening.”²⁶⁹ Nevertheless, SGC provided gay men an option for STD testing, which Brown and Knopp argue provided a new kind of community space more than it provided a public health service since STD testing was already provided through SKCDPH.

Director of the STD unit for SKCDPH Hunter Handsfield very publicly viewed the gay clinic skeptically, believing gay men, like all residents, should receive testing and treatment at the public clinic. Hunter Handsfield advocated for gay-sensitive providers in public STD clinics, but believed gay men should receive testing and treatment through public health departments rather than their own clinic. Handsfield responded to an article that advocated support for gay clinics by public health departments, which cited 79 percent of gay men reporting positive

²⁶⁸ Jim Skeen, letter to Dr. James Hughes, October 8, 1979, Section U, Seattle Gay Clinic Archives, 17, cited in Brown & Knopp, “The Birth of the (Gay) Clinic,” 104. STD, sexually transmitted diseases, and STI, sexually transmitted infections, are interchangeable. VD, venereal disease, was still commonly used in the 1970s, but is no longer in use.

²⁶⁹ Brown & Knopp, “The Birth of the (Gay) Clinic,” 104.

experiences at gay clinics versus 61 percent reporting positive experiences at public clinics. Handsfield took the following stand: “Establishment of additional categorical gay clinics is likely to be counterproductive, because most would not be able to provide the comprehensive services necessary, and because they would tend to further stigmatize gay men and their unique health problems by removing them from the mainstream of medical care.”²⁷⁰ Thus, Handsfield argued for the incorporation of gay men into the “mainstream” public health system. Handsfield’s comments were controversial, not only in Seattle, but among gay public health workers nationwide. Tim Burak, who worked in the dental health clinic at SKCDPH, attended a meeting of the Caucus of Gay Public Health Workers at the American Public Health Association Conference held in Los Angeles in the Fall of 1981 where Handsfield’s position was hotly debated.²⁷¹

The participation of some SKCDPH employees as volunteers at the Seattle Gay Clinic ultimately produced a symbiotic relationship between SKCDPH and Seattle Gay Clinic before the arrival of AIDS in Seattle. Burak reported to Handsfield that many in the Caucus of Gay Public Health Workers believed Handsfield was categorically opposed to gay clinics while Burak’s belief was that the SKCDPH VD Clinic had been supportive of the Seattle Gay Clinic.²⁷² Handsfield defended his position against clinics, arguing that in the context of the Reagan administration’s attack on the welfare state, public health departments should not be expected to duplicate services.²⁷³ Burak approached Handsfield to come volunteer at Seattle Gay Clinic to

²⁷⁰ H. Hunter Handsfield, “Sexually Transmitted Diseases in Homosexual Men,” *The American Journal of Public Health* Vol. 71, No. 9 (September 1981), 989-990, available in Box 1, Folder 6, SKCDPH HIV/AIDS Program History Files, 1979-2010, Record Series 1825, King County Archives.

²⁷¹ Tim Burak, memo to H. Hunter Handsfield re: “Below,” December 2, 1981, Box 1, Folder 7, Record Series 1825, KCA.

²⁷² Tim Burak, memo to H. Hunter Handsfield re: “Below,” December 2, 1981, Box 1, Folder 7, Record Series 1825, KCA.

²⁷³ H. Hunter Handsfield, memo to Tim Burak re: “Your memo of Dec. 2, 1981,” December 8, 1981, Box 1, Folder 7, Record Series 1825, KCA.

see firsthand what the clinic was all about. Ultimately, Handsfield rescinded his previous attitude toward gay clinics, recognizing that the clinic did do productive work in the gay community and decided instead to forge a working relationship between SKCDPH and Seattle Gay Clinic. Gay men could then get tested at the gay clinic but receive treatment at the Harborview Clinic, introducing gay men to mainstream public health through gay community health.²⁷⁴

Ultimately, Burak's confrontation with Handsfield resulted in the formation of an advisory group including representatives from the Seattle Gay Clinic, The Dorian Group, and the SKCDPH STD Clinic that met monthly within a year of Seattle's first AIDS diagnosis. The advisory group first met on March 2, 1982 to discuss how SKCDPH could better suit the health needs of the gay community.²⁷⁵ Handsfield agreed to supplement services provided at the clinic and helped Seattle Gay Clinic staff to ensure they were making appropriate referrals to the Harborview Clinic. Burak notes that this collaboration allowed "some of the folks at the gay clinic who had bad experiences like I had...a chance to learn more about public health."²⁷⁶ Thus, gay health providers began to build a relationship with SKCDPH in the year before Seattle's first AIDS diagnosis, when cases of "GRID," gay-related immunodeficiency disease, were being reported in Los Angeles, San Francisco, and New York.²⁷⁷ The inclusion of The Dorian Group as the only organization that lacked a focus on healthcare indicates who SKCDPH recognized as the "gay community," an early indication that the public health response to a "gay STD

²⁷⁴ Tim Burak, interview with author.

²⁷⁵ Tim Burak, "STD Advisory Group Forms," *The Carrier* (SKCDPH newsletter) Vol. 5, Issue 4 (April 1982), 1, Box 1, Folder 6, Record Series 1825, KCA.

²⁷⁶ Burak, "STD Advisory Group Forms"

²⁷⁷ Lawrence K. Altman, "Clue Found on Homosexuals' Precancer Syndrome," *New York Times*, June 18, 1982, accessed July 16, 2017, <http://www.nytimes.com/1982/06/18/us/clue-found-on-homosexuals-precancer-syndrome.html>.

epidemic” would address the most visible of Seattle’s gay population, particularly white, middle-to-upper class gay men.

Early Community and State Responses to AIDS in Seattle

As a “second-wave” city, gay Seattleites benefitted from knowing about AIDS before the city’s first diagnosis, which facilitated a quicker and more robust response from the Department of Public Health in addressing the epidemic in the gay community. The Center for Disease Control had already named the diseased acquired immunodeficiency syndrome (AIDS) by the time *The Seattle Times* announced the city’s first diagnosis November 12, 1982. Scientists had not yet identified the cause of the disease, but AIDS was still identified primarily as a disease affecting gay men as indicated by the article’s title, “Deadly disease that mainly infects gay men surfaces in Seattle.”²⁷⁸ Seattle Gay Clinic staff noted that half the men who visited the clinic the week following the announcement asked about AIDS. Burak maintained the attitude that gay men could and should make their own decisions regarding their sexual health: “We’re talking about coming up with a response which will be as sex-positive as it can possibly be, in order to keep a climate of fear from happening, a response that will allow men to make choices based upon their risk rather than upon what someone else tells them to do.” Another clinic volunteer Tim Smith noted that he had not seen any patients showing signs of full-blown AIDS but had noticed “at least 50 men with chronic swelling of the lymph nodes – a condition thought to be closely related to AIDS.”²⁷⁹ Although Seattle had just received its first diagnosis, gay healthcare providers at Seattle Gay Clinic were already acknowledging the possibility of a full blown

²⁷⁸ Warren King, “Deadly disease that mainly infects gay men surfaces in Seattle,” *Seattle Times*, November 12, 1982, A1.

²⁷⁹ Robin Evans, “Local diagnosis brings increased concerns, queries,” *Seattle Gay News*, November 19, 1982, 1.

epidemic even if the scale might be smaller than in the “first wave” cities of New York, Los Angeles, and San Francisco.

As in “first wave” cities such as New York, Los Angeles, and San Francisco, the initial response to AIDS came from gay community activists; however, activists in Seattle engaged and forged relationships with public health officials almost immediately. Seattle Gay Clinic staff had previously organized a directory of gay-sensitive physicians that facilitated the referral of AIDS patients in the early epidemic. Seattle Counseling Service for Sexual Minorities and Seattle Gay Clinic organized a forum held at Seattle Central Community College on Broadway on December 1, 1982 to address the community’s concerns about AIDS. The forum included Hunter Handsfield, head of SKCDPH’s STD Clinic and one of the foremost experts on sexually transmitted diseases in the country.²⁸⁰ Because of the relationship already forged between the Seattle Gay Clinic and Hunter Handsfield, Handsfield played a public role in the initial response to AIDS.

Although the Department of Public Health was quicker to react to AIDS in Seattle than in most other cities, community organizations formed to make up for social service provisions the state was failing to provide in the context of AIDS as in other cities. The Chicken Soup Brigade (CSB), an organization unique to Seattle founded to provide meals and other services to Hepatitis patients, formed out of Seattle Gay Clinic.²⁸¹ CSB expanded with the arrival of the AIDS epidemic in Seattle as more gay men whose families may have disowned them required their services. CSB organized volunteers to provide meals to AIDS patients and other gay

²⁸⁰ Josh Joshua, “Seattle AIDS Forum stresses concern,” *Northwest Fountain* (January 1983), 13A, Box 1, Folder 7, Record Series 1825, KCA.

²⁸¹ There are conflicting narratives about the founding of the Chicken Soup Brigade, but Burak acknowledges that AIDS patients weren’t the only people using the service. Michael Brown & Larry Knopp believe CSB did predate AIDS and formed primarily to serve Hepatitis patients. See Atkins, *Gay Seattle*, 301; Burak, interview with author; Brown and Knopp, “Birth of the (Gay) Clinic.”

people debilitated by other diseases, drive patients to doctor's appointments, and provide companionship. The services CSB provided were crucial in providing basic services to AIDS patients and others before more organizing in the community and the Department of Public Health could provide a more robust response to the crisis.

Also born out of Seattle Gay Clinic was the Northwest AIDS Foundation, which brought together gay health professionals and white, middle-class gay activists together to respond to AIDS within the gay community. Tom Marsella, Tim Burak, Bob Wood, and others met and drew up a list of services the community needed. When Burak falsely feared he may have AIDS, he visited Charlie Brydon, who had been on hiatus from gay politics and dedicated to his private insurance company. Burak asked Brydon about life insurance for someone with AIDS and also recruited Brydon to assist with the formation of NWAFF given his experience with non-profit organizations serving the gay community in Seattle and as co-president of the National Gay Task Force.²⁸² The Northwest AIDS Foundation thus assembled a group of medical providers, public health workers, and moderate activists from Seattle's gay community in May 1983, six months after Seattle's first AIDS diagnosis, "To provide a central coordinating body whereby the medical, financial and information resources of citizens and organizations of the Pacific Northwest can be directed toward a unified response to the public health threat posed by Acquired Immune Deficiency Syndrome (AIDS)."²⁸³ Much like The Dorian Group and the Greater Seattle Business Association, activists within the organization claimed regional authority over the Pacific Northwest.

²⁸² Tim Burak, interview with author.

²⁸³ Planning and Advisory Committee, "Statement of Purpose and Goals," Northwest AIDS Project (Foundation), May 17, 1983, Box 11, Folder 7, SKCDPH Director, City-County division files, Record Series 10, KCA.

Given city officials' previous recognition of gay men as citizens, the Northwest AIDS Foundation's (NWAFF) coalition of health professionals and municipal state-recognized gay rights activists quickly became involved in conversations with the City Council, King County Council, and the Seattle-King County Department of Public Health around AIDS. By bringing health professionals and gay rights activists together under one organization, NWAFF asserted itself as the preeminent AIDS organization for SKCDPH to correspond and contract with. By 1984, NWAFF's honorary board of directors included much of Seattle and King County's elite, including Hunter Handsfield and SKCDPH Director Jesse Tapp, King County Executive Randy Revelle, Mayor Charles Royer, Seattle Police Chief Patrick Fitzsimmons, Congressman Mike Lowry, US Senator Slade Gorton, Washington State Representatives Gary Locke and Janice Niemi, and eight of Seattle's nine city councilmembers.²⁸⁴ Just as Citizens to Retain Fair Employment enlisted Seattle's political elite in the fight to defeat Initiative 13, so did the Northwest AIDS Foundation in combatting AIDS. Thus, NWAFF gained representation in official discussions about AIDS soon after the organization's inception. SKCDPH endorsed NWAFF's efforts to obtain funding from the US Conference of Mayors to produce AIDS educational materials in early 1985.²⁸⁵ And on February 28, 1985, Mayor Charles Royer appointed NWAFF President Bob Wood to the newly created Mayor's Lesbian and Gay Task Force, which was to advise the mayor on issues affecting gay men and lesbians.²⁸⁶

The preexistence of Hunter Handsfield's gay advisory group was particularly helpful as gay activists and SKCDPH officials lobbied the city and county for AIDS-specific funding.

²⁸⁴Robert Perry, Jim Holm, Bill Powers, and Stan Henry, "1984 Report," The Northwest AIDS Foundation, 4, Box 1, Folder 24, SKCDPH HIV/AIDS Program Subject Files, 1982-2007, Record Series 1681, KCA.

²⁸⁵ Robert W. Wood, letter to Patricia Canova, February 24, 1985, Box 5, Folder 3, SKCDPH Prevention Division, HIV/AIDS Program Organization Files 1985-1998, Record Series 458, KCA.

²⁸⁶ Charles Royer, letter to Robert Wood, February 28, 1985, Box 4, Folder 19, Record Series 458, KCA.

SKCDPH established a hotline to address questions from health care providers and people concerned about the disease.²⁸⁷ On May 19, 1983, SKCDPH Director Jesse Tapp submitted proposals to the King County Budget Office and the Seattle Office of Management and Budget to expand the hotline and establish an AIDS Assessment Clinic. The Seattle City Council held a hearing on the budget proposal and a resolution written by Councilmembers Norm Rice and Jack Richards declaring AIDS a public health emergency on June 21, 1983.²⁸⁸ Activists representing the Seattle Gay Clinic, The Dorian Group, and the Greater Seattle Business Association organized a march to City Hall to pressure the City Council to pass the resolution, a direct action approach rarely taken by any of those organizations.²⁸⁹ Hunter Handsfield, Tom Marsella, and Bob Wood offered testimony at the hearing, representing the SKCDPH STD Program, SGC, and Northwest Physicians for Human Rights, respectively.²⁹⁰ The resolution easily passed as the City Council fully embraced the politics of TDG and GSBA by the time AIDS arrived in Seattle, and the King County Council likewise voted unanimously in favor of the resolution.²⁹¹

The combination of a national narrative that AIDS was predominantly a gay disease, the political power of Seattle's white, middle-class gay organizations, and earlier discussions among representatives of the Seattle Gay Clinic and the Department of Public Health, fostered a local response to AIDS in which the Department of Public Health worked with gay organizations. Thus, what these organizations collectively recognized as Seattle's gay community, predominantly white, middle-class, gay men, became the focus of SKCDPH's response to AIDS.

²⁸⁷Tim Burak, "APP's Tenth Anniversary," 1, Box 1, Folder 8, SKCDPH HIV/AIDS Program History Files, 1979-2010, Record Series 1825, KCA.

²⁸⁸ Public Safety and Health Committee, Seattle City Council, Public Hearing (agenda), June 21, 1983, Box 1, Folder 8, SKCDPH HIV/AIDS Program History Files, 1979-2010, Record Series 1825, KCA.

²⁸⁹ Tim Burak, "APP's Tenth Anniversary," 1, Box 1, Folder 8, SKCDPH HIV/AIDS Program History Files, Record Series, 1825, KCA.

²⁹⁰ "AIDS Fund formed," *Seattle Gay News*, June 24, 1983, 15.

²⁹¹ Sally Macdonald, "King County Council pledges funds to help victims of AIDS," *Seattle Times*, June 21, 1983.

On October 19, 1983, SKCDPH opened an AIDS Assessment Clinic with the funding provided by the City of Seattle and King County to track the disease, address people's concerns about their risk and/or symptoms, and provide guidelines for community outreach and education. The clinic began under the purview of Hunter Handsfield's STD program at SKCDPH. Within SKCDPH, the primary concern in establishing an AIDS clinic was to ensure proper surveillance of the disease.²⁹² While the clinic was predominantly housed in the Public Safety Building in Downtown Seattle, Saturday appointments were run through Seattle Gay Clinic, indicating the degree to which SKCDPH identified AIDS with the gay community and willingly worked with gay community organizations even though one of Seattle's earliest diagnoses was a heterosexual man and Washington State's first AIDS death was a married heterosexual man from Tacoma.²⁹³

Counter to efforts by moderate white middle-class gay activists to keep the sexual practices of gay men and lesbians private and hidden, community and public health responses to AIDS brought the realities of gay sexual practices into the spotlight, including bathhouses that catered to gay men seeking casual sexual encounters. While many began criticizing gay bathhouses as sites of sexual disease transmission, bathhouse owners took it upon themselves to stock bathhouses with condoms and educational materials on the most up-to-date information about AIDS. Continental Club Baths owner and GSBA member Larry Woelich led the charge to turn bathhouses into sites of education rather than sites of transmission. The appointment of two gay men, Bob Wood and Tim Burak, to head the AIDS Prevention Project facilitated SKCDPH's decision to leave the bathhouses open to educate men using them. While the bathhouses were

²⁹² Lynn Davison, memo re: Planning for AIDS Screening Clinic to Durlyn Finnie, Willma Elmore, Steve Helgerson, and Patricia Canova, June 30, 1983, Box 1, Folder 7, SKCDPH HIV/AIDS Program History Files, Record Series, 1825, KCA.

²⁹³ Warren King, "Tacoman is state's first AIDS fatality," *Seattle Times*, April 15, 1983, Box 1, Folder 7, Series 1825, KCA; P-I Staff, "Third AIDS case is not a gay man," *Seattle Post-Intelligencer*, February 4, 1983, A4, Box 1, Folder 7, Record Series 1825, KCA.

likely sites of HIV transmission, Wood and Burak recognized these were not the only spaces in which men engaged in sex with anonymous and multiple partners, which made them important sites for distributing information about safer sex practices. Bathhouse owners required patrons to sign a pledge reading, “I agree to use condoms if I engage in anal or oral sex.”²⁹⁴

While concerned about the public health of his customers, Larry Woelich defended leaving the bathhouses open on national television from the perspective of a private business owner with the right to maintain his business in a capitalist political economy; the importance of his bathhouse as a site to effectively disseminate important public health information was secondary. Woelich defended his position in a KCTS documentary *Diagnosis: AIDS* that aired nationally on PBS in October 1983: “When you begin getting into closing private business, then you’re getting into 1984, and if the baths are closed, then the bars, and next thing you know we’re all being thrown into concentration camps because of our sexual preference.”²⁹⁵ Woelich was one of the founding members of the Greater Seattle Business Association. Rather than engage in conversation about how gay men should have the right to engage in sexual behavior as they choose, especially if they are doing so in a way that does not endanger other people, Woelich took the GSBA position that he was “business first, gay second” and had the right to operate a business.

Early educational efforts affected sexual behavior, particularly among gay and bisexual-identified men; however, the association of AIDS with the predominantly white, middle-class gay community left other populations to spread the disease outside of the Department of Public Health’s imagination of who AIDS effected, including working-class communities of color.

²⁹⁴ Pledge cards for Club Zodiac and Club Seattle are available in Box 1, Folder 20, SKCDPH HIV/AIDS Program History Files, Record Series 1825, KCA.

²⁹⁵ KCTS, *Diagnosis: AIDS*, 1983, Box 1, Folder 10, Record Series 1825, KCA.

Between 1982 and 1984, before testing was available to determine HIV infection, SKCDPH used gonorrhea rates as a stand-in to study changes in sexual behavior. Over those two years, the incidence of gonorrhea among gay and bisexual men attending SKCDPH STD clinics dropped 57 percent. Among heterosexual men and women, gonorrhea incidence dropped 20 percent over the same period. No statistics were taken to determine racial or ethnic distribution of cases.²⁹⁶ While the general population appeared to be practicing safer sex, this was especially true in the gay community given the plethora of gay-specific AIDS organizations and targeted outreach of SKCDPH to address the AIDS epidemic in the gay community.

The AIDS Prevention Project & the Gay Community

As it became evident that Seattle was not immune to a full-blown epidemic, a growing network of gay and AIDS-specific organizations began coordinating their efforts not only with the Seattle-King County Department of Public Health but also with the Washington State Department of Social and Health Services (DSHS). This coordination with public health agencies indicated a greater openness of both municipal and state agencies to work with community organizations to effectively combat AIDS than most parts of the country. By the end of 1985, the Seattle AIDS Network (SAN) organized representatives from a growing number of community organizations providing services to people with AIDS, gay community organizations, private hospitals, health organizations, SKCDPH, and DSHS. At the first SAN meeting on September 4, 1985, Harborview social worker Pam Ryan introduced a draft of “Social Services for People with AIDS” and shared other resources available to health professionals. Kathi

²⁹⁶ SKCDPH AIDS Prevention Project, Application for “Community Based Demonstration Project for AIDS Prevention and Risk Reduction in King County, WA,” August 29, 1985, 33, Box 24, Folder 2, Record Series 10, KCA.

Knowles of the Health Information Network agreed to produce a directory entitled “Community Resources for Western Washington.” Bea Kelleigh and Anne Hughes of the Seattle Lesbian and Gay Nurses Alliance agreed to structure a survey to assess the needs of people living with AIDS. Seattle Counseling Service agreed provide counseling to AIDS patients, and a Direct Services Task Force formed.²⁹⁷ By December, the mayor’s office was also represented.²⁹⁸ SAN brought together state-recognized gay organizations, AIDS activists, and representatives of relevant municipal and state agencies to coordinate a public-private intervention to combat AIDS and promote sexual health in Seattle’s gay community.

In addition to working with SAN, SKCDPH began dedicating more resources to AIDS, creating the AIDS Prevention Project separate from the Sexually Transmitted Disease Program, with Bob Wood serving as Medical Director. As the number of AIDS diagnoses continued to increase, the workload became unsustainable under the guidance of Hunter Handsfield.²⁹⁹ Handsfield asked Bob Wood, then serving as NWAFF president, to serve as the medical director of the AIDS Prevention Project. Wood arrived in Seattle in 1975 as a medical resident in internal medicine, following his supervisor from Dartmouth University to the United States Public Health Service (USPHS) facility on North Beacon Hill. There, his role was more of a public health official than a doctor of internal medicine, working on health services research and hospital quality assurance. When the Reagan administration cut USPHS in 1981, Wood went back into internal medicine. In 1978, he helped organize Northwest Physicians for Human Rights, a group of gay physicians in the area who publicly opposed Initiative 13. Wood often

²⁹⁷ Seattle AIDS Network, minutes, September 4, 1985, Box 5, Folder 10, HIV/AIDS Organization Files, 1985-1998, Seattle-King County Department of Public Health Prevention Division, Record Series 458, KCA.

²⁹⁸ Seattle AIDS Network, minutes, December 4, 1985, Box 5, Folder 10, HIV/AIDS Organization Files, Record Series 458, KCA.

²⁹⁹ Hunter Handsfield, interview with Larry Knopp, September 4, 2015, Responding to AIDS: The Seattle-King County Department of Public Health, accessed July 19, 2017, <https://respondingtoaidsexhibit.org/category/oral-histories/>.

volunteered at the Seattle Gay Clinic from 1979 to 1983 before he began caring for AIDS patients as a private practitioner. In the summer of 1982, Wood was sailing with a friend who complained of swollen lymph node and night sweats, though the possibility of an AIDS diagnosis did not cross Wood's mind at the time. Wood was the first doctor to provide care to a person living with AIDS in Seattle, a native Seattleite who moved back to the city upon receiving his AIDS diagnosis in Hawaii in November 1982.³⁰⁰

Aside from caring for people living with AIDS, Bob Wood decided to devote more of his time to fighting the epidemic in the community. His combined background in public health, patient care, and community activism made him attractive to Handsfield as a director of SKCDPH's AIDS Prevention Project. Wood joined the board of NWAFF upon its inception in 1983, and served as President of the Board of NWAFF from 1984 to 1985. In May 1985, Wood tested positive for HTVL-III, not yet identified as HIV. After contracting shingles that August, he was convinced he had little life left to live and decided to dedicate what of his life remained to fighting the disease that might kill him. In this context, he emphatically agreed to serve as the director of SKCDPH's when Handsfield approached him that December.³⁰¹

The AIDS Prevention Project was a major step toward developing a systematic fight against the epidemic that continued to primarily target the disproportionately white gay community. Wood kept all preexisting staff from the AIDS Surveillance, Assessment, and Education Clinic, while bringing on Tim Burak as Project Coordinator. The top two officials of the AIDS Prevention Project were thus white gay men, which shaped the priorities of the project. Both Wood and Burak had extensive knowledge of Seattle's gay community, health networks serving gay men in Seattle, and public health bureaucracy. Wood had worked with Burak as a

³⁰⁰ Robert Wood, interview with author, April 30, 2015.

³⁰¹ Robert Wood, interview with author, April 30, 2015.

volunteer at Seattle Gay Clinic, and Burak had experience working in SKCDPH in dental health. Wood hired Ann Dower as a Health Educator, adding a new dimension to the program as more active educational outreach began to take place in addition to the hotline.³⁰²

The AIDS Prevention Project subcontracted with the Northwest AIDS Foundation for educational outreach to the gay community, a partnership between SKCDPH and Seattle's white gay elite that produced adequate outreach to the predominantly white, middle-class gay community recognized by city and public health officials. SKCDPH had already supported NWAFF's application for funding from the US Conference of Mayors in February 1985 for AIDS educational outreach, even garnering a letter of support from King County Executive Randy Revelle.³⁰³ The APP's first major campaign was a safe sex campaign coordinated with NWAFF targeting areas where predominantly white gay men socialized that was jointly funded by the Department of Public Health, the US Conference of Mayors, the Center for Disease Control. This project, thus, mobilized funding from the municipal state – including the local department of public health and a federal agency in conjunction with an urban network – to target (white) gay men in the middle of the Reagan era. The first of these campaigns unveiled in 1986 was the “Rules of the Road” campaign, in which NWAFF-produced flyers and posters compared practicing safer sex to following the state's driving laws. NWAFF developed a pin with an “S” shaped to look like a curvy road sign for gay men to where to publicly indicate they were practicing safer sex.³⁰⁴ By comparing safe sex to safe driving, the campaign did not publicize gay sexuality as later campaigns did more explicitly.

³⁰² Tim Burak, “APP's Tenth Anniversary,” 1, Box 1, Folder 8, Record Series 1825, KCA.

³⁰³ Randy Revelle, letter to US Conference of Mayors, February 15, 1985, Box 5, Folder 3, Series 458, KCA.

³⁰⁴ Northwest AIDS Foundation, “Meet the Safety Pin” (flyer), 1985, Box 1, Folder: Northwest AIDS Foundation – origins, 1983, Tim Burak Papers, Accession No. 5673-001, UWLSC; Northwest AIDS Foundation, “The ‘Rules of the Road’ Campaign (1985-1986),” Box 1, Folder: Northwest AIDS Foundation – origins, 1983, Tim Burak Papers, Accession No. 5673-001, UWLSC.

Furthermore, SKCDPH assembled a 20-member AIDS Advisory Committee, which brought together representatives of gay organizations recognized by SKCDPH and relevant city and county agencies, again demonstrating a coordinated response between the municipal state and predominantly white, middle-class gay activists. In addition to NWAFF, the committee consisted of representatives from SGC, TDG, Gay Men’s Health Group, the Northwest Physicians for Human Rights, the Seattle Department of Women’s Rights, the Seattle Department of Human Rights, the King County Department of Human Resources, the Seattle AIDS Action Committee, Seattle Counseling Services for Sexual Minorities, and the Health Information Network. The AIDS Advisory Committee endorsed the APP’s sexually explicit Risk Reduction Guidelines, which outlined the amount of risk involved in various sexual activities based on the latest research and were distributed throughout the gay community. The APP’s application to become a CDC AIDS Community Demonstration Project site notes, “It is largely to the efforts of [the AIDS Advisory Committee] that SKCDPH and the high-risk community have developed a climate of trust, respect and cooperation on issues related to AIDS.”³⁰⁵ While intravenous drug users and prostitutes had been identified elsewhere in the 1985 application as risk groups, established gay organizations represented “the high-risk community” in these meetings.

SKCDPH was proactive in reaching out to the gay community, but was slow to recognize how AIDS was effecting other disproportionately affected communities, particularly communities of color. While SKCDPH had dedicated \$80,000 toward outreach to gay men, identifying gay men as the “primary *high risk* group,” outreach to other communities in Seattle lagged. Seattle-based writer Jennifer Hood interviewed NWAFF Executive Director Bea Kelleigh

³⁰⁵ SKCDPH APP, Application for “Community Based Demonstration Project for AIDS Prevention and Risk Reduction in King County, WA,” (August 29, 1985), 38, Box 24, Folder 2, Series 10, KCA.

about the discrepancy between outreach to the gay community and outreach to the “straight population,” citing evidence that “the incidence of AIDS is growing in the straight community and declining in the gay community.” When Hood asked Kelleigh what was being done to educate Seattle’s straight population about AIDS, Kelleigh responded that she “didn’t know.”³⁰⁶ Hood’s article was published in the monthly gay magazine *Cite Guide Magazine*, indicating that the targeting of the gay community exclusively was not supported by all gay people in Seattle. Thus, the APP’s alliance with NAAF on education outreach in the earliest days of the program fostered a culture of safer sex within Seattle’s gay community while ignoring most of Seattle’s population.

When a test for HTLV-III, as HIV was known at the time, became available in early 1985, the public health interest of the AIDS Prevention Project and the sexblind politics of Seattle’s white, middle-class gay organizations came into direct conflict over the issue of serostatus disclosure. Many feared that positive test results could be a basis for employment and housing discrimination. Thus, middle-class gay activists discouraged gay men from taking the test. Unlike gay identity, which could co-exist with a domestic sex life, testing positive for HTLV-III suggested a history of promiscuous sexual behavior. In January 1985, the newly established Mayor’s Lesbian and Gay Task Force (MLGTF) recommended that “persons at risk of contacting [sic] AIDS not take the HTLV-III (AIDS virus) antibody test, unless there is an overwhelming medical or psychological need to do so...the use of the test is seriously jeopardizing the civil rights of gays.”³⁰⁷ The Dorian Group and the Northwest AIDS Foundation took the same position. TDG President Jim Holm affirmed the organization did “not recommend

³⁰⁶ Jennifer Hood, “Rules of the Road: Detour Ahead?,” *Cite Guide Magazine* (March 1986), 21, 25, available in Box 5, Folder 3, Series 458, KCA.

³⁰⁷ Mayor’s Lesbian and Gay Task Force, press release, January 28, 1985, Box 5, Folder 1, Record Series 458, KCA.

that people take the test for civil rights reasons” in a letter to County Executive Randy Revelle in September 1985.³⁰⁸ Fear of discrimination against seropositive individuals was not unfounded; Congress was considering a number of bills to allow discrimination based on serostatus and sexual identity.³⁰⁹ However, the right to privacy held dear by these activists proved incompatible with public health interests when it came to AIDS. Public health demanded knowledge of people’s status to prevent the spread of the disease.

The debate over whether to take the HTLV-III test ultimately led Bob Wood to resign from the Mayor’s Lesbian and Gay Task Force to focus on the public health response to AIDS. As Seattle’s chief public health officer on AIDS, Wood’s opinions on taking the HTLV-III test and serostatus disclosure proved incompatible with the other members of the task force. As president of NAAF, Wood was not diametrically opposed to the civil rights concerns of gay leaders. However, in his new role as the face of SKCDPH’s response to AIDS, Wood could no longer support the point of view that a right to privacy should take precedence over public health. He articulated this point in an October 1, 1986 meeting of the Mayor’s Lesbian and Gay Task Force and the Seattle AIDS Network. He announced the introduction of anonymous testing at the AIDS Prevention Project in addition to the “long standing confidential option” to accommodate privacy concerns within the gay community while still encouraging people to get tested.³¹⁰ Six days later, Wood resigned from MLGTF in part because other members were still not appeased by the anonymous testing option.³¹¹

³⁰⁸ James L. Holm, letter to Randy Revelle, September 18, 1985, Box 24, Folder 2, Record Series 10, KCA.

³⁰⁹ HB 1922, HB 1923, HB 1940, HB 1943, HB 1969, HB 1977.

³¹⁰ Seattle AIDS Network, Minutes, October 1, 1986, Box 5, Folder 10, Record Series 458, KCA.

³¹¹ Robert W. Wood, letter to Mayor Charles Royer, October 7, 1986, Box 4, Folder 21, Record Series 458, KCA.

Two months later, the MLGTF released a statement encouraging anonymous testing, balancing the gravity of the AIDS epidemic with their concern over serostatus disclosure. The press release claims, “The anonymous option was developed through the efforts of several groups working in conjunction with the Health Department.”³¹² Gay rights activists and public health officials tentatively agreed on anonymous testing, but tensions persisted between gay activists representing civil rights and public health interests over reporting cases of HIV and AIDS to the state.

The APP prioritized studying sexual behavior and the spread of AIDS among gay men, but in the context of the debate over serostatus disclosure, the APP developed a way to remind study participants to come in to the clinic without identifying anyone by name. In its flagship “Be a Star” study, which began in October 1986, the APP solicited enrollment from the recognized gay community through flyers posted around Capitol Hill and in *Seattle Gay News*. To protect the anonymity of study participants, all participants were associated with a celebrity based on what month they joined to facilitate reminding the whole community when they needed to come in for a checkup without individual reminders. Reminders were posted around Capitol Hill and in *Seattle Gay News* with a picture of the celebrity associated with who needed to come in to the clinic. For example, anonymous study participants who joined in January or July were given the pseudonym Judy Garland and were asked to come in for an interview and an HIV test every six months in January and July. HIV testing was completely voluntary for the men who participated in the study. Participants also had the option to enroll as confidential participants and receive individualized reminders. Beginning in April 1989, results of the study were periodically shared with the community via a brochure produced by the APP, thereby

³¹² Tarl R. Oliason, press release, December 8, 1986, Box 4, Folder 19, Record Series 458, KCA.

disseminating the latest information about the spread of AIDS in Seattle's gay community in spaces inhabited primarily by white gay men.³¹³

The APP's success in combatting the AIDS epidemic within the identified gay community was evident within five years after Hunter Handsfield hired Bob Wood as director of the project. By October 1989, cases of new HIV infection had been reduced to less than one percent per year among gay men in King County, "which reflects a change in disease risk behaviors unprecedented in history, and "the effectiveness of collaborative health education programs between disease control officials and communities of people who are at risk for AIDS."³¹⁴ While gay men still accounted for 90 percent of AIDS cases in King County, the drop in new HIV infection rates for gay men indicated successful outreach to gay-identified men. However, the same document released by the APP in October 1989 also indicated that the new HIV infection rate among intravenous drug users was increasing, and STD infection rates broadly were increasing among people of color, which "suggests that increases in HIV infection also may be occurring among non-gay, non-whites who are at risk."³¹⁵ Thus, the APP was a "model of safety and caring" when looking at Seattle's gay community, but recognition of and outreach to communities of color disproportionately affected by AIDS were minimal to nonexistent until the late 1980s.

The AIDS Prevention Project and People of Color

As in other metropolitan areas disproportionately affected by HIV and AIDS, SKCDPH was slow to recognize the AIDS epidemic among people of color because of the public health

³¹³ The AIDS Prevention Project, *The Seattle Star* No. 1 (April 1989), Box 3, Folder 19, Series 1825, KCA.

³¹⁴ The AIDS Prevention Project, Seattle-King County Department of Public Health, "Fact Sheet: Seattle-King County AIDS Activities," October 1989, 3, Box 1, Folder 11, Record Series 1825, KCA.

³¹⁵ APP, "Fact Sheet," October 1989, 3.

system's colorblindness. While the CDC's early literature on AIDS asserted that "all races have been affected," the collection of data on race, HIV, and AIDS, and targeted outreach to these communities lagged behind the collection of data on gay men and targeted outreach to these communities in Seattle-King County and other municipalities around the United States.³¹⁶ In mid-1987, the APP expressed a need to collect information on sexual attitudes and behaviors and seroprevalence data in a supplemental funding request to the State of Washington to address HIV and AIDS in communities of color: "With the exception of AIDS case data, baseline data to define the AIDS problem in minority communities is not available. Racial/ethnic group information is just now being added to the state's HIV antibody test request form. Neither of the recent AIDS program surveys (general public and lesbian/gay) included questions about race or ethnicity of the respondent."³¹⁷ Therefore, HIV/AIDS outreach to communities of color by the Department of Public Health was incredibly limited into the late 1980s because the public health system failed to recognize racial and ethnic difference in testing and studies.

Including race in data collection related to AIDS followed the inclusion of race in gonorrhea testing that indicated a prevalence of sexual disease transmission in King County's black community. In the fall of 1987, Hunter Handsfield submitted a report to SKCDPH Director Bud Nicola on gonorrhea rates, indicating both the effect of diverting STD Program funds to the APP and the potential for a massive increase in HIV infection rates, particularly in the black community. Between 1982 and 1987, there was a 76 percent *increase* in reported gonorrhea cases in the black community alongside a 54 percent *decrease* in gonorrhea infection rates among white people, especially white gay men. Grouped together, all other races

³¹⁶ Center for Disease Control, "AIDS Q&A," November 1982, Box 1, Folder 8, Record Series 1825, KCA.

³¹⁷ AIDS Prevention Project, "FY 1987 Supplemental Request, Part II: Minority AIDS Information/Education," 3, Box 4, Folder 2, Record Series 1681, KCA.

collectively shared an 11 percent decrease in gonorrhea infection. Representing just six percent of King County's population, a full 20 percent of STD cases in King County occurred among black residents as of September 30, 1987.³¹⁸

Handsfield's response to rising gonorrhea rates in the black community indicated an inclination to not associate risky sexual behavior with race. Rather, Handsfield pointed to socioeconomic class and quality of education as the primary reasons for risky sexual behavior in the black community. Handsfield described "an unfortunate fact that on average blacks have a lower educational level and lower socioeconomic attainment than whites." From this observation, Handsfield extrapolated, "High risk behaviors may actually be increasing in persons of lower socioeconomic attainment," which he used to identify the potential for much higher rates of new HIV infection among working-class heterosexuals of all races.³¹⁹ Handsfield asserted the need for increased funding of SKCDPH's STD clinical services beyond HIV and AIDS, including support for community clinics serving working-class people of color.³²⁰ His experience with the Seattle Gay Clinic first opened his eyes to potential benefits of community clinics. While statistics on HIV status among people of color were nonexistent, data on other STDs led Handsfield to recognize the need for increased educational outreach to communities of color around sexual health; however, Handsfield failed to recognize how SKCDPH's exclusive focus on promoting safer sex among gay men allowed risky sexual behavior to continue unaddressed in other communities.

In May 1987, activists representing various communities of color in Seattle began meeting about how to best prevent the spread of HIV and AIDS in their communities. By July,

³¹⁸ Hunter Handsfield, memo to Bud Nicola re: "Ethnic Distribution of Gonorrhea," October 12, 1987, 1, Box 4, Folder 2, Record Series 1681, KCA.

³¹⁹ Handsfield, memo to Nicola, 2, Box 4, Folder 2, Record Series 1681, KCA.

³²⁰ Handsfield, memo to Nicola, 3, Box 4, Folder 2, Record Series 1681, KCA.

they had formed the People of Color Against AIDS Network (POCAAN). POCAAN's first announcement addressed the need for effective educational outreach to prevent AIDS in communities of color "from a perspective that recognizes the needs and respects the dignity of these communities."³²¹ POCAAN originally formed with funding from the American Friends Service Committee, a Quaker organization operating in the University District, which was spatially removed from most communities of color located in central and south Seattle.

POCAAN straddled the line between a discourse rooted in black and third world liberation movements and gaining recognition as a non-radical organization deserving of state funding to combat AIDS in communities of color. POCAAN applied for funding from the US Conference of Mayors for educational outreach to people of color in Seattle in August 1987, requesting a letter of support from the Urban League, a predominantly middle-class African American organization. In the request for funding sent from POCAAN Community Relations Program Director P. Catlin Fullwood to the Urban League's Health Services Project Coordinator Karen Hartfield, Fullwood asserted that POCAAN was the only organization in Seattle "organized by people of color, with people of color, and for people of color around the issue of AIDS. We believe that it is crucial that we empower ourselves and our communities to stand up in the face of this disease with dignity, integrity, and a true sense of self-determination."³²² The ethos of self-determination was still prevalent with regards to public health activism among people of color, but the lack of funding within communities of color forced these activists to look to the state for financial support to combat AIDS in their communities.

³²¹ People of Color Against AIDS Network, flyer, July 1987, Box 5, Folder 9, Record Series 458, KCA.

³²² P. Catlin Fullwood, letter to Karen Hartfield, August 5, 1987, Box 4, Folder 6, Record Series 1825, KCA. The Seattle Black Panther Party successfully established a community health clinic in the Central District, Kurt Schaefer, "The Black Panther Party in Seattle," Seattle Civil Rights and Labor History Project, 2005, accessed July 16, 2017, http://depts.washington.edu/civilr/Panther2_schaefer.htm.

Following the recognition of disproportionately affected communities of color, Bob Wood and Tim Burak made efforts to diversify the AIDS Prevention Project by hiring people of color as staff members. They hired Karen Hartsfield of POCAAN and the Urban League as AIDS Education Coordinator, and two of four health advisors hired in 1987 were people of color, Larry Handis and Edith Allen. APP hired Javier Amaya as a Spanish-speaking AIDS Information Specialist. Two of three outreach coordinators for the APP's Urban Health HIV-drug-risk prevent project were black, Charles Freeman and Monroe Watson. The APP also initially committed to hiring an outreach worker/liaison with communities of color to be hired in September 1988, but ultimately POCAAN served as a subcontractor for educational outreach targeting people of color.³²³

The AIDS Prevention Project began working closely with POCAAN on educational outreach to people of color, indicating that Department of Public Health officials made an honest effort to combat AIDS in communities of color once it was evident some communities of color were disproportionately affected. The APP provided POCAAN funds for its "Famous Last Words" campaign from 1988 to 1990, which combat the idea that AIDS was a gay disease or a white disease. The APP dedicated 30 percent of funds obtained from a Health Resources and Services Administration (HRSA), part of the federal Department of Health and Human Services, grant to POCAAN's operating costs and 24 percent of their Robert Wood Johnson Foundation grant to the Seattle Indian Health Board. The APP also funded SKCDPH and POCAAN staff to attend the National Conference on AIDS in Minority Communities in 1987 and 1988, engaging

³²³ SKCDPH AIDS Prevention Project, "Program activities focusing on the needs of people of color," Box 5, Folder 9, Record Series 458, KCA.

in a national network of AIDS organizations, including the non-profit sector and public health organizations.³²⁴

POCAAN was a non-radical, liberal organization, which facilitated its ability to receive state and private funding and made the organization an attractive one for the APP to work with, as non-radical gay organizations had been attractive for municipal agencies to work with. There was some overlap between POCAAN's board and the NWAFF board; for example, Jeff Sakuma served on both boards. POCAAN also included sympathetic white activists in its ranks, more in line with integration-minded racial justice activists than black nationalists. When POCAAN received funding from the APP and the US Conference of Mayors, they employed the largest marketing firm in the United States, McCann-Erickson, to develop their literature. Thus, while POCAAN activists may have been inspired by the self-determination politics of the Black Power movement, POCAAN relied heavily on the state and corporate capitalism.

POCAAN's success in attracting state funding precluded other organizations from securing funding, indicating the degree to which the municipal state viewed people of color as a single category that could be sufficiently represented by a single organization. The Association of People Living with AIDS (APLWA) was another organization representing people of color with AIDS that sought funding from the Department of Public Health. Unlike POCAAN, which was based in the University District, APLWA was spatially closer to most of Seattle's minority communities, based in the Central District, on Thirteenth Avenue near Union, an area very near the Pike/Pine Corridor discussed in the previous chapter. APLWA applied for funding from a Health Resources and Services Administration (HRSA) grant given to SKCDPH in 1988 for AIDS outreach to people of color. The application asserted APLWA was the Pacific Northwest

³²⁴ APP, "Program activities focusing on the needs of people of color."

branch of the National Association of People with AIDS.³²⁵ The Steering Committee that allocated the HRSA consisted of several SKCDPH administrators, including Bob Wood and Tim Burak, as well as Executive Director of NWAFF Bea Kelleigh and Executive Director of POCAAN Catlin Fullwood.³²⁶ Given that SKCDPH and POCAAN had already built a working relationship, which included HRSA seed money, essentially guaranteed that POCAAN was going to receive the grant. The Steering Committee cited POCAAN's previous "track record" working with the APP as one of the reasons for giving POCAAN the grant, thereby foreclosing opportunities for funding other AIDS organizations representing people of color.³²⁷

APLWA President Van Nelson did not take kindly to the rejection, which asked APLWA to coordinate its outreach through POCAAN and service delivery proposal through the Northwest AIDS Foundation.³²⁸ The HRSA Steering Committee thus articulated that only one organization was necessary for the dissemination of AIDS information to people of color and that NWAFF, with its roots in gay activism, was the only organization that should provide community services outside of SKCDPH. The following month, APWLA sent POCAAN a thank you note while simultaneously initiating a lawsuit against SKCDPH and NWAFF. According to POCAAN meeting minutes, "No clear relationship has been established between POCAAN, APLWA, and the other AIDS organizations."³²⁹ While people of color representing various communities were organizing around AIDS, SKCDPH had identified POCAAN as *the* organization combatting AIDS in communities of color, thus foreclosing opportunities for more targeted outreach to many of Seattle's most marginal communities.

³²⁵ Van. R. Nelson, letter to Andy Kruzich, May 11, 1988, Box 4, Folder 2, Record Series 1681, KCA.

³²⁶ Andy Kruzich, "HRSA Grant Steering Committee," Box 4, Folder 2, Record Series 1681, KCA.

³²⁷ Andy Kruzich, "Attachment E," pg. 2, Box 4, Folder 2, Record Series 1681, KCA.

³²⁸ Andy Kruzich, letter to Van R. Nelson, June 1, 1988, Box 4, Folder 2, Record Series 1681, KCA.

³²⁹ POCAAN, "July 27, 1988 Minutes," 1, Box 4, Folder 12, Record Series 1825, KCA.

While POCAAN was the only organization recognized and supported by the Department of Public Health, POCAAN forged community ties with several established community organizations representing different communities of color, but ultimately all educational literature on AIDS targeting people of color had to be approved POCAAN. On November 3, 1987, POCAAN co-hosted a viewing of a Spanish-language novella about AIDS, “*Ojos que no ven*” (Eyes that do not see) at El Centro de la Raza, a community center established by Chicano activists in Seattle in 1973 with the vision of supporting a Third World coalition.³³⁰ By February 1988, POCAAN had subcontracted with the Seattle Indian Health Board and Washington Southeast Asian Alliance to develop AIDS education materials.³³¹ POCAAN funded a literature campaign produced by the Seattle Indian Health Board, United Indians of All Tribes Foundation, and the Puget Sound Service Unit with money from the Washington State Department of Social and Health Services (DSHS) AIDS Project and the US Conference of Mayors to educate Native American communities in the Puget Sound region on HIV and AIDS.³³² Likewise in 1990, POCAAN co-sponsored a literature campaign with the Asian AIDS Council to educate Seattle’s various Asian communities on AIDS. Their pamphlet “Asians and AIDS” was published in English, Samoan, Vietnamese, Tagalog, Lao, Korean, Khmer, and Chinese, thus targeting Seattle’s largest ethnic communities.³³³ SKCDPH recognized POCAAN as the only worthy AIDS organization targeting people of color, which meant organizations representing specific racial and ethnic communities depended on POCAAN’s recognition to effectively serve their communities.

³³⁰ POCAAN, flyer, 1987, Box 4, Folder 6, Record Series 1825, KCA.

³³¹ Seattle AIDS Network, “February 3, 1988 Minutes,” Box 5, Folder 11, Record Series 458, KCA

³³² Seattle Indian Health Board, et al, “Are Indians at Risk for AIDS?,” Box 3, Folder 25, Record Series 1825, KCA.

³³³ Asian AIDS Council, “Người Á Châu và Bình AIDS” (“Asians & AIDS” Vietnamese version), Box 3, Folder 22, Record Series 1825, KCA.

The expansion of the AIDS Prevention Project's outreach to people of color also forced Bob Wood and other staff to rethink their assumptions about male-male sexuality. As more people of color were coming in for HIV testing, the APP had to come to terms with more men coming in to get tested who were having sex with men but did not identify as gay or bisexual. Thus, the APP came up with the category MSM – men having sex with men – to describe any male who engaged in sexual relations with any other male, thus recognizing same-sex sexual practices could take place without sexual identity. The APP studied sexual behavior in MSMs, releasing an extensive 80-page report on January 23, 1990. The APP identified five categories of MSMs who do not identify as gay: New Age men, coming out/closeted men, bisexually or same-sex active heterosexually-identified men, incarcerated men, and men who exchange sex for money, drugs, or accommodations. The study analyzed the risk factors involved in each group's sexual behaviors and hypothesized how to best reach out to these groups of men.³³⁴

The 1990 MSM study included observations of racialized categories of MSMs, demonstrating a recognition that certain racial and ethnic groups were disproportionately affected, though the report relied heavily on racial stereotyping. The study recognized Native Americans identifying with culturally specific identities that did not equate to gay or bisexual, which today are categorically described as two-spirit identities. According to the MSM study, Latinos were “characterized by macho image” and “lack understanding of STD transmission.” The study thus failed to recognize passive Latino partners who often did not reflect the *machismo* cited, assuming all Latinos to be macho and ignorant on STDs while passive partners were most likely to get HIV infection. The study suggested that AIDS outreach workers must

³³⁴ AIDS Prevention Project, “Summary of Community Identification Activities to Date,” January 23, 1990, 4-10, Box 3, Folder 7, Record Series 1825, KCA.

friend Asians: “Don’t expect them to come to you.” Filipinos, in particular, were identified as likely prostitutes, thus associating an entire ethnicity with sex work.³³⁵

The most extensive commentary was reserved for black men, recognizing a variety of MSM practices while drawing conclusions about black MSMs as a whole despite the various life experiences recognized in the study. The MSM study included incarcerated or formerly incarcerated men, prostitutes, intravenous drug users, bisexuals, “tops,” which the study defined as men who are exclusively active sexual partners, and “freaks,” who were defined as “men who will do anything sexually.” The study identified an extensive list of risk factors for black men: “Denial; anonymity; homophobia; have to have sex quickly; lack of knowledge; belief that AIDS is a white man’s disease; don’t see the connection between the label ‘gay’ and same-sex behaviors; don’t see ‘top’ as a risk; belief that STDS are for women only.” The study recommended peer-to-peer education as the best way to prevent the spread of AIDS among black men and that educators must “be graphic and cover all issues.” The size of the risk group of black men was described as “larger than you think.”³³⁶ The study thus attempted to group black men together when a variety of sexual identities and practices existed based on different life experiences ranging from incarceration to prostitution to identifying as gay or bisexual. Like Latinos, black men were categorically deemed ignorant. Furthermore, the study assumed that failure to identify with gay culture was somehow detrimental to MSMs sexual health when gay culture was not and continues to not always be welcoming to people of color.

Ultimately, the early identification of AIDS with gay communities and the assumption that gay or bisexual identity was necessary for men to have sex with other men resulted in

³³⁵ AIDS Prevention Project, “Summary of Community Identification Activities to Date,” January 23, 1990, 35, Box 3, Folder 7, Record Series 1825, KCA.

³³⁶ AIDS Prevention Project, “Summary of Community Identification Activities to Date,” January 23, 1990, 34, 75, Box 3, Folder 7, Record Series 1825, KCA.

increasing rates of seroconversion in communities of color as new HIV infection rates were decreasing within the predominantly white gay community. The willingness of SKCDPH's APP to subcontract with POCAAN did result in extensive educational outreach in various communities of color, though often this outreach relied on other organizations of specific communities of color to work with POCAAN since POCAAN monopolized all state funding for outreach to people of color. While the APP responded to growing HIV transmission in communities of color by studying sexual behavior in men, no longer presuming gay or bisexual identity as a requirement for such sexual activity, the study's reliance on racial stereotypes indicated how the overwhelming white, middle-class makeup of the Department of Public Health precluded understanding of queer sexual behaviors in working-class communities of color. In addition to the work done by the APP and POCAAN to raise awareness of sexual disease transmission, the two organizations worked together to curb the spread of HIV by recognizing disproportionate rates of intravenous drug use in several communities of color.

Race, Intravenous Drug Use, and the SKCDPH Needle Exchange Program

Recognizing communities of color as disproportionately affected by AIDS was closely related to the recognition of intravenous drug users as disproportionately affected by AIDS. Like the recognition and publicity of queer sexualities ran counter to the city's efforts to limit recognition to gay citizens who kept their sexuality private, SKCDPH's emphasis on safer intravenous drug use ran counter to War on Drugs policies enacted by the City Council and enforced by the Seattle Police Department.

Seattle's first study of seroprevalence in intravenous drug users recognized both people of color and gay men who injected drugs, but these were treated as mutually exclusive

populations, failing to recognize queer people of color. By the fall of 1987, SKCDPH and the University of Washington Alcohol and Drug Abuse Institute (UWADAI) had forged a relationship to study two communities of intravenous drug users (IVDUs) in Seattle, a racially and ethnically diverse group of IVDUs in the historical center of African American life in the Central District, “a neighborhood characterized by high levels of IV drug use and crime,” and a community of gay-identified IVDUs whose racial demographics and geographic residence were not mentioned in the report.³³⁷ While only two of 34 non-gay IVDUs tested positive for HIV at the APP in May 1987, 22 of 130 non-gay IVDUs seen in the four months following tested positive, indicating “that the prevalence [of new HIV infection] has risen considerably in a few months. If we intend to control HIV spread among IVDUs the time to act is now.” This initial SKCDPH report on IVDUs and AIDS also asserted, “It may soon be important to consider more controversial strategies, such as a needle exchange programs now in place in several European countries.”³³⁸

While SKCDPH did not move quickly to start a needle exchange program, public health officials did begin an education campaign on how to bleach needles to minimize risk of HIV transmission when sharing needles, emphasizing how addicted IVDUs could continue their habits more safely. On January 13, 1988, the *Seattle Post-Intelligencer* announced in its top front-page headline, “City-county will use bleach to rein in AIDS among drug users.” In 1988, SKCDPH, UWADAI, Group Health Collective, and NWAf submitted a proposal and won a grant from the National Institute of Drug Abuse (NIDA) to study IVDUs and HIV transmission

³³⁷ Jeanne Kleyn, “A Study of Two King County Communities of Intravenous Drug Users at High Risk of for the Transmission of AIDS: First Quarterly Report” (Seattle: University of Washington Alcohol and Drug Abuse Institute, January 1988), 3, Box 2, Folder 24, Record Series 1825, KCA.

³³⁸ APP, “AIDS Control for People with Chemical Dependencies,” *USCDDCP, Quarterly Report, Oct.-Dec., 1987*, 13-14, Box 2, Folder 24, Record Series 1825, KCA.

in Seattle and King County. Just as the APP approached AIDS in the gay community as a public health crisis rather than a crisis in gay sexuality, so the APP approached AIDS among IVDUs as a public health crisis in conflict with the War on Drugs politics of the late twentieth century.

As the regional center of AIDS cases and public health responses, the IVDU Project of SKCDPH and UWADAI organized the first Regional Forum on AIDS and Chemical Abuse November 6 and 7, 1987. 60 directors and staff members from drug treatment programs around the Pacific Northwest, particularly in Washington State, attended the conference. By a consensus vote, attendees supported a “Bleach ‘N Teach” program to educate IVDUs who may not have access to clean needles on how best to disinfect used needles to prevent the spread of HIV and AIDS.³³⁹ Attendees also advocated that Washington State change its laws regarding methadone treatment for narcotics addicts in the face of AIDS, allowing for an expanded use of methadone maintenance so patients could stay on methadone beyond the two-year limit dictated in state law. The group discussed a needle exchange program, acknowledging the potential benefits of such a program while also identifying a needle exchange as “politically, very difficult to implement” in the context of the Reagan Administration’s War on Drugs.³⁴⁰ In King County, the AIDS Prevention Project subcontracted the “Bleach N’ Teach” campaign to POCAAN, beginning in 1988, indicating the degree to which intravenous drug use was associated with people of color, despite the recently conducted study that included IVDUs in the gay community.

Following Tacoma, which became the first American city to provide a needle exchange through its health department in August 1988, activists involved with the Seattle chapter of the

³³⁹ AIDS Prevention Project, “IVDU Targeted Activities,” *United States Center for Disease Control Community Demonstration Project, Quarterly Report, October to December, 1987*, 12, Box 2, Folder 24, Record Series 1825, KCA.

³⁴⁰ Regional Forum on AIDS and IV Drug Abuse, “Notes from Discussion Group #2” (November 7, 1987), 4-5, Box 2, Folder 24, Record Series 1825, KCA.

AIDS Coalition to Unleash Power (ACTUP) began working to bring a needle exchange to Seattle as quickly as possible through direct action.³⁴¹ Bob Wood announced SKCDPH endorsement for a needle exchange program at a Seattle AIDS Network meeting on April 5, 1989, expecting the city and county to have a decision in one to two months.³⁴² Begun in New York City in 1987, ACTUP was a broad coalition that supported direct action tactics to pressure government agencies to act in the interest of AIDS patients.³⁴³ ACTUP decided they could speed the process along by opening their own extralegal needle exchange, thereby pressuring the city and county to endorse an official needle exchange through the Health Department. With needles provided by the APP, ACTUP began running a needle exchange, which pressured the city and county to approve the official SKCDPH needle exchange.³⁴⁴

The needle exchange quickly became embroiled in a debate at City Hall as City Councilmembers looked to engage in their own local “war on drugs.” The “Drug Traffic Loitering Ordinance” came up for discussion by the City Council’s Public Safety Committee on May 21, 1990. The ordinance increased police officers’ abilities to make arrests on the suspicion of drug dealing, possession or use in public spaces. The ordinance identified the following circumstances as reasonable cause for a police officer to stop an individual: possessing drug paraphernalia, “repeatedly engages passerby in conversation,” “repeatedly stops or attempts to stop motor vehicle operators by hailing,” and “circles an area in a motor vehicle and repeatedly

³⁴¹ On the Tacoma-Pierce County Department of Public Health’s needle exchange program, see Jane Gross, “Needle Exchange for Addicts Wins Foothold Against AIDS in Tacoma,” *New York Times*, January 23, 1989, accessed July 17, 2017, <http://www.nytimes.com/1989/01/23/us/needle-exchange-for-addicts-wins-foothold-against-aids-in-tacoma.html>.

³⁴² Seattle AIDS Network, minutes, April 5, 1989, Box 5, Folder 11, Seattle-King County Department of Public Health, Prevention Division, HIV/AIDS Program, Studies and Reports Files, 1986-1998, Record Series 457, KCA.

³⁴³ AIDS Coalition to Unleash Power, accessed July 17, 2017, <http://www.actupny.org/>; Phil Bereano, interview with author, August 6, 2014, Seattle Civil Rights and Labor History Project, accessed July 17, 2017, <http://depts.washington.edu/civilr/bereano.htm>.

³⁴⁴ Bereano, interview with author.

beckons to, contacts, or attempts to stop pedestrians.”³⁴⁵ Under these provisions, police officers could reasonably check any pedestrian holding an object for drug paraphernalia, stop people for engaging in friendly conversation on the street, stop someone who is hailing a cab, or stop a driver looking for parking who might stop to ask someone getting into a car if they were leaving their parking space. Thus, the ordinance made mundane activities suspect and subject to policing.

As actions taken by police officers directly undermined the Department of Public Health’s needle exchange program, the American Civil Liberties Union of Washington (ACLU-W) and ACTUP both openly opposed the ordinance. ACLU-W Executive Director Kathleen Taylor penned a letter to Chair of the Public Safety Committee Councilwoman Jane Noland:

Seattle police...routinely harass those who obtain clean needles from the exchange program by confiscating and destroying those needles. As you know, one cannot obtain a clean needle from the program unless one gives a needle in exchange. Thus, a person who has had his needle confiscated by a police officer cannot get a replacement from the Health Department. That person is forced, by that police officer’s action, to return to the potentially fatal needle black market...In effect, police officers who currently confiscate needles distributed by the Health Department are interfering with Seattle’s efforts to stem the spread of HIV infection and death.³⁴⁶

Taylor’s letter made clear that despite SKCDPH’s efforts to quell the spread of AIDS among IVDUs, other municipal agencies like the Seattle Police Department were less sympathetic, actively challenging the community’s public health interest in favor of expanding the policing and criminalization of victimless vice crimes. Jerry Sheehan of ACLU-W referred to the proposed ordinance as an effort to “further expand the war on racial minorities that is usually labeled the ‘war on drugs,’” and called out the ordinance for “the effect of endangering the public health by impeding efforts to stem the spread of AIDS.”³⁴⁷ Sheehan thus connected the

³⁴⁵ City of Seattle Ordinance No. 115171 (signed July 6, 1990), http://clerk.seattle.gov/~archives/Ordinances/Ord_115171.pdf.

³⁴⁶ Kathleen Taylor, letter to Jane Noland, June 5, 1990, Box 1, Folder 7, SKCDPH, Prevention Division, HIV/AIDS Program Legislative Files, 1987-1998, SKCDPH Prevention Division, Record Series 459, KCA.

³⁴⁷ Jerry Sheehan, memo to Interested Persons re: “Racial Discrimination/Public Health Impacts of ‘Drug Loitering’ Proposal,” June 6, 1990, Box 1, Folder 7, Record Series 459, KCA.

effort to police drug-related activity on Seattle streets to the policing of racial minorities' very existence in public spaces.

ACTUP was not merely a gay organization but rather a broad coalition against oppression. The direct action taken by ACTUP activists at the City Council hearing on the Drug Traffic Loitering Ordinance demonstrated their solidarity with people of color. Mayor Norm Rice had already endorsed the ordinance before the hearing, which had broad support from downtown business owners and neighborhood crime-prevention councils who wanted to “clean up” streets by forcibly removing homeless people, the way that the Broadway Business Improvement Association did in the late 1980s. ACTUP activists shouted down supporters of the ordinance at the hearing, causing sponsor Jane Noland to adjourn the hearing early. After the meeting, ACTUP activist Tim Grendon told reporter Mike Merritt, “I am concerned about the war being waged on my Hispanic and African-American brothers and sisters. Any council member who votes for this racist, death-promoting legislation will not be with us after the next election.”³⁴⁸ ACTUP thus did not limit their arguments to the effects the legislation could have on users of the SKCDPH Needle Exchange, but addressed the larger implications of the ordinance, understanding the racist subtext of the War on Drugs.

While AIDS Prevention Project staff did not support the Drug Traffic Loitering Ordinance for fear that it would interfere with the administration of an effective needle exchange, none of them spoke out against the ordinance at City Hall. Ultimately, the ordinance included an exception for possession of drug paraphernalia only for needles obtained from SKCDPH's needle exchange program, a provision that was difficult to enforce because the

³⁴⁸ Mike Merritt, “Foes force halt to hearing on drug ‘loitering’,” *Seattle Post-Intelligencer*, June 20, 1990, B1-B2; Even a *Seattle Times* editorial warned that the Drug Traffic Loitering Ordinance would only harm civil liberties without doing anything to curb drug use, “Wrong Strategy in Drug War: Loitering law won’t stop drugs, will harm rights,” *Seattle Times*, June 21, 1990, A14.

burden of proof fell on vulnerable intravenous drug users. When the ordinance came up for a vote by the full City Council on June 25, 1990, ACTUP activists showed up to protest again, but representatives of SKCDPH were nowhere to be found.³⁴⁹ The ordinance passed seven-to-two, and ACTUP activists rushed the podium.³⁵⁰ Co-founder of ACTUP Seattle Phil Bereano lashed out at SKCDPH for their silence on Seattle's War on Drugs as a blow to public health.³⁵¹ In the debate over drugs, the policing power of the municipal state took precedence over SKCDPH's public health interest even though an exception was made for the needle exchange.

The AIDS Prevention Project as a CDC Demonstration Project

The Seattle-King County Department of Public Health's response to the AIDS epidemic was not only exceptional in its treatment of the disease solely as a public health issue and not a moral issue; SKCDPH also received significant federal funding for AIDS when most of the country did not. In 1986, the Center for Disease Control (CDC) began funding "AIDS Community Demonstration Projects for HIV Prevention Among Hard-to-Reach Groups," particularly groups identified as disproportionately affected because of their sexual behaviors or intravenous drug use. Initially, four public health departments were funded: New York State, Denver County, Dallas County, and Seattle-King County. SKCDPH had a long-standing relationship with the CDC as a center of STD research preceding AIDS, including the 1975 study on STD transmission in gay men.³⁵² Bob Wood felt that the application to the CDC was more of a formality than anything, believing Seattle to be predetermined as one of the demonstration

³⁴⁹ The vote took place the day after the 1990 Lesbian and Gay Pride March/Parade and Freedom Rally.

³⁵⁰ Mike Merritt, "Drug-law protesters rush council podium," *Seattle Post-Intelligencer*, June 26, 1990, A1, A7.

³⁵¹ Phil Bereano, "Ordinance is a reaction to war-on-drugs hysteria," *Seattle Times*, July 16, 1990, A9.

³⁵² Michael Brown and Lawrence Knopp, "The Birth of the (Gay) Clinic," *Health and Place* 28 (2014): 99-108.

cities because of this preexisting relationship.³⁵³ As a CDC Demonstration Project site, Seattle-King County and the other sites chosen by the CDC received federal funding for AIDS education, epidemiological studies, and experimental intervention techniques for risk reduction and community outreach prior to 1990. The APP received an initial grant of \$365,000 from the CDC at the end of 1985 for experimental intervention programs to begin in 1986.³⁵⁴ By Fall 1989, 55 percent of the AIDS Prevention Project's \$7.7 million budget came from federal sources, most significantly the CDC.³⁵⁵

Each of the four original CDC Demonstration Project sites – Seattle-King County, Denver, Dallas, and New York – were encouraged to experiment with AIDS prevention and risk reduction strategies with CDC funds, even when those experiments ran counter to official CDC policies regarding AIDS. As a CDC Demonstration Project site, SKCDPH thus received special privileges to experiment with effective AIDS prevention and risk reduction techniques even if those techniques ran counter to official CDC positions. While the CDC had officially requested greater regulation and/or closure of bathhouses catering to gay and bisexual men across the country, the CDC sponsored Seattle-King County's use of bathhouses as sites of educational outreach.³⁵⁶ The APP ultimately contracted this work to a University of Washington Master's in Nursing student Doug Arditti, who was interested in researching sexual behaviors and attitudes among bathhouse goers.³⁵⁷ Arditti was charged with enrolling people in the study, and the AIDS Prevention Project performed HIV testing on research subjects. This brought gay men into

³⁵³ Robert Wood, interview with author, April 30, 2015.

³⁵⁴ Bud Nicola, "Testimony Before Congressional Hearing on AIDS," December 2, 1985, 5, Box 24, Folder 2, Record Series 10, KCA.

³⁵⁵ As mentioned on page 166, SKCDPH also received a grant from the National Institute of Drug Abuse to study HIV transmission among intravenous drug users.

³⁵⁶ Robert Wood, memo re: "Baths Education/Testing!!," April 3, 1986, Box 1, Folder 20, Record Series 1825, KCA.

³⁵⁷ Robert Wood, letter to Doug Arditti, June 6, 1986, Box 1, Folder 20, Record Series 1825, KCA.

contact with the Department of Public Health inside gay bathhouses. The study lasted one year from July 1986 to June 1987. During this time, bathhouse owners introduced a pledge that all patrons were required to sign stating, “I agree to use condoms for all anal and oral sex” at The Zodiac, Club Seattle, and Dave’s. Thus, the CDC endorsed experimentation with AIDS prevention and risk reduction in Seattle bathhouses even when the official CDC stance was to limit sexual activity and even close bathhouses elsewhere in the United States, and HIV transmission rates among gay and bisexual-identified men in Seattle declined over the late 1980s.

The CDC added Long Beach as a fifth site in 1987 and began treating the individual sites more like a single Demonstration Project under the CDC’s direction after 1990. One study conducted in 1991 demonstrated how an officially colorblind study disproportionately allowed a greater rate of HIV transmission among people of color. In 1991, the CDC enlisted SKCDPH with testing an HIV intervention program for non-gay-identified MSMs, the recently invented category recognizing non-gay-identified men engaging in same-sex sexual behaviors. Long Beach served as the control site with no HIV intervention program for non-gay-identified MSMs.³⁵⁸ According to the 1990 census, about 75 percent of Seattle’s population was white compared to only about 50 percent of Long Beach’s population.³⁵⁹ Even within the CDC’s attempt to determine the most effective ways to prevent HIV transmission, racism was evident as a more racially diverse Long Beach was selected as a “comparison community” to Seattle’s “intervention community” in the study of non-gay-identified MSMs, a category associated with (and created for) communities of color by public health officials. Seattle’s smaller population of

³⁵⁸ Tom Perdue, “Cevero and Tom Do L.A.,” *The House Organ* Vol. II, No. 5, April 16, 1991, 5, Box 1, Folder 23, Record Series 1825, KCA.

³⁵⁹ Seattle Planning Department, “Seattle 1990: Who We Are,” *Current Planning Research Bulletin* No. 52 (December 1, 1992); State of the Cities Data Systems, “Census Data: Output for Long Beach City, CA,” accessed May 18, 2015, http://socds.huduser.org/Census/race.odt?msacitylist=4480.0*0600043000*1.0&metro=msa.

black and Latino MSMs had access to one-on-one counseling while Long Beach’s larger black and Latinx communities were essentially left to spread and contract HIV as a data point of comparison to the Seattle study. A locale where white gay men continued to represent 90 percent of new AIDS cases was privileged as a site for intervention over a city where racial minorities were more disproportionately represented in AIDS cases.³⁶⁰

Only after the AIDS Community Demonstration Project ended in 1994 did the CDC acknowledge how the study’s design prevented any scientific conclusions. Published in 1999, the final report acknowledged the haphazard method of community comparison and the use of multiple intervention techniques in the same community as problematic in determining which intervention methods were most effective. The study merely asserts, “These findings should be viewed as an indication of what *can* occur with this type of community-level intervention and not as an indication of what would *necessarily* occur in other communities...This study and others demonstrate that community-level interventions can modify HIV risk behaviors.”³⁶¹ While the CDC encouraged the study sites to experiment with outreach techniques to prevent HIV transmission beginning in 1986, the initial lack of direction followed by the use of separate communities as unscientific control sites prevented the CDC from identifying the most effective outreach campaigns. Furthermore, the CDC’s final report claims that all study sites saw an increase in HIV prevention tactics without delineating differences in the extent to which that was the case in each individual site. While this appeared to be at the heart of the study’s design in selecting Seattle as the intervention site and Long Beach as the control, the final report says nothing on the subject. While officially colorblind, the use of Seattle as an intervention site for

³⁶⁰ Martin Fishbein, Donna L. Higgins, Cornelis Reitsema, and Richard Wolitski, “Community-Level HIV Intervention in 5 Cities: Final Outcome Data From the CDC AIDS Community Demonstration Projects,” *American Journal of Public Health* Vol. 89, No. 3 (March 1999): 336-345.

³⁶¹ Fishbein, et al, “Community-Level HIV Intervention in 5 Cities,” 342-343.

MSMs while using Long Beach as a control indicates the degree to which the Center for Disease Control allowed MSMs of color to spread the disease at a higher rate than had the sites been switched or had scientific studies been conducted in both cities.

Conclusion

While AIDS forced male-male sexuality into public discourse in contrast to the sexblind tactics of white, middle-class gay organizations, public health responses to the epidemic revealed how institutional racism shaped seroconversion rates over the epidemic's first decade. At a panel on AIDS activism in Seattle in February 2015, the three panelists – Bob Wood, Phil Bereano, and Christine Hurley, who served as director of the in-patient and out-patient AIDS hospice care facility the Bailey-Boushay House – were asked what their biggest regret was in their work fighting the AIDS epidemic. Effective outreach to racial minorities regarding AIDS prevention and risk reduction echoed across the panel in response to that question. Bob Wood said, “I wish I were black because I think the black community really needed one of their own in a position of power to effectively combat AIDS in the black community.”³⁶² While all three white activists sympathized with the plight of racial minorities and their disproportionate suffering from HIV and AIDS, their positionality within Seattle's white, gay community limited their ability to effectively reach these communities.

The Seattle-King County Department of Public Health was better than most public health departments in addressing racial disparities in HIV and AIDS by contracting with the People of Color Against AIDS Network (POCAAN) for outreach to communities of color, but its shortcomings reveal the role of institutional racism in the provision of public health. The

³⁶² “History Café: AIDS Activism in Seattle,” February 19, 2015, Museum of History and Industry, Seattle.

Seattle-King County Department of Public Health (SKCDPH), like public health departments across the country, focused so heavily on combatting AIDS in the gay community that the department was slow to recognize growing racial disparities in seroprevalence. Once public health officials did recognize disproportionately affected communities beyond (white) gay men, the conflation of intravenous drug use with HIV-positive people of color and sexual transmission with HIV-positive white gay men continued to blind public health officials to the greater complexity of HIV transmission in communities of color. And after the AIDS Prevention Project's recognition of sexual transmission among non-gay-identified people of color, the new signifier MSM (men who have sex with men) was created; however, the APP's study of sexual behavior in communities of color also reproduced racial stereotypes. Furthermore, the identification of POCAAN as the sole organization of people of color to receive SKCDPH funds required the plethora of AIDS organizations representing specific communities of color to compete for funds from POCAAN. All of the above limited the efficacy of direct outreach by SKCDPH to communities of color and demonstrated the role of institutional racism as public health officials were overwhelmingly white and middle-class.

The Seattle-King County Department of Public Health was only part of a network of agencies whose politics and policies were often contradictory. Even gay activists came into conflict with gay public health officials over the issue of serostatus disclosure, ultimately reaching the compromise of anonymous testing. The needle exchange program ran counter to the city's desire to support an aggressive War on Drugs that relied on policing rather than a public health approach the needle exchange represented. And the Department of Public Health's desire for public conversations and recognition of queer sexual practices in the effort to promote safer sex came into conflict with moderate gay activists and city officials' desire to grant rights

to gay men and lesbians while containing sexuality in the domestic sphere. At the height of the AIDS epidemic, the newly formed Mayor's Lesbian and Gay Task Force, composed entirely of white, middle-class gay activists, began working toward municipal recognition of domestic partnerships.

Chapter 5

“Conjugal Blitz”

Recognizing Domestic Partners, 1985-1994

As the politics of AIDS required more overt discussions of sexual practices and behaviors, moderate gay activists and city officials began working on officially recognizing same-sex couples that replicated white, middle-class heterosexual domesticity and maintained a private sex life. Between 1985 and 1994, the Seattle City Council came to embrace domestic partnership, understanding the institution first as a correction of economic injustice for same-sex couples and later as an intermediate step toward gay couples' inclusion in the institution of marriage. Seattle had been an early site of contestation over the recognition of gay relationships and families in the 1970s, and in the mid-1980s, white, middle-class gay activists hoped Seattle would follow the lead of a small cohort of California cities in recognizing “domestic partnerships.”

From its inception in 1985, the Mayor's Lesbian and Gay Task Force (MLGTF) identified domestic partnership recognition as a key civil rights issue. The MLGTF brought together predominantly moderate gay voices seeking recognition of gay relationships replicating heterosexual marriage, appointed to the task force by Mayor Charles Royer as part of a larger effort to bolster Seattle's liberal reputation, as Wes Uhlman had done before him. The speed with which domestic partnership came to be identified as the next logical step in the gay rights movement by MLGTF indicates how the growing state recognition of white, middle-class gay activism arguing for inclusion in mainstream heterosexual society fostered a growing number of gay men and lesbians and city officials to recognize such politics as *the* gay and lesbian

movement. This further marginalized broader calls for a queering of society and/or systemic changes for social and economic justice. By the time the City of Seattle launched a domestic partnership registry in 1994, city officials touted domestic partnership recognition as recognizing the dignity of gay people who might one day gain inclusion in the institution of marriage. However, only gay men and lesbians replicating white, middle-class heterosexual relationships were recognized. White, middle-class gay activists' prioritization of domestic partnership recognition in cities at the forefront of the gay rights movement such as Seattle in the 1980s and early 1990s begins to explain how same-sex marriage became federally legal before basic nondiscrimination protections for sexual and gender minorities.

Predecessors to Domestic Partnership

Seattle was a central site of contestation over the liberal state's exclusions of non-normative households in the institution of marriage in the early years of the gay and lesbian movement. Gay Liberation Front activists Paul Barwick and John Singer challenged the boundaries of Washington State's marriage law through a legal battle with King County over a marriage license beginning in 1971, and Madeleine Isaacson and Sandy Schuster became the first lesbian couple in the United States to win legal custody of their children between 1972 and 1978. Both cases were settled before the term "domestic partnership" was coined in 1979. Barwick and Singer's relationship was deemed too queer for state recognition, while Isaacson and Schuster's reproduction of the normative white, middle-class household won their family state recognition.

Paul Barwick and John Singer sought a marriage license not for inclusion in the institution of marriage but as political theater to critique the institution of marriage as it existed.

In the 1970s, many gay activists in Seattle and elsewhere challenged the privileged status of married couples both in social standing and benefits such as partner health coverage and joint-filing taxes. Gay liberationists sought a more transformative and expansive definition of family, not the inclusion of same-sex couples in the institution of marriage as it existed. Paul Barwick and John Singer lived in the same gay communal house where sex and relationships were fluid. They attempted to obtain a marriage license to challenge the exclusivity of marriage to heterosexual couples. Washington State Senator Pete Francis informed the Dorian Society that marriage was being defined in the Revised Code of Washington as a contract between two people, with no specification of gender. Singer had attended the Dorian Society meeting and recruited Barwick to attempt getting a marriage license with him to test the limits of Washington State's definition of marriage. At minimum, the attempt would function as a publicity stunt forcing media coverage of two gay men. Barwick reflects, "We weren't a pair, we weren't partners, but I think in some ways we were as close as anybody in that house...But we decided that, of all the people that were there, he and I were the two that felt free enough to gain publicity, to challenge this law – and we knew we would have our names plastered all over. But we decided to go for it."³⁶³ King County Auditor Lloyd Hara denied Barwick and Singer the marriage license, but the attempt succeeded in attracting media attention locally and nationally.³⁶⁴

In pursuing a marriage license, Barwick and Singer made very clear they were critical of the institution of marriage. In a joint statement, they declared that their marriage attempt "in no way implies that we accept or condone the institution of marriage, or right of the State to set its

³⁶³ Paul Barwick, interview with Ruth Pettis for the Northwest Lesbian and Gay History Museum Project, January 20, 2000, 19, available in Special Collections, University of Washington Libraries.

³⁶⁴ Atkins, *Gay Seattle*, 127.

standards upon a personal, human experience. On the contrary, we would prefer the abolishment of the right wrongfully assumed by the State to control what is an individual matter.” Their statement went on to critique the institution of marriage as misogynist and reproductive of rigid gender roles that do violence to individuals who may not adhere to society’s standards of masculinity and femininity. Their statement also criticized the expectation of monogamy in the institution of marriage, arguing that sexual arrangements “must come from within the individuals so desire.” They ended by asserting their right to live queer lives and their intention to fight for a society in which all people could pursue sex, relationships, and other lifestyle decisions however they saw fit: “We plan to live our lives as we see fit at any given time. We envision a society in which all people will have this freedom, and we will work towards the creation of such a place.”³⁶⁵

In response to Barwick and Singer’s failed attempt to obtain a marriage license, Tim Mayhew publicly supported their stance that the institution of marriage was inadequate in its ability to fulfill the needs of queer people as a member of the Gay Liberation Front (GLF) and the Seattle Gay Alliance. Speaking on behalf of GLF, Mayhew declared, “The state has no right to specify the structure our emotional and sexual life.”³⁶⁶ SGA’s original statement in response to Barwick and Singer’s marriage attempt focused more on the belief that same-sex unions were permitted under Washington State law.³⁶⁷ However, Mayhew submitted a position paper more critical of the institution of marriage on behalf of SGA to the American Civil Liberties Union of Washington (ACLU-W) Ad Hoc Committee on Sex Marriage, which formed to debate the merits of taking Barwick and Singer’s case. Mayhew outlined a critique of the institution of marriage:

³⁶⁵ Paul Barwick and John Singer, statement, undated, Box 14, Folder 1, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

³⁶⁶ Gay Liberation Front, press release, September 24, 1971, Box 14, Folder 1, Tim Mayhew Collection, UWLSC.

³⁶⁷ Seattle Gay Alliance, press release, September 23, 1971, Box 14, Folder 1, Tim Mayhew Collection, UWLSC.

“The institution of marriage, as it is presently constituted in law and custom, is discriminatory and prejudicial to the interests of gay people and single people...The only way to end completely this discrimination is to abolish marriage as a specially recognized state in law.” The brief went on to suggest alternatives to marriage that could benefit all members of society, including individually assigning financial responsibility to each parent of a minor child regardless of marital status or even supporting all children through taxes on all adults, the ability to claim dependents for financial purposes without regard for the particular social relationship of the persons involved, and the registration of any interpersonal relationships for various purposes including inheritance and visitation rights. Mayhew even offered more reformist approaches he viewed as more politically viable, including recognition of couples and polyamorous marriages in any combination of sexes, outlawing discrimination based on marital status in employment, housing, insurance, and adoption, and allowing single people to claim inheritance and financial dependents from unmarried friends or lovers.³⁶⁸

In debating whether to take the Barwick-Singer case, members of the ACLU-W’s Ad Hoc Committee on Sex and Marriage ultimately debated the merits of marriage as an institution. Committee members fell into one of two camps based on differing opinions on the institution of marriage as a civil institution. The first camp held that “marriage raises symbolic rather than real problems, since there is a serious question as to whether or not gay people as a group even want to get married.”³⁶⁹ This position held that all single people – gay and straight – faced economic discrimination based on marital status and that the gay community faced far more pressing issues than access to the institution of marriage. This first position critiqued the privileges granted

³⁶⁸ Tim Mayhew, “Position Statement on MARRIAGE,” December 5, 1971, Box 10, Folder 8, Accession No. 4440-001, Mayhew Collection, UWLSC.

³⁶⁹ ³⁶⁹ Ad Hoc Committee on Sex and Marriage, memo to Board of Directors re: “Homosexual Marriage,” 2-3.

married couples over single citizens and was thus critical of the institution of marriage as an institution through which the state granted certain benefits. Those taking this position did not advocate supporting Singer's appeal because Barwick and Singer's motivation for obtaining a marriage license was not to have their relationship recognized and the inclusion of same-sex couples in marriage would not resolve the issue of economic discrimination of single citizens.³⁷⁰

The second position, ultimately endorsed by the ACLU-W Ad Hoc Committee on Sex and Marriage, held a more positive view of marriage as an institution. This position held that a right to marriage was a fundamental civil liberty "regardless of how many homosexuals desire to marry." While marriage was largely a symbolic form of inclusion, these members believed the social standing provided gay couples through inclusion in marriage would have beneficial psychological effects for the gay community.³⁷¹ The committee's decision derived from consulting psychiatrists and psychologists and scientific literature in tandem with the assertion that "a minority of the population is denied the choice of accepting the benefits and/or liabilities of the institution of marriage purely on the arbitrary judgment that same-sex relationships are not normal."³⁷² The committee cited academics, such as Noam Chomsky, who asserted that social science serves to maintain the status quo and thus rejected the characterization of homosexuality as "abnormal" in psychiatric and sociological literature.³⁷³ Thus, Mayhew's position that the definition of family should be more inclusive was marginalized in favor of a position privileging the institution of marriage as means of granting social legitimacy to gay people, but only committed gay couples would benefit from inclusion same-sex partners in marriage.

³⁷⁰ Ad Hoc Committee on Sex and Marriage, memo to Board of Directors re: "Homosexual Marriage," 2-3.

³⁷¹ Ad Hoc Committee on Sex and Marriage, memo to Board of Directors re: "Homosexual Marriage," 2-3.

³⁷² *Ibid*, 3-4.

³⁷³ *Ibid*, 4-5.

After the Ad Hoc Committee on Sex and Marriage took the position that same-sex couples should be included in the institution of marriage, members continued to debate the merits of John Singer's case to achieve that goal. While a majority favored taking the case, some argued that "John Singer was not a good test litigant because he really doesn't want to get married and instead hopes to use the lawsuit, and his marriage (if it eventually takes place) as a means of politically ridiculing the institution of marriage." A majority of the committee advocated taking the case regardless of Barwick and Singer's motives, noting that Singer was interested in pursuing the appeal and faced no threat of losing his job as a result of the case.³⁷⁴ The ACLU-W Ad Hoc Committee on Sexuality and Marriage thus sought to advance *their* marriage agenda through the Singer case, rather than honor the intent of Barwick and Singer in seeking a marriage license. The ACLU-W did not take the recommendation of the Ad Hoc Committee on the grounds that Barwick and Singer were not ideal plaintiffs for advancing the inclusion of same-sex couples in the institution of marriage since there were not even a couple.³⁷⁵

Barwick and Singer lost their appeal because their relationship and political arguments were too queer for state recognition. Nevertheless, Paul Barwick and John Singer's appeal demonstrated the arbitrary role gender played in marriage even when the written law did not explicitly demarcate opposite-sex coupling as a prerequisite for marriage. Despite the loss of their case, Barwick and Singer won press coverage, which increased visibility of gay people and heterosexism in mainstream media. Barwick and Singer's relationship and politics were too queer for the Washington State court system in the early 1970s, which rejected two men living in a communal gay house as a legitimate couple worthy of marriage. However, that same court

³⁷⁴ Ibid, 5.

³⁷⁵ Paul Barwick, interview with Ruth Pettis.

system was amenable to Madeleine Isaacson and Sandra Schuster's desire for a two-parent Christian household in their child custody case decided in 1978.

As Barwick and Singer's case made its way through the court system, Seattle was also the central site over the issue of gay parenting when Madeleine Isaacson and Sandra Schuster sought full custody of their respective children following their respective divorces in 1972. Unlike Barwick and Singer, Isaacson and Schuster sought to reproduce a heteronormative family structure only with two female heads of household. Their husbands argued for full custody of their children, citing the couple's lesbianism as evidence that they were unfit parents. Bryher Herak, who was a paralegal on the case, described the couple as "the perfect plaintiffs," given their otherwise conservative views and lifestyle.³⁷⁶ Isaacson and Schuster were practicing Christians, which was central to determining their fitness for parenting. In early 1973, Judge James Noe ultimately granted the women custody of their children, but required the two women live separately. Motherhood was normative enough for Noe to accept the custody case, but a same-sex household was too queer for state recognition in 1973.

After Seattle passed housing nondiscrimination for sexual minorities in 1975, same-sex households had gained recognition from the city, which made Isaacson and Schuster's request for a same-sex household with their children more amenable to state recognition. Isaacson and Schuster's ex-husbands again filed for custody of their children in 1976, claiming Isaacson and Schuster's adjacent apartments violated Judge Noe's decision that the women live separately. The case made its way to the Washington State Supreme Court, which ruled in 1978 that the women both could keep custody of their children and live together in a single household, citing

³⁷⁶ Bryher Herak, interview with author, September 7, 2015, Seattle Civil Rights & Labor History Project (unpublished).

the children's wellbeing as the reason the women should be able to live together.³⁷⁷ Isaacson and Schuster's proven ability to raise "normal" children granted them access to recognition as a family deserving of recognition unlike Barwick and Singer's residence in a gay communal household.

Isaacson and Schuster's imitation of the white, middle-class heterosexual household, even when forced to live in separate units, made their inclusion as a household safer for the state to recognize than Barwick and Singer's queer domestic arrangement. The granting of a marriage license to Barwick and Singer could have brought the institution of marriage into question, whereas Isaacson and Schuster's ability to raise their children together was a victory for the American family. While these two cases were decided before the term "domestic partner" had been coined, Isaacson and Schuster's acceptance by the state laid the groundwork for the domestic partnership movement, which required gay men and lesbians who reproduced white, middle-class heterosexual households albeit with two partners of the same sex.

The Mayor's Lesbian/Gay Task Force

In the context of the AIDS epidemic, Mayor Charles Royer convened the Mayor's Lesbian and Gay Task Force (MLGTF) in March 1985, appointing a white, middle-class cohort of gay activists desiring recognition as normal citizens. Royer charged the MLGTF with identifying issues of immediate concern to the gay community that the city could address while also examining "ways of bringing the lesbian/gay communities and the larger Seattle community together through long-range projects. Specific ideas here could include small business development programs and the smooth development of police/community relationships as the

³⁷⁷ Atkins, *Gay Seattle*, 151-155.

East Police Precinct is being established.”³⁷⁸ The mayor’s charge to the task force suggested political solutions rooted in common liberal solutions of the 1980s – small business ownership in building the economies of minority communities and involving the police in community issues. Director of the Office of Women’s Rights Linda Taylor lauded the “increased visibility of the outstanding contributions gays and lesbians make to the City of Seattle,” highlighting GSBA’s Toys for Tots Project, the Policy/Gay Task Force, the Association of Lesbian Professionals, and the “upgrade of the Broadway area” among other achievements prior to MLGTF’s first meeting.³⁷⁹ The contributions of gay men and lesbians highlighted in Taylor’s memo specifically targeted a white, middle-class audience, including child advocacy, working with police, and organizing as business owners and professionals.

The original eleven members of MLGTF chosen by Royer generally represented moderate white, middle-class gay organizations, shaping the political goals of the task force to align with the city’s interest in recognizing gay men and lesbians emulating white, middle-class lifestyles and politics. The women chosen for the task force were generally oriented more towards community work whereas the men belonged to organizations that had working relationships with city agencies. Members included President of the Northwest AIDS Foundation Bob Wood, lobbyist for The Dorian Group and member of the Democratic National Committee Platform Committee Russ Brubaker, and GSBA Secretary and National Gay Task Force member Dean Johnson. At least four task force members belonged to the GSBA, including GSBA Board member and attorney Tarl Oliason. Former Director of Seattle

³⁷⁸ Charles Royer, memo to Lesbian/Gay Task Force Members re: “Charge to the Lesbian/Gay Task Force,” March 29, 1985, Box 4, Folder 19, Record Series 458: Seattle-King County Dept. of Public Health, Prevention Division, HIV/AIDS Program, Organization Files, 1985-1998, King County Archives (KCA).

³⁷⁹ Linda E. Taylor, memo to Charles Royer re: “Lesbian/Gay Task Force Meeting – April 2, 1985” (April 1, 1985), Box 29, Folder 24, Record Series 5274-02: Office of the Mayor, Charles T. Royer Subject Files, Seattle Municipal Archives (SMA).

Counseling Services for Sexual Minorities Sandra Fosshage had served on the Police/Gay Task Force. William Fovarge had served on the Mayor's Task Force on Street People to address homelessness in Seattle. Also included were Brenda Weathers, who was Director of the Chemical Dependency Program, Doris Wood of the Older Women's League, and Karen Frederiksen, who had served on the UW Women's Commission, the Lesbian Resource Center Board and the Lesbian/Gay Freedom Day Committee, responsible for organizing the annual Seattle Lesbian and Gay Pride Parade and Freedom Rally.³⁸⁰

Royer made sure to include a token laborer on the task force; however, electrician Arlene Arp also shared the perspective of a businesswoman. She was a partner in Circle Electric, a certified union WBE electrical contracting company. Arp belonged to Associated Women Contractors, but she also belonged to GSBA. This was also true of Bryher Herak on the Seattle Women's Commission (SWC); Herak was selected to represent both the lesbian community and labor, having served as a heavy equipment operator in Yakima. However, she owned the Wildrose Tavern when she was selected to the SWC, and thus also shared the point of view of a businesswoman.³⁸¹ Arp's expressed goals for serving on the task force included "productive coalitional work," "an education on how politics in this city works and can be put to use to help this community," and "a chance to be heard in the areas I am knowledgeable about and care about."³⁸² While she was a partner in Circle Electric, Arp articulated a working-class political position, seeking to build coalitions beyond the gay community and shake up the largely

³⁸⁰ Charles Royer, letter to Francesca Profiri, March 5, 1985, Box 29, Folder 24, Charles T. Royer Subject Files, Office of the Mayor, Record Series 5274-02, Seattle Municipal Archives (SMA); "Lesbian/Gay Task Force," July 17, 1985, Box 3, Folder 12, Seattle Commission for Lesbians and Gays, Office of Women's Rights, Record Series 8405-04, SMA.

³⁸¹ Bryher Herak, interview with author, September 6, 2015, Seattle Civil Rights & Labor History Project (unpublished).

³⁸² Arlene Arp, resume, 1985, Box 29, Folder 25, Mayor Charles T. Royer Subject Files, Record Series 5274-02, SMA.

professional class perspective held by most members of the MLGTF. The issues Arp raised at the first meeting of the MLGTF on April 2, 1985 included women in unions, building work environments comfortable for gay men and lesbians, lesbian adoption, and reaching out to gay teenagers.³⁸³ By April 1986, however, Arp had decided to resign “for many reasons,” possibly because she felt her views were marginalized by the other members of the task force.³⁸⁴ Even during Arp’s tenure, the MLGTF overrepresented the white middle class as the “gay voice” in the mayor’s office.

The Issue of Domestic Partnership

The MLGTF quickly identified domestic partnership as a key issue to pursue in municipal politics. The task force did not arrive at this decision via the question over partner hospital visitation rights in the context of AIDS; rather the task force identified domestic partnership as the next logical step in the gay rights movement, reflecting a general consensus around pursuing a politics of making gay men and lesbians “normal” in the eyes of white, middle-class Seattleites. Recognizing gay couples using the language of “domestic” partners portrayed gay relationships as equivalent of the idealized domestic heterosexual couple, particularly during the Reagan era, short of inclusion in the institution of marriage, which was beyond the powers of the city. However, the issue was first raised as one of economic fairness. Gay couples could not access the economic benefits of marriage, and domestic partnership could potentially resolve some of that. Thus, partners of employees with health and other benefits stood to gain from domestic partnership, while disadvantaged queers who continued to be

³⁸³ Mayor’s Lesbian and Gay Task Force, Minutes, April 2, 1985, 2, Box 4, Folder 19, Record Series 458, KCA.

³⁸⁴ Arlene Arp, letter to Charles Royer, April 22, 1986, Box 33, Folder 2, Record Series 5274-02, SMA

disproportionately homeless and jobless did not have access to any of those benefits and were left out by white, middle-class gay activists.

Tom Brougham of Berkeley, California coined the term “domestic partner” in 1979 to advocate for the recognition of non-married, long-term partners by the City of Berkeley for partners to have access to benefits. Brougham worked for the city and sought to include his partner Barry Warren in his benefits. Berkeley had recently passed a nondiscrimination ordinance for sexual minorities, and Brougham argued that the exclusion of non-married couples from municipal employee benefits, not the exclusion of same-sex partnerships from the institution of marriage, violated the nondiscrimination ordinance. Legal scholar Melissa Murray argues that Brougham conceived domestic partnership as an alternative to marriage through which couples could gain many of the benefits of marriage without subscribing to the marriage paradigm during an era in which American households decreasingly reflected the nuclear family ideal.³⁸⁵ While the San Francisco Board of Supervisors had passed a domestic partnership ordinance for municipal employees introduced by openly gay Supervisor Harry Britt in 1982, Mayor Diane Feinstein vetoed the bill. Two years later, Feinstein also rejected a recommendation of her Task Force on Equal Benefits to grant unmarried partners access to municipal workers’ health benefits.³⁸⁶ Berkeley became the first city in the United States to register domestic partners of municipal employees for health insurance coverage in December 1984. Two months later, the recently incorporated City of West Hollywood, with its heavy concentration of gay men, established the first domestic partnership registry available to all city residents.

³⁸⁵ Melissa Murray, “Paradigms Lost: How Domestic Partnership Went from Innovation to Injury,” *NYU Review of Law and Social Change*, Vol. 37 (2013), 294-295.

³⁸⁶ Katherine Bishop, “San Francisco Grants Recognition to Partnerships of Single People,” *New York Times* (May 31, 1989), ?, Box 1, Folder 4, Gay and Lesbian Task Force Files, 1987-1991, Record Series 8405-02, SMA.

That domestic partnership quickly ascended MLGTF's priority list indicates how task force members' orientation toward inclusion in white, middle-class heterosexual society had come to dominate gay politics recognized by the city even in the face of the AIDS epidemic. Not one task force member mentioned the phrase "domestic partnership" at the April 2, 1985 meeting of the MLGTF. Only Karen Frederiksen and Bob Wood alluded to domestic partnerships as each member of the task force identified issues they thought the MLGTF should address during their inaugural meeting. Frederiksen advocated expanding the definition of "family" to ensure inclusion of gay-headed families, and Bob Wood added that gay people should have "honor and credit to our families" to his comments, which centered on combatting AIDS.³⁸⁷ But by the end of the MLGTF meeting on May 10, 1985, however, "domestic partnership" was identified as the top priority by the Civil Rights Committee. "Development of city policies recognizing domestic partners" beat out "discrimination on the basis of AIDS" and "coordination of resources for the passage of the King County Fair Employment Ordinance and state civil rights legislation" as the top priority for the committee. Thus, the task force privileged city recognition of same-sex partnerships mimicking heteronormative relationships over protecting sexual minorities and HIV-positive people from discrimination at the city, county, and state level.³⁸⁸

The prioritization of domestic partnership over discrimination of AIDS patients indicates the degree to which the MLGTF viewed the domestication of gay men and lesbians as politically desirable if not also healthier for gay men. Protecting a stigmatized population within and

³⁸⁷ Mayor's Lesbian and Gay Task Force, Minutes, April 2, 1985, Box 4, Folder 19, Record Series 458, KCA.

³⁸⁸ MLGTF, Minutes, May 10, 1985, 2, Box 4, Folder 19, Record Series 458, KCA; Brenda Weathers & Russ Brubaker, press release, May 22, 1985, 1, Box 4, Folder 19, Record Series 458, KCA. While the task force was formed specifically to advise Mayor Charles Royer, they could have advised him to take more proactive stances on discrimination against seropositive and gay people at the county and state level.

beyond the gay community associated with promiscuous sex was deemed less important than efforts to recognize gay and lesbian couples reflecting social norms and mores of the white, middle-class heterosexual majority. The racial and class privilege of MLGTF members made more basic civil rights concerns they did not have to personally worry about as business owners or nonprofit leaders less of a priority.

Although domestic partnership had been tagged as the most pressing issue for the MLGTF Civil Rights Committee, other forces in municipal and national politics temporarily forced the committee to divert its attention to other issues between 1985 and 1988. While Washington State had already repealed its sodomy statute, the Supreme Court's decision that states could outlaw consensual sexual behavior in *Bowers v. Hardwick* raised the prospect that even the most basic gay rights could be overturned in 1986. Locally, the City Council began debating a ban on discrimination in public accommodations that included sexual minorities, and the King County Council debated a housing and employment ordinance such as those passed in Seattle the previous decade. While these laws were the fourth and final priority set by the Civil Rights Committee in May 1985, they were on the floor and domestic partnership was not.³⁸⁹ Thus, the MLGTF Civil Rights Committee agreed to put aside its domestic partnership agenda to focus its energy on the nondiscrimination hearings.³⁹⁰ The Civil Rights Committee also turned its attention to the question of HTLV-III testing that ultimately led to Bob Wood's resignation from the task force because MLGTF took the stand that gay men should not take the test for fear of allowable discrimination based on serostatus.

³⁸⁹ "Civil Rights Committee," 2, attachment to Brenda Weathers and Russ Brubaker press release, May 22, 1985, Box 4, Folder 19, SKCDPH HIV/AIDS Program Organization Files, 1985-1998, Record Series 458, KCA.

³⁹⁰ MLGTF, minutes, July 26, 1985, 2, Box 4, Folder 20, Record Series 458, KCA.

Domestic Partnership Reemerges

The Mayor's Lesbian and Gay Task Force reintroduced the topic of domestic partnership as other cities began doing so in 1988, indicating how activists in Seattle wished to keep the city at the forefront of the mainstream gay rights movement. Los Angeles led a new wave of cities passing domestic partnership ordinances, extending policies for sick and bereavement leave to unmarried partners. The debate over domestic partnership within City Hall reemerged following the Los Angeles ordinance in 1988. Mayor Charles Royer put "an evaluation of the feasibility of domestic partner benefits for city employees" on his Executive Work Plan for 1988.³⁹¹ Also in 1988, the City Council passed the ordinance banning discrimination in public accommodations for which MLGTF had sidelined domestic partnership, and the ordinance included discrimination on the basis of marital status. By June 1988, the Seattle Public Library and Seattle Mental Health Institute had begun providing some benefits for unmarried domestic partners.³⁹² The MLGTF again decided to prioritize a domestic partnership ordinance.

The inclusion of marital status alongside sexual orientation as a basis for discrimination in the newly passed public accommodations ordinance provided one legal window for private citizens to pursue the politics of partnership recognition in 1988. On March 1, 1988, a gay man calling himself "Demian" submitted a complaint to the Seattle Human Rights Department against the American Automobile Association (AAA) of Washington. Demian sought a reduced membership fee from AAA of Washington for his cohabitating partner, which AAA representative Carol Robbins refused "because he is not the spouse or dependent child of the

³⁹¹ Shelly Cohen, "Background," attachment to "Domestic Partnership Forum" press release, June 6, 1988, Box 1, Folder 6, Gay and Lesbian Task Force Files, 1987-1991, Record Series 8405-02, SMA.

³⁹² Cohen, "Background."

Charging Party.”³⁹³ The Department of Human Rights ruled in favor of Demian, citing Demian and his partner’s cohabitation as a “marital status” that had been discriminated against.³⁹⁴ While the public accommodations ordinance allowed gay couples to seek redress for membership dues as married couples, for benefits that did not qualify as “public accommodations,” such as health insurance, the status of such relationships was still in question.

During the time that domestic partnership had waned from MLGTF’s agenda, private gay citizens working for the City of Seattle continued to fight for benefits for their partners, continuing to push the politics of domestic partnership. Lesbians Dana Backiel and Dee Smiley sought medical benefits for their respective domestic partners from Seattle City Light under the 1986 provision in Seattle’s amended Fair Employment Practices Ordinance that forbade discrimination based on marital status including “married, separated, divorced, engaged, widowed, single or cohabitating” in October 1987. In December, each received a notice from City Light Payroll rejecting their request for coverage of their domestic partners since they did not fit the definition of “employees and their dependents.” Backiel and Smiley took up the issue with their union, the International Federation of Professional and Technical Engineers Local 17. PTE Local 17 Business Manager Michael Waske requested that the City of Seattle’s Health Care Cost Containment Committee consider Backiel and Smiley’s case and survey city employees to “see how many would sign up for health coverage for their domestic partners, and to assess the reaction of health carriers to including domestic partners as eligible dependents.”³⁹⁵ Thus, the city began moving on domestic partnership even as the MLGTF was not pushing the issue.

³⁹³ *Demian v. AAA Automotive Club of Wash* (Case No. SHR88HO003), Seattle Human Rights Department, March 28, 1988, 1, Box 1, Folder 11, Record Series 8405-02, SMA.

³⁹⁴ *Demian v. AAA Auto Club of Wash*,

³⁹⁵ Paul Grace, “Medical coverage denied to domestic partners,” *West Coast Engineer* (March 1988), Box 1, Folder 4, Series 8405-02, SMA; “Partnership Benefits at City Light?,” *A Family Affair: The Newsletter of the Domestic Partnership Committee of the Mayor’s Lesbian/Gay Task Force* (May 1988), Box 1, Folder 5, Series 8405-02, SMA.

MLGTF's Domestic Partnership Committee held an open forum on June 14, 1988 cosponsored by PTE Local 17, to raise awareness of domestic partnership in the community, and attendance by city officials demonstrated a relationship between MLGTF and city officials on domestic partnership this time around. The forum attracted "more than eighty participants, including representatives from the Mayor's office, the media, the Seattle Human Rights Department, candidates for public office, and many interested citizens."³⁹⁶ Dana Backiel, now a member of the Domestic Partnership Committee, facilitated the meeting in which committee members shared developments on domestic partnership in other municipalities and with private employers. PTE Local 17 Business Manager Paul Grace discussed the effort of his union to obtain domestic partnership benefits from the city, and American Federation of State, County and Municipal Employees member Theresa Clark discussed the benefits AFSCME won from the Seattle Public Library. Half the meeting was dedicated to public testimony, in which one heterosexual woman shared that she was both denied benefits because she was not legally married while she was simultaneously denied financial aid because she was in a relationship.³⁹⁷

One month earlier, the MLGTF distributed surveys on domestic partnership that collected data from disproportionately white and professional class gay residents, shaping a documented political will for domestic partnership that was subconsciously, if not deliberately, shaped by the survey's distribution. MLGTF distributed the survey through the Domestic Partnership Committee's newsletter *A Family Affair*, The Dorian Group's newsletter, professional organizations, and "friendship networks."³⁹⁸ The exclusivity of the survey among professional class gay men and lesbians was ensured by the survey's distribution; the Domestic Partnership

³⁹⁶ "Forum Success," *A Family Affair* (July 1988), Box 1, Folder 5, Series 8405-02, SMA.

³⁹⁷ *Ibid.*; Casey Hannan, "Task Force sponsors domestic partnership forum," *Seattle Gay News*, June 17, 1988, 1, 7.

³⁹⁸ "Domestic Partnership Survey Results," *A Family Affair* (October 1988), Box 1, Folder 5, Series 8405-02, SMA.

Committee did not even make an announcement in *Seattle Gay News* to solicit greater community participation, indicating how the domestic partnership agenda was driven by those who would disproportionately benefit from domestic partnership through access to the better of two benefit packages. The survey solicited little to no input from members outside of this privileged class. The need for a survey was explained by the Domestic Partnership Committee as a call for personal stories the committee could leverage in the political fight for domestic partnership: “We may need to find a person of color who is a member of a particular union and who has had family health troubles which were not covered by an employer’s standard benefits package.”³⁹⁹ MLGTF’s Domestic Partnership Committee did not pitch the survey as testing the political will for domestic partnership recognition across a broad spectrum of sexual minorities but rather as a database from which MLGTF might be able to leverage particular testimonials in public debates, assuming the political will for domestic partnership to already be widespread.

In addition to the survey’s distribution, the design of the survey also guaranteed a database of favorable opinions for domestic partnership. However, only 92 surveys were collected over a three to four-month period, hardly indicating a mass movement behind MLGTF’s domestic partnership agenda. Of the 92 respondents, 54 were lesbian couples, 30 were gay male couples, six were heterosexual couples and two did not specify. For twenty couples, one partner lacked health insurance. Rather than point to the problems posed by private health insurance, these comments were viewed as evidence of the need for domestic partnership recognition. The survey assumed respondents to belong to a couple, leaving little room for single people to voice concerns over their own health coverage or lack thereof. For example, the survey asked, “Have you or your partner been negatively affected by your inability to share

³⁹⁹ “Benefits Survey Being Distributed,” *A Family Affair* (May 1988), Box 1, Folder 5, Series 8405-02, SMA.

benefits?” Partnership is so central to every question on the survey that there was no room for advocacy of alternatives to a domestic partnership agenda.⁴⁰⁰ The committee tried to downplay the privileged socio-economic positions overrepresented by the survey: “None of the usual methodological steps were taken to ensure breadth of coverage. As a result, we had a high percentage of City employees and professional people responding to the survey.”⁴⁰¹ The committee claimed working-class support for a domestic partnership through an unspecified “fair number” of respondents representing that demographic.⁴⁰² Despite the rationale for soliciting diverse voices in favor of domestic partnership, the survey’s distribution and line of questioning precluded the Domestic Partnership Committee from producing a diverse array of responses.

As the MLGTF worked to advance the domestic partnership agenda among gay men and lesbians, city officials began inquiring about the logistics of insuring domestic partners of municipal employees, again demonstrating the coordinated effort between city officials and gay activists on the recognition of domestic gay couples. However, health insurance providers were reluctant to insure same-sex partners, probably because that would increase the likelihood of insuring AIDS patients. Sales and Services Manager Thom Simard of King County Medical Blue Shield, which insured public employees, informed city officials that he could not extend benefits to domestic partners for fear of benefits being taken advantage of. Sigard reasoned:

We doubt usage could be controlled... The proposed eligibility would allow a City of Seattle employee to assist a friend in need by having the person move in with him or her (or simply use the employee’s address) in order to get coverage. It is our experience that when people are faced with a critical medical problem and subsequent financial repercussions, they will avail themselves of any method to limit the financial burden. The City’s proposed new eligibility provision offers

⁴⁰⁰ The Mayor’s Lesbian/Gay Task Force, “Domestic Partnership Survey,” 1988, Box 1, Folder 3, Series 8405-02, SMA.

⁴⁰¹ “Domestic Partnership Survey Results,” *A Family Affair* (October 1988), Box 1, Folder 5, Series 8405-02, SMA.

⁴⁰² “Domestic Partnership Survey Results.”

what would be a tempting, but from an insurance standpoint inappropriate, opportunity.⁴⁰³

King County Medical Blue Shield rejected Seattle's proposal to provide domestic partners health insurance by reaching the conclusion that people with medical problems would seek avenues to gain access to medical insurance, and domestic partnership would be an easy route to do so even if partners demonstrated "risk" to the insurer. People "faced with a critical medical problem," which AIDS certainly qualified as in 1988, were thus qualified as financial risks. The association of domestic partnership with the gay community, and by extension AIDS, likely played a significant role in King County Medical Blue Shield's decision not to insure domestic partners.

Without the backing of the company administering the City of Seattle's group health insurance plan, the MLGTF decided to move forward with a more modest domestic partnership proposal granting registered partners leave to care for their partner or children and bereavement leave covering partners' families. Thus, the politics of domestic partnership shifted from an argument centering economic unfairness in same-sex couples' inability to obtain the same benefits as heterosexual couples toward a recognition of same-sex couples as a family. On November 14, 1988, the MLGTF submitted the proposal to Mayor Charles Royer. At the time, only Berkeley, West Hollywood, Santa Cruz, and Los Angeles offered some benefits for domestic partners of municipal employees. The MLGTF thus sought to make Seattle the first city outside the State of California to offer such benefits. In announcing the proposal, MLGTF co-chair and head of the Domestic Partnership Committee Shelly Cohen insisted, "This is an issue of families, of fairness, and of equity."⁴⁰⁴ Shelly Cohen framed domestic partnership as

⁴⁰³ Thom Sigard, letter to Everett S. Rosmith, September 21, 1988, Box 1, Folder 1, Series 8405-02, SMA.

⁴⁰⁴ "Formal Proposal Submitted to Mayor," *A Family Affair* (December 1988), Box 1, Folder 5, Series 8405-02, SMA.

sexblind “family” issue, engaging the family values discourse of late twentieth century American politics and arguing for recognition of families regardless of the gender or sexual identity of partners.⁴⁰⁵

A letter from MLGTF co-chairs Shelly Cohen and John Wilkinson to Councilmember Sam Smith, Seattle’s first and longest serving black councilmember, reveals how sexblind political arguments were used to minimize the association of domestic partnership with gay men and lesbians. The letter explains that families of non-married couples “are increasingly the norm,” framing the issue as one of non-married couples’ rights, thereby downplaying domestic partnership as a gay rights issue. Even though the letter identifies that the issue is of unique importance to gay couples, Cohen and Wilkinson stressed that heterosexual couples would disproportionately benefit.⁴⁰⁶ Cohen insisted these benefits should already exist given the Seattle Fair Employment Practices Ordinance already prohibited discrimination based on both sexual orientation and marital status.⁴⁰⁷

The Seattle Department of Human Rights (DHR) accelerated the domestic partnership debate and positioned Seattle at the center of national debates over the provision of benefits to domestic partners. While the City Council was slow to take up the domestic partnership proposal, DHR Director Bill Hilliard wrote a decision on the appeal of the claim Dee Smiley had brought against Seattle City Light in October 1987, finding the denial of health benefits to a cohabitating partner to violate Seattle’s Fair Employment Practices Ordinance as amended in 1986. On April 3, 1989, Hilliard determined that the city’s Fair Employment Practices

⁴⁰⁵ See Self, *All in the Family* for an overview of family values discourse in late twentieth century American politics.

⁴⁰⁶ Shelly Cohen and John Wilkinson, letter to Sam Smith, December 21, 1988, Box 1, Folder 1, Series 8405-02, SMA.

⁴⁰⁷ “Formal Proposal Submitted to Mayor,” *A Family Affair*, December 1988, Box 1, Folder 5, Series 8405-02, SMA.

Ordinance, which had by then included “cohabitants” as a protected marital status, required all *private* employers in the City of Seattle to provide medical benefits to cohabitating, unmarried partners. Such a ruling would have made Seattle the first city in the United States to require the extension of health benefits to domestic partners by private employers and only the fourth city to provide medical benefits to municipal employees.⁴⁰⁸

Hilliard’s ruling expanded the politically possible, though the decision was faced with an intense political reaction by the local business community, the health insurance industry, and cautiously liberal city officials. President of the Queen Anne Chamber of Commerce Pam Roats declared, “This is just bad news for small business.”⁴⁰⁹ *Seattle Times* reporter Linda Keene explained, “Chaos has reigned at City Hall since the Seattle Human Rights Department said it would issue a ruling next week extending health-care benefits to live-in partners of unmarried workers.”⁴¹⁰ The City Council met in two closed meetings following Hilliard’s preliminary ruling at the order of Council President Sam Smith. One councilmember anonymously requested that City Attorney and mayoral candidate Doug Jewett draft an ordinance excluding private employers from the ruling. Not a single City Councilmember said publicly whether they supported or opposed Hilliard’s decision.⁴¹¹

Although private employers and the City Council did not react well to the news of Hilliard’s decision, Mayor Charles Royer fully backed Hilliard’s decision, seeing an opportunity to bolster Seattle’s liberal reputation. Royer’s spokeswoman Anne Fennessy told the press, “The mayor really believes this is a new area of civil-rights law, that Seattle has always been on the

⁴⁰⁸ Linda Keene, “Live-in partners may get health benefits,” *Seattle Times*, May 8, 1989, A1, A4.

⁴⁰⁹ Arthur C. Gorlick, “Appeal likely in live-in partner ruling,” *Seattle Post-Intelligencer*, May 10, 1989, B3.

⁴¹⁰ Keene, “Live-in partners may get health benefits.”

⁴¹¹ Linda Keene, “Cohabitation chaos: City Hall reeling,” *Seattle Times*, May 10, 1989, D1.

leading edge of civil liberties and as society has changed, what you define as family also changes.”⁴¹² Royer’s position may have been influenced by the San Francisco Board of Supervisors’ consideration of a domestic partnership ordinance introduced by gay Supervisor Harry Britt in late April 1989. The San Francisco ordinance would grant all employees in the City of San Francisco the same leave policies granted married couples, while municipal employees would be granted the same health benefits as married couples.⁴¹³ Perhaps Royer sought to bolster Seattle’s liberal reputation by beating San Francisco to a domestic partnership law, or acknowledging that the Fair Employment Practices Ordinance already had a domestic partnership law embedded in the inclusion of “cohabitants” as a marital status protected from discrimination. Hilliard’s ruling was also more expansive than the proposed San Francisco ordinance as it required the extension of health benefits from private employers to domestic partners.

The concern on the part of business owners, insurers, and the councilmembers seeking their support was quickly tempered by the realization of federal laws that complicated the extension of private employee health benefits to domestic partners. San Francisco Regional Director of the U.S. Department of Labor’s Pensions and Welfare Benefits Administration Leonard Garofolo stated that the 1974 Employee Retirement Income Security Act (ERISA) “would preempt certain local laws or state laws that try to regulate covered (health benefit) plans,” plans regulated under ERISA.⁴¹⁴ Thus, some private health benefits plans that fell under the federal regulatory apparatus created by ERISA would be exempt from Hilliard’s ruling as the

⁴¹² Keene, “Cohabitation chaos.”

⁴¹³ Katherine Bishop, “San Francisco Grants Recognition to Couples Who Aren’t Married,” May 31, 1989, accessed July 17, 2017, <http://www.nytimes.com/1989/05/31/us/san-francisco-grants-recognition-to-couples-who-aren-t-married.html>.

⁴¹⁴ Arthur C. Gorlick, “Federal law offers insurance loophole,” *Seattle Post-Intelligencer*, May 11, 1989, B5.

federal regulation would supersede any requirements imposed on health plans by the City of Seattle, and the federal government only required coverage of spouses and dependents and certainly would not extend benefits to domestic partners under President George H.W. Bush. Seattle City Attorney Doug Jewett found Garofolo's logic sound.⁴¹⁵

In addition to complications with providing benefits because of federal provisions in ERISA, Internal Revenue Service representative Richard P. Wightman asserted that domestic partner benefits would be subject to taxation. Wightman noted that all benefits are subject to federal taxation without an exception. Health benefits for employees, spouses, and dependents qualified for exceptions from taxable income, but the extension of benefits to an unmarried domestic partner did not meet the criteria for the federal government's definition for an exception on taxable income.⁴¹⁶ Thus, the extension of benefits to domestic partners would be purely symbolic and perhaps financially burdensome, potentially making domestic partner benefits taxable as earned income.

The question of taxation on domestic partner benefits slowed but did not temper the political conversation around extending benefits to cohabiting partners as Seattle's conflict with federal taxation policies made domestic partnership a national issue. In response to the tax questions, the City Council agreed to delay the extension of health benefits for domestic partners until March 1990 and made a formal request to the commissioner of the IRS for a formal opinion on domestic partner benefits.⁴¹⁷ Councilmember Jane Noland described the IRS regulations on taxable benefits as "very mean-spirited, and I hope the city attorney can do something about it on

⁴¹⁵ Linda Keene, "Jewett throws new doubt on live-in ruling," *Seattle Times*, May 11, 1989, F1; Linda Keene, "Jewett now says ruling is limited," *Seattle Times*, May 12, 1989, B1.

⁴¹⁶ Arthur C. Gorlick, "City ruling could make all health benefits taxable, IRS expert says," *Seattle Post-Intelligencer*, May 12, 1989, A1, A6.

⁴¹⁷ Angelo Bruscas, "Delay sought on live-in health benefits," *Seattle Post-Intelligencer*, May 16, 1989, B1; Angelo Bruscas, "City suspends extension of health benefits," *Seattle Post-Intelligencer*, May 23, 1989, B1.

a national level.”⁴¹⁸ Noland thus positioned Seattle as more enlightened and progressive than the “mean spirited” federal IRS. MLGTF co-chair Shelly Cohen continued to assert the position that “less than 10 percent of U.S. households today are the traditional American family in which the husband works while the wife stays at home with two or three children,” and she believed social policy should reflect the lived reality of American households.⁴¹⁹ Cohen thus continued to couch arguments for domestic partnership in sexblind terms, arguing that recognition of domestic partners would benefit many unmarried couples regardless of gender or sexual identity. While Seattle suspended the extension of health benefits to all cohabitating partners, the city continued to pursue more limited domestic partnership policies nonetheless.

Domestic Partnership without Health Benefits

As Seattle’s near adoption of the most sweeping domestic partnership policy in the country was delayed almost as soon as the Department of Human Rights raised the issue, more limited domestic partnership measures were passed in San Francisco and New York State. The San Francisco Board of Supervisors unanimously passed Harry Britt’s domestic partnership ordinance on May 23, 1989, granting domestic partners the same hospital visitation rights as married couples, which was of particular importance to gay couples affected by HIV/AIDS. The ordinance also extended bereavement leave and health benefits to domestic partners of municipal employees. However, San Francisco’s domestic partnership ordinance was narrowly defeated at the ballot box in the November 1989 election.

In New York, domestic partners were recognized for purposes of rent control. On July 6, 1989, the New York State Court of Appeals expanded the definition of a family to include

⁴¹⁸ Bruscas, “City suspends extension of health benefits.”

⁴¹⁹ Jane Hedley, “Live-in health benefits: A new twist,” *Seattle Post-Intelligencer*, May 19, 1989, B5.

unmarried cohabitating couples for the purposes of New York City's rent control regulations, the first high court of any state to rule in favor of anything resembling domestic partnership.

Perhaps with an eye on Seattle, the court limited the scope to rent control, avoiding "ruling on constitutional grounds, which could have, for example, opened the possibility of homosexuals and other unrelated couples qualifying for health-insurance benefits normally limited to a spouse or family member."⁴²⁰ While the decision was limited to rent control, Judge Vito J. Titone's majority decision advanced the cause of domestic partnership, arguing that "a family includes two adult lifetime partners whose relationship is long-term and characterized by an emotional and financial commitment and interdependence."⁴²¹ Thus, New York State's Supreme Court recognized same-sex partners in a marriage-like arrangement as worthy of the same rights as legally recognized families.

Although the extension of health benefits to domestic partners was delayed until March 1990, the city moved forward on providing less expensive benefits for domestic partners, demonstrating the political will around the recognition of gay couples while continuing to emphasize sexblind arguments in advancing the cause. Councilmember Virginia Galle, chair of the City Council's Finance and Personnel Committee, announced that the committee would hold a hearing on Monday, June 26 to "take testimony regarding proposed changes to the ordinances governing use of Sick and Funeral Leave by City employees," with a vote on the ordinance by the full City Council expected in September. The press release made no mention of gay couples specifically, instead framing the policy as "intended to reflect the changing nature of families

⁴²⁰ Philip S. Gutis, "Court Widens Family Definition to Gay Couples Living Together," *New York Times*, July 7, 1989, A1.

⁴²¹ Gutis, "Court Widens Family Definition," A1, A13.

and the City workforce, and to support the familial responsibilities of City workers.”⁴²² Virginia Galle thus advertised the issue to city residents as a family issue much as Shelly Cohen had done in trying to push domestic partnership through the City Council. The bill before the Council also extended married partners the right to take leave to take care for their partners, making the bill harder for city politicians to oppose.⁴²³

Despite the sexblind arguments put forth by Councilmembers and MLGTF, anti-gay residents resisted domestic partnership recognition as advancing a “gay agenda.” The Finance and Personnel Committee hearing on the Sick and Funeral Leave Ordinance was scheduled for the day following the Seattle Lesbian and Gay Pride Parade. Anti-gay residents decried the timing as an effort to maximize gay participation in the hearing. An anti-gay flyer circulated among city employees accused the City Council of scheduling the hearing “to ensure maximum gay turnout at the hearing.” The flyer described the ordinance as a “smokescreen” to initiate a process for registering domestic partners: “To find out the intent of this ordinance, investigate its source. It was initiated by the Mayor’s Lesbian/Gay Task Force. This ordinance is of the gay community, for the gay community, and by the gay community.” The flyer continued to connect domestic partnership recognition to the recent pushback from employers and insurers against extending health benefits to domestic partners: “If they eventually succeed, you will pick up a chunk of this increase through reduced coverage or higher copayments.”⁴²⁴ Conservatives’ focus on excluding gay partners from the city’s group health insurance for fear of higher copayments took the private healthcare system as a starting point. These activists did not look beyond identity politics to address the bigger problems of underinsurance, rising health care costs, and

⁴²² Virginia Galle, “Family Leave Policies for City Employees” (press release, June 8, 1989), Box 1, Folder 6, Series 8405-02, SMA.

⁴²³ John Wilkinson, letter to Angelo Bruscas (June 30, 1989), Box 1, Folder 6, Series 8405-02, SMA.

⁴²⁴ Flyer for city employees re: June 26, 1989 hearing, Box 1, Folder 12, Series 8405-02, SMA.

other problems associated with private healthcare. Of course, the city was limited by a national dialogue in which socialized medicine was a nonstarter.

While domestic partnership was not without criticism in the LGBT community, some critics conceded that domestic partnership recognition could offer tangible benefits, which undercut critiques of inclusion in marriage like those put forth by Paul Barwick and John Singer in 1971. In anticipation of the June 26 Finance and Personnel Committee hearing, lesbian feminist Biff Magma offered a reluctant endorsement of domestic partnership in the *Lesbian Resource Center Newsletter* attune to queer politics but nonetheless succumbing to the economic benefits promised by domestic partnership. Magma asked, “Who wants to be like a straight couple?” before she discussed how she could not co-own a luxury car with her partner Stubz without a legally recognized partnership. From this anecdote Magma argued, “By denying lesbians the same ‘entitlements’ that married straights take for granted, the government is punishing us for our relationships...Lesbians should get the same family health-care benefits as our straight coworkers.” Magma stressed the economic benefits that come with domestic partnership, framing the issue as one of economic fairness rather than a means toward social inclusion: “Domestic partnership isn’t, as I formerly suspected, a way of co-opting lesbian relationships, molding them to the often dysfunctional shape of straight marriages. Domestic partnership is a way to recognize that couples are an economic unit, a family, and should be treated as such.”⁴²⁵ Based on the anecdote of trying to buy a luxury car, Magma likely belonged to the middle class, shaping her reluctant openness to domestic partnership from the queer perspective she started with.

⁴²⁵ Biff Magma, “Mustang Sally Calls Her Agent,” *Lesbian Resource Center Newsletter*, May 1989, Box 1, Folder 12, Series 8405-02, SMA.

The political possibility of recognizing self-identified families that was commonly articulated by gay liberationists in the early 1970s had become politically impossible by the late 1980s, as evidenced by both queer and conservative arguments on the issue of domestic partnership. City employee Philip Irvin offered a conservative viewpoint in anticipation of the hearing that ultimately made a similar argument as those trying to queer the institution marriage by making the definition of family more expansive. However, Irvin viewed this expansion as a ridiculous slippery slope that domestic partnership presented rather than an opportunity to expand the definition of “family” for the benefit of queer Seattleites. One of Irvin’s central arguments against domestic partnership was rooted in a flawed understanding of bisexuality:

Bisexual individuals, by definition, have a minimum of two sexual partners, one of each sex. Bisexual individuals are prohibited from marrying their partners both by laws prohibiting homosexual marriages and laws prohibiting bigamy. To grant a bisexual individual only one ‘domestic partner’ is to force him to abandon his bisexuality...If multiple partners are allowed for a bisexual individual it would be discriminatory not to allow all employees regardless of sexual orientation to have at least two ‘domestic partners...’ Restricting an employee to claiming only one ‘domestic partner’ is discriminatory.⁴²⁶

While Irvin offered this as a critique of extending benefits beyond the current extension of benefits solely to married partners and dependents, his argument resembles the argument put forth by the Seattle Gay Alliance in the context of the Barwick-Singer case advocating a more expansive definition of family.

The public hearing on the expansion of leave policies for city employees indicated overwhelming support for the Sick and Funeral Leave Ordinance. Most of the 75 people in attendance supported passage of the ordinance. Cal Anderson, a gay man who had been appointed by the King County Council to fill a vacant seat representing Seattle’s 43rd District in the Washington State House of Representatives, spoke in favor of the ordinance and applauded

⁴²⁶ Philip Irvin, “Domestic Partnerships: A Study of Flaws,” 1-2, Box 1, Folder 12, Series 8405-02, SMA.

the efforts of the MLGTF in advancing the domestic partnership agenda. Seattle Engineering Department employee Shannon Kyle, a lesbian, shared that she had taken a day off to attend the funeral of her “longtime roommate,” not realizing that the city’s bereavement leave policy only covered legally married partners and dependents. She shared she “returned to work only to be told my claim was automatically denied because of my situation. I deserve the same rights as my coworkers.”⁴²⁷ Philip Irvin was one of only a few to speak out against the ordinance. He argued the City Council should “say this is a stupid thing. We’re only going to give benefits to legal dependents of city employees.”⁴²⁸ However, Irvin was far outnumbered by attendees who supported the passage of the ordinance.

The June 26 hearing demonstrated political will for passage of the Sick and Funeral Leave Ordinance, but City Council President Sam Smith resisted the ordinance as part of a larger movement for the inclusion of gay couples on moral grounds. The City Council met on August 7, 1989 to vote on the measure, renamed the Family Leave Ordinance, thereby framing the ordinance more explicitly as a family values issue. Sam Smith, Seattle’s first and longest serving African American Councilmember, requested a delay on the vote and advocated a voter initiative to decide the issue. Smith opposed the ordinance on religious grounds. Councilwoman Virginia Galle granted the delay as a courtesy to the Council President, knowing she had the votes. MLGTF Domestic Partnership Committee Chair Shelly Cohen criticized the delay, while MLGTF member John Wilkinson did so more vehemently, describing Smith’s delay as “cowardly.”⁴²⁹ One week later, the council passed the ordinance by an eight-to-one vote, Smith

⁴²⁷ Angelo Bruscas, “Many at hearing support extending benefits to partners,” *Seattle Post-Intelligencer*, June 27, 1989), B3.

⁴²⁸ Bruscas, “Many at hearing support extending benefits to partners.”

⁴²⁹ Mike Merritt, “Smith delays domestic partner law,” *Seattle Post-Intelligencer*, August 8, 1989, available in Box 1, Folder 4, Series 8405-02, SMA.

being the lone vote against the measure. Smith cited his role as a church school teacher in his vote against the measure: “I can’t vote for a measure that tells [teenagers] it’s OK to shack up together.” For Smith, domestic partnership represented a path to “the destruction of the American family.” Smith offered several amendments to the law, including his plan to put the issue to the voters, all of which were also defeated by an eight-to-one vote.⁴³⁰ Councilmember Norm Rice, the other African American serving on the City Council, defended his vote in an apparent response to Smith’s moralistic defense of his own vote: “I want to teach my kids and everybody else’s kids that compassion is at the forefront of our lives.”⁴³¹ As Smith articulated conservative arguments against gay rights as an attack on the family, Rice argued that the recognition and inclusion of diversity was beneficial for society, thereby positing Seattle as an inclusive city for passing the ordinance.

Almost immediately following the City Council vote in favor of the Family Leave Ordinance, a petition drive began to put the issue before the Seattle electorate, demonstrating that lack of political consensus around domestic partnership recognition in Seattle. Eighteen-year-old Ilona Fogassy notified the city comptroller’s office of the petition drive the day after news of the ordinance’s passage. Fogassy’s opposition to the ordinance echoed Sam Smith’s moralistic arguments against the ordinance, though she took that argument a step further. Fogassy articulated what would become a popular conservative talking point as the gay and lesbian movement shifted from domestic partnership toward marriage equality: “I decided I’m not going to let the council ruin the institution of marriage while I’m around.” Fogassy failed to collect the 10,921 signatures necessary to qualify the referendum for the November 1989 ballot; however,

⁴³⁰ Angelo Bruscas, “Live-in partners of city workers get some benefits,” *Seattle Post-Intelligencer*, August 15, 1989, A1.

⁴³¹ Bruscas, “Live-in partners of city workers get some benefits.”

the requisite number of signature were gathered to qualify the measure for the November 1990 election as Initiative 35. Thus, Fogassy's referendum would take place after the date the City Council had agreed to extend health benefits to domestic partners.⁴³²

As Save Our Moral Ethics tried and failed to pass Initiative 13 by making the issue a referendum on gay morals, the effort to overturn the Family Leave Ordinance followed similar tactics and was soundly defeated by voters, indicating a majority of the Seattle electorate did support city officials' approach to gay rights. A group called Citizens for Family campaigned for Initiative 35's passage beginning in March 1990 as the issue of public health benefits for domestic partners of municipal employees reemerged. Citizens for Family campaign coordinator Julia Fogassy, mother of Initiative 35 author Ilona Fogassy, attempted to associate domestic partnership as a vote of approval for non-domestic forms of sex between men, pointing to sex ads printed in *Seattle Gay News* and growing publicity over sex in public.⁴³³ However, domestic partnership was the opposite of an approval of the "gay lifestyle" described by the Fogassys; it recognized committed partners whose sexual behaviors mostly remained hidden in private. Voters defeated Fogassy's referendum on the Family Leave Ordinance, Initiative 35, 57 percent to 43 percent on November 6, 1990.⁴³⁴ As the Initiative 35 campaign was underway, the City of Seattle continued to move forward on domestic partnership policies.

Health Benefits for Domestic Partners of Municipal Employees

⁴³² Angelo Bruscas, "Drive starts to repeal domestic partnership law," *Seattle Post-Intelligencer*, August 17, 1989, B1, B4; Office of the City Clerk, City of Seattle, "Ballot Initiatives," accessed March 2, 2016, <http://www.seattle.gov/cityarchives/seattle-facts/ballot-initiatives>.

⁴³³ Alan Neff, "Live forum: inside Gay politics," *Seattle Gay News*, March 9, 1990, 14.

⁴³⁴ Office of the City Clerk, City of Seattle, "Ballot Initiatives," accessed April 10, 2016, <http://www.seattle.gov/cityarchives/seattle-facts/ballot-initiatives>. At the height of the AIDS epidemic in the late 1980s, support for gay rights, including

By the end of 1989, the City of Seattle had further institutionalized the inclusion of gay voices in City Hall; however, the appointment of representatives of the gay community by the mayor and the City Council ensured only gay activists amenable to the city's goals of recognizing gay identity while containing queer sexualities would serve. In December 1989, the City Council elevated the Mayor's Lesbian and Gay Task Force into a permanent Seattle Commission for Lesbians and Gays (SCLG), housed within the Office for Women's Rights. Rather than serving as an advisory body exclusively to the mayor, SCLG advised the mayor, the City Council, and city departments on gay and lesbian issues. As a commission, the number of citizens serving increased: seven appointed by the mayor, seven appointed by the City Council, and a fifteenth member selected by the commission itself. Mayor Charles Royer proposed the commission's creation in a letter to City Council President Sam Smith: "The critical work of the task force in identifying and advising me on emerging civil and human rights issues in this community has persuaded me of the need for a permanent advisory board for lesbians and gay men in Seattle."⁴³⁵ One of the original seven committees of SCLG was dedicated to domestic partnership.

During the period that the Seattle City Council had suspended the application of the Fair Employment Practices Ordinance with regards to health benefits for domestic partners, Congress debated amendments to Internal Revenue Code Section 89, under which "extraneous benefits" were subject to income tax. In this debate, the economic interests of gay couples who could not access the institution of marriage aligned with the tax revolt. Both the House and Senate proposed bills that would "eliminate adverse income tax effects of the extension of [Seattle's] health care plan for all City employees except those that meet the definition of 'highly

⁴³⁵ Charles Royer, letter to Sam Smith, October 31, 1989, Box 40, Folder 62, Mayor Charles T. Royer Subject Files, Record Series 5274-02, SMA.

compensated employees,” those earning more than \$50,000 per year. Both bills would penalize employers, such as the City of Seattle, for health plans covering more than just “employees,” which included legal spouses and dependents by Internal Revenue Code definition. Thus, taxes associated with the extension of benefits for domestic partners would shift from the recipient of such benefits to public or private employers extending those benefits.⁴³⁶ When the full House of Representatives voted on the measure, they approved an amendment repealing Section 89 in its entirety, thereby eliminating any concern over the taxation of health benefits.⁴³⁷ By the end of February 1990, however, as health care benefits were about to become available to municipal employees, such benefits were still considered taxable income of the employee.⁴³⁸

When the City of Seattle did extend health benefits to domestic partners, the city only did so for municipal employees, despite the Department of Human Rights ruling that benefits should extend to the private sector as well. However, this extension continued the momentum of domestic partnership, continuing to position Seattle as a gay tolerant city, even though federal policy continued to undercut the financial benefits of covering domestic partners’ health insurance. Despite the promise of untaxed health benefits, the IRS continued to tax benefits of domestic partners. That health benefits for domestic partners and their dependents were taxed as income necessarily limited who could access such benefits because of the tax burden attached to those benefits. Only city employees with sufficient household income could afford to pay taxes on health benefits in addition to taxes on their actual income.

⁴³⁶ Douglas N. Jewett, letter to Charles Royer and Sam Smith, July 17, 1989, Box 1, Folder 10, Series 8405-02, SMA.

⁴³⁷ Douglas N. Jewett, letter to Charles Royer and Virginia Galle, October 2, 1989, Box 1, Folder 10, Series 8405-02, SMA.

⁴³⁸ Patricia Cain, letter to Judy Bedell, February 28, 1990, Box 1, Folder 10, Series 8405-02, SMA.

Furthermore, private health insurance companies continued to show reluctance in extending coverage to domestic partners.⁴³⁹ While three of the city's four health providers – Group Health, Pacific Health, and Washington Dental Service – agreed to fully cover domestic partners, King County Medical refused to insure partners but did agree to administer domestic partners claims on a self-insured basis. Municipal employees gained health benefits for their domestic partners, however the extension of health care benefits came at a cost and did not affect private employers as the original Human Rights Commission decision had specified.

The fear of employers and insurance companies being inundated with costs associated with covering domestic partners was largely unfounded, revealing the bias associated with gay men and lesbians despite city officials' desire to promote Seattle as an inclusive, tolerant city. The City of Seattle's "First-year report on the extension of medical and dental benefits to domestic partners of municipal employees" indicated the City of Seattle had 412 domestic partnership affidavits on file by April 1991, compared to 568 marriage affidavits filed over the same period between August 1989 and April 1991. The City of Seattle employed approximately 10,000 workers in 1991, so employees with domestic partners represented 0.04 percent of the city's workforce. Only 55 percent of employees in registered partnerships enrolled their partners in medical coverage. Furthermore, only 30 percent of registered domestic partnerships were same-sex, supporting Shelly Cohen's argument that straight couples would benefit more from the ordinance than gay couples. Only 27 domestic partnership affidavits had been terminated over that 18-month period, five of which were couples that got married. None of the remaining 22 employees filed another domestic partnership affidavit, dispelling the logic that domestic partnership was too easy to achieve. This disproved insurance companies' imagined outcome of

⁴³⁹ Robert T. Nelson, "Unmarried partners' can now get benefits," *Seattle Times*, March 1, 1990, B1, Box 1, Folder 4, Series 8405-02, SMA.

people taking advantage of domestic partnership as a vehicle for accessing short term health benefits for friends. Ultimately, domestic partnerships accounted for just 1.43 percent of the total cost of health plans provided through municipal employment. King County Medical, the biggest holdout of the city's health providers, budgeted \$356,521 for domestic partner coverage and only ended up paying \$97,106 providing health care to domestic partners.⁴⁴⁰ While the context of HIV and AIDS likely deterred health insurance companies from welcoming domestic partner coverage, the costs of covering domestic partners proved minimal during the first year of coverage for municipal employees' partners.

Expansion of Domestic Partnership Registration

Domestic partnership proved to be popular enough across the city that Sam Smith lost his seat on the City Council in the fall of 1991 to black lesbian Sherry Harris. Harris was an engineer at U.S. West who lived with her white partner of eleven years Judith Scalise in the North Seattle neighborhood Maple Leaf, far removed from Seattle's African American community in the Central District and neighborhoods further south.⁴⁴¹ She had been a member of The Dorian Group and had served as president of the Seattle Women's Commission. Thus, despite her race, she shared the lifestyle and politics of white, middle-class gay activists who worked with city officials. Harris was endorsed by the Privacy Fund, a "lesbian and gay political action committee for human rights" based in Seattle. A fundraising letter sent by Privacy Fund Co-Chairs Don Moreland and Nancy Ousley on behalf of Harris described her race with Sam Smith as "the hottest race of this political season." Moreland and Ousley characterized Smith as

⁴⁴⁰ City of Seattle, "First Year Report: Extension of Medical/Dental Benefits to Domestic Partners," July 1991, 1-3, Box 1, Folder 2, Series 8405-02, SMA.

⁴⁴¹ Robert T. Nelson, "Harris' win marks end of era for Smith," *Seattle Times*, November 6, 1991, H4.

“the last vote for repressive legislation against the gay community on the Seattle City Council” considering his vote to deny sick and bereavement leave to domestic partners on moral grounds.⁴⁴² Harris’s campaign emphasized “openness” and “diversity,” never directly calling Smith out as anti-gay, or emphasizing her sexual identity, but suggesting he was no longer the type of liberal Seattleites found attractive.

Harris was a controversial figure within Seattle’s black community. The lack of trust in Harris to support black issues demonstrates how the city’s embrace of middle-class gay politics and business interests was viewed negatively by black leaders who did not gain the same level of access to city government because city officials generally did not view the black community as an engine of economic development. Seattle had gone a long way toward recognizing middle-class gay men and lesbians but had done very little in advancing the position of the black community. The *Seattle Medium*, a newspaper serving Seattle’s black community, indicated the belief that gay politics and black politics were incompatible in its endorsement of Sam Smith: “We feel [Harris] will concentrate more on the outside special interests of the gay/lesbian community’s political agenda...gay/lesbian rights should not be advocated at the expense of African American rights.”⁴⁴³ The endorsement painted Harris as an outsider who did not represent the black community given her residence in a white North Seattle neighborhood and her lesbianism. The endorsement even accused Harris of “race-baiting” by choosing to run against Smith, likely a decision the Harris campaign made based on Smith’s vote against the Family Leave Ordinance.⁴⁴⁴ Much had changed since the black community voted heavily against Initiative 13 in solidarity with the marginalized position of gay Seattleites. The

⁴⁴² Don Moreland and Nancy Ousley, form letter, August 29, 1991, Box 3, Folder, Tim Mayhew Collection on Gay Rights, Accession No. 4440-001, UWLSC.

⁴⁴³ “The *Seattle Medium*’s Endorsements: Vote Tuesday, Nov. 5, 1991,” *Seattle Medium*, October 30, 1991, 1.

⁴⁴⁴ “The *Seattle Medium*’s Endorsements.”

impression that gay men and lesbians had greater access to city government than black residents resulted in less support for gay issues in the black community. However, the city only extended recognition and inclusion to gay men and lesbians as *white* professionals and business owners, continuing to marginalize other queer people in Seattle. Despite Harris's race, she shared the respectable white, middle-class politics, running as a diversity candidate based on her embodied identity without politics rooted in queer of color critique or anti-racism.

Harris's overwhelming victory over Smith demonstrated the degree to which a majority of Seattle voters viewed themselves as champions of gay issues. Homophobia played a role in some black Seattleites' objections to Harris, but there were plenty of voices within the black community in favor of gay rights, including Norm Rice, who had voted for the Family Leave Ordinance and was elected mayor as Harris unseated Sam Smith. After unseating Smith by a two-to-one margin, Harris proclaimed herself part of a "new generation of black leadership...which considers its seniors as important as its juniors, its women as important as its men, where sexual orientation is not a barrier."⁴⁴⁵ Once on the Council, Harris did commit herself to gay issues as the *Seattle Medium* editorial board had predicted in their decision not to endorse her.

Sherry Harris served as the point person on the City Council when SCLG reintroduced the issue of domestic partnership in 1993, seeking to establish a domestic partner registry for all Seattle residents as a step toward gay men and lesbians' inclusion in marriage. Department of Human Rights Director Bill Hilliard had ruled in 1989 that partner benefits should be extended to unmarried partners as a correction of economic discrimination based on marital status, a ruling that challenged marriage as the institution through which all citizens must enter to receive

⁴⁴⁵ Nelson, "Harris' win marks end of era for Smith."

partner benefits. In a letter to Seattle Women’s Commission Chairwoman Judith Lonquist in October 1993, SCLG Co-Chairs Glenda West and Dan Ryan sought support for citywide domestic partnership registration (DPR) by making the argument that recognition would grant gay couples the same *social* standing as heterosexual couples: “Domestic Partnership Registration would grant symbolic, official, public sanction and recognition of our relationships.” West and Ryan viewed DPR as a measure the city could adopt as a step toward marriage, which only Washington State could change. The proposed ordinance did not require private employers to extend benefits to partners, as Hilliard’s decision called for four years earlier. Domestic partnership was no longer framed as an alternative to marriage accessible to all couples; it was now a step toward same-sex marriage.⁴⁴⁶

Gay marriage was suddenly a topic of national political conversation after the Supreme Court of Hawaii indecisively suggested the Constitution of Hawaii might allow same-sex marriages in May 1993. Author of the court’s majority opinion Justice Steven H. Levinson identified marriage as a “basic civil right,” which required the State of Hawaii to have a compelling state interest in order to exclude same-sex couples from the institution of marriage. While the lawyers that filed the case of one gay male couple and two lesbian couples in 1991 argued that the right to privacy granted them the right to marry, Levinson rejected the right to privacy argument in favor of gender discrimination based on the state’s Equal Rights Amendment.⁴⁴⁷ Levinson’s argument was thus similar to Barwick and Singer’s argument that Washington State law did not specify gender requirements for two partners to marry. By the

⁴⁴⁶ Dan Ryan and Glenda West, letter to Judith Lonquist, October 19, 1993, Box 1, Folder 12, Series 8405-04, SMA; See also Seattle Commission for Lesbians and Gays, “14 Most Asked Questions about Domestic Partnership Registration,” September 3, 1993, Box 1, Folder 12, Series 8405-04, SMA.

⁴⁴⁷ Jeffrey Schmalz, “In Hawaii, Step Toward Legalized Gay Marriage,” *New York Times*, May 7, 1993, accessed July 18, 2017, <http://www.nytimes.com/1993/05/07/us/in-hawaii-step-toward-legalized-gay-marriage.html>.

time the Hawaii Supreme Court made its decision, about 30 municipalities had recognized domestic partners in some capacity.

The Seattle Commission for Lesbians and Gays began strategizing with Sherry Harris around getting a citywide domestic partnership ordinance in June 1993, one month after the Supreme Court of Hawaii's decision on gay marriage. As the only openly gay member of the City Council, Sherry Harris was the natural liaison between SCLG and the Council on domestic partnership.⁴⁴⁸ Having worked steadily on developing a more robust domestic partnership law for over two years, the SCLG reintroduced the issue with city officials in the summer of 1993. SCLG wanted the city to establish a domestic partnership registry by October 1993 to coincide with National Coming Out Day, again framing the issue as a gay rights issue, not an alternative to marriage or resolution of discrimination based on marital status.⁴⁴⁹ Harris sent letters to seven of the most well-financed and politically established gay organizations in Seattle to solicit their views on the domestic partnership proposal in late July: Hands Off Washington, the Privacy Fund, Greater Seattle Business Association, Pride Foundation, Lesbian Resource Center, AIDS Housing of Washington, and the Northwest AIDS Foundation. Harris expressed five concerns about domestic partnership in the political climate of 1993 in her letter to the aforementioned organizations: the degree of symbolism versus substance, the likelihood of an initiative to overturn domestic partnership, the possibility that an initiative could attack previous civil rights gains, national polling showing a lack of support for gay marriage, and the potential of gay politics in Seattle to detract from statewide gay rights efforts.⁴⁵⁰ Harris expressed doubts that it

⁴⁴⁸ Cheryl Chow also served on the City Council, but she did not come out as gay until 2012.

⁴⁴⁹ City Domestic Partnership Work Group, agenda (June 29, 1993), Box 1, Folder 12, Series 8405-04, SMA.

⁴⁵⁰ Sherry Harris, memo to DPR Working Group, All Councilmembers and Mayor Norm Rice re: "Letter to Constituent Groups Regarding DPR," July 27, 1993; Sherry Harris, letter to Charlie Brydon (July 26, 1993), Box 1, Folder 12, Series 8405-04, SMA.

was the right to time to pursue a city-wide DPR registry, even though she had unseated a man who opposed sick and bereavement leave for domestic partners by a two-to-one margin.

In December, Harris agreed to introduce DPR legislation only at the appropriate moment given the broader statewide political context, an example of how politically connected gay men and lesbians negotiated the political climate in pursuing carefully crafted efforts at incremental inclusion. Anticipating an anti-gay initiative, Harris expressed concerns to Dan Ryan and Glenda West about the timing of such legislation, despite anti-gay initiatives' horrible track record in Seattle. Hands Off Washington and Privacy Fund activists such as Charlie Brydon and Bill Dubay, who were pushing a statewide Lesbian/Gay Civil Rights Bill in the 1994 legislative session, hoped the City Council would not address domestic partnership in 1994. These moderate gay activists feared a reactionary, counterproductive response in the state legislature with respect to the Civil Rights Bill if Seattle were to move forward on domestic partnership. Harris ultimately gave into the pressure from Brydon and Dubay, but she agreed to introduce the council bill after July 8, 1994 following the conclusion of the Lesbian/Gay Civil Rights Bill effort in Olympia and after the petition deadline to get an ordinance on the November 1994 ballot.⁴⁵¹ Harris, Brydon, and Dubay feared pursuing domestic partnership legislation over a potential reactionary anti-gay response, but the issue of citywide domestic partnership recognition was far less substantial and controversial than the issue had been in 1989 when the extension of benefits to partners was at stake.

As promised, Harris did introduce the domestic partner registration bill once it was clear that domestic partnership could not fuel any anti-gay political action, initiating the process by which the City Council unanimously voted in favor of a citywide domestic partnership registry.

⁴⁵¹ Sherry Harris, letter to Dan Ryan and Glenda West, December 7, 1993, Box 1, Folder 12, Series 8405-04, SMA.

Harris introduced the bill at the City Council Land Use Committee meeting on July 26, 1994 after two statewide anti-gay initiatives had failed to make the November 1994 ballot. Initiatives 608 and 610 would have potentially barred any municipality from protecting sexual minorities from discrimination thereby overturning Seattle's growing body of civil rights protections for sexual minorities stretching back two full decades. SCLG Co-Chair Jerry DeGriek suggested that SCLG would have recommended the City Council hold off on such legislation if an electoral campaign against Initiatives 608 and 610 had become necessary, again reflecting the cautious political nature of gay activists with strong connections to city government. The day before the Land Use Committee hearing, the *Seattle Times* ran an article with the headline, "City expected to OK benefits for workers' domestic partners," anticipating the council bill would easily win a vote by the full City Council on August 1.⁴⁵² The City Council indeed voted unanimously to pass the ordinance, and Mayor Norm Rice signed the legislation on August 5.⁴⁵³

Domestic partnerships became available to all Seattle residents on September 6, 1994, and the City of Seattle sponsored an event to garner publicity for the availability of domestic partnership registration, bolstering the city's liberal image without providing any tangible benefits to gay couples beyond recognition. This symbolic inclusion of gay couples further marginalized single and polyamorous Seattleites who opposed moderate gay activists' efforts at inclusion in preexisting social norms. The citywide recognition of domestic partners further domesticated sex, privileging gay couples who maintained a domestic arrangement and

⁴⁵² Peter Lewis, "City expected to OK benefits for workers' domestic partners," *Seattle Times*, July 25, 1994, Box 2, Folder 15, Series 8405-04, SMA.

⁴⁵³ "Council Bill Number: 110254; Ordinance Number: 117244," City of Seattle Legislative Information Service, Office of the City Clerk, City of Seattle, accessed March 31, 2016, [http://clerk.seattle.gov/~scripts/nph-brs.exe?s3=&s4=&s5=domestic+partnership+registration&s1=&s2=&S6=\(%40dtir%3E19900000%3C20000000\)OR\(%40DTSI%3E19900000%3C20000000\)OR\(%40dtf%3E19900000%3C20000000\)&Sect4=AND&l=0&Sect2=THESON&Sect3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F~public%2Fcbor1.htm&r=4&f=G](http://clerk.seattle.gov/~scripts/nph-brs.exe?s3=&s4=&s5=domestic+partnership+registration&s1=&s2=&S6=(%40dtir%3E19900000%3C20000000)OR(%40DTSI%3E19900000%3C20000000)OR(%40dtf%3E19900000%3C20000000)&Sect4=AND&l=0&Sect2=THESON&Sect3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F~public%2Fcbor1.htm&r=4&f=G).

contained their sexuality in private. The City of Seattle organized a “Conjugal Blitz” on the first day domestic partnership registration was available to all Seattle residents on September 6 to register as many couples as possible in a public spectacle. The announcement for the event affirmed that DPR was “intended to provide symbolic recognition of domestic partner relationships and recognize the diversity of families, including lesbian, gay and unmarried heterosexual couples. It does not impose any legal obligation or grant any benefits.”⁴⁵⁴ The “Conjugal Blitz” event offered a one-stop shop for domestic partners to gain recognition, encouraging a large turnout by reducing the red tape couples had to navigate to get their relationships recognized in the first day DPR was available to all residents. SCLG provided a huge cake outside the Office of the City Clerk, demonstrating the connection between domestic partnership and marriage.⁴⁵⁵ The event promoted the image of domestic couples – gay and straight – as the desirable norm, advancing a limited, inclusionary gay agenda where the symbolism of marriage gained political resonance, foreshadowing the legal victory of marriage equality ahead of basic nondiscrimination protections for sexual and gender minorities in the United States.

Conclusion

As Seattle took a step toward recognizing same-sex marriage, the opposite occurred in national politics, pitting Seattle and other cities against social conservatism in Congress. 1994 brought many socially conservative Republicans into Congress as part of Newt Gingrich’s

⁴⁵⁴ Seattle Commission for Lesbians and Gays, “Conjugal Blitz: Couples Make Merry as Domestic Partnership Registration Begins: Notary Public and Celebration Take the Cake at Sept. 6 Event” (press release), August 26, 1994, Box 1, Folder 14, Seattle Commission for Lesbians and Gays, Office of Women’s Rights, Record Series 8405-04, SMA.

⁴⁵⁵ SCLG, “Conjugal Blitz.”

“Contract with America.” And in response to Hawaii’s judicial system identifying the possibility that same-sex couples could be married, the Defense of Marriage Act passed Congress and was signed by President Bill Clinton in 1996. Urban liberals, however, only recognized gay men and lesbians who reproduced white, middle-class social norms. Growing partisanship over social issues did not change the fact that a political consensus had formed in Washington around increasingly aggressive wars on crime and drugs and the privileging of business and corporate interests over the interests of consumers and workers. Nationally, this was evident with the North American Free Trade Agreement negotiated under President Bush and effective under Clinton, the 1994 Crime Bill and the 1996 Effective Death Penalty Act. These policies expanded free trade and funded the growth of policing and mass incarceration. In Seattle, this was evident in city support for the Broadway Business Improvement Association and the Pike/Pine Planning Study discussed in Chapter 3 and the 1990 Drug Loitering Ordinance discussed in Chapter 4.

By 1994, domestic partnership was available to all Seattle residents as evidence of Seattle’s recognition of gay couples. Even as AIDS forced overt sexuality into public discourse in the name of public health, the recognition of committed couples furthered Reverend Katagiri’s vision of fostering normative, respectable gay citizens and containing sexuality in domestic space through the recognition of gay citizens who emulated white, middle-class norms and mores. The promotion of gay couples’ inclusion in society foreclosed opportunities for queer politics that questioned the domestic form, however, such as the ideas put forth by gay liberationists in the context of the Barwick-Singer case in the early 1970s. And the recognition of domestic partners did not result in any acceptance of public sexuality, contrary to the arguments made by conservative activists in the Initiative 35 campaign against domestic partnership. Throughout the debate over domestic partnership, city officials simultaneously took

steps to erase overt displays of sexuality from public space through aggressive policing and criminalization.

Chapter 6

“Adding to the Crime of Trespass”

Policing Sex in Public Parks, 1985-1995

As city officials debated and expanded domestic partnership and its recognition of the domestic gay couple, efforts to curb sexual activity in public parks were debated simultaneously. Policing public sex intermittently caused ire in the gay community ever since the end of the police payoff system, when greater emphasis was placed on policing nonviolent crime and vice. In addition to greater policing, volunteer organizations dedicated to upkeep of city parks pushed the Seattle Police Department and city officials to actively deter sexual activity in parks beginning in the mid-1980s. Queer activists spoke out against policing sex in parks, decrying the issue as part of a larger War on Crime project that sought to eliminate markers of sexual difference from public space and expand surveillance and policing. White, middle-class gay activists' desire to portray themselves as respectable citizens made them less keen to defend people cruising in parks. Seattle's recognition of domestic partnerships in 1994 enabled the City Council to deflect claims of homophobia while voting to ban all overnight uses of city parks in response to debates over public sex. The criminalization of late-night loitering followed a national pattern of growing law enforcement and surveillance operations. While the primary sources for this chapter have little to say about race, they do demonstrate the marginalization of queer voices in the gay community as gay men and lesbians recognized and appointed as “representatives” by city officials had little interest in defending overt displays of sexual difference. However, police likely used the criminalization of late-night loitering in public space to disproportionately police people of color in addition to people engaging in queer sexualities.

Cruising and Policing

Men cruising for sex with men in public parks has a long history in Seattle as it does in other cities. George Chauncey describes how the rise of industrialization and urbanization fostered a gay male subculture that included sexual encounters in public space. He argues that parks were “among the most popular – and secure – of New York’s gay meeting places” where men could “cruise” for sexual encounters, whether those encounters took place in the park or elsewhere, such as a private apartment.⁴⁵⁶ This was little different in Seattle. Even though gay Seattleites could meet relatively freely in Pioneer Square prior to the end of the police payoff system, parks were also cruising sites prior to the gay liberation movement. Volunteer Park, Cowen-Ravenna Park, Kinnear Park, and the Washington Arboretum all had a reputation for cruising.⁴⁵⁷ Men could seek out anonymous sex with other men in those parks regardless of how they identified themselves sexually.

Police began night patrols of parks known as cruising sites for gay men in the early 1970s under Police Chief George Tielsch as part of his broader campaign against victimless vice crimes, again demonstrating the contradictions of the end of the payoff system for gay Seattleites. Parks monitored included Volunteer Park at the north end of Capitol Hill and Cowen-Ravenna Park just north of the University District. A social worker who worked with gay men and lesbians Richard Andrus described park raids as told to him by some of his clients: “Some members of the sexual minorities have been arrested in some of the parks without being

⁴⁵⁶ George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of a Gay Male World* (New York: Basic Books, 1994), 180.

⁴⁵⁷ Northwest Lesbian and Gay History Museum Project, “Claiming Space: A Historical Map of Lesbian and Gay Seattle,” 1996; Atkins, *Gay Seattle*, 196.

informed of their rights and by un-uniformed policemen at that.”⁴⁵⁸ Public spaces that had been used particularly by men seeking sex with men, like bars, clubs, and bathhouses in Pioneer Square, faced policing that did generally did not happen under the payoff system.

Police entrapment of gay men into sex did not end after Tielsch’s tenure as Chief of Police, however. One year after his resignation, plainclothes police officers raided the Washington Arboretum, even instructing straight nude sunbathers to cover up before arresting gay men.⁴⁵⁹ In 1977, police officers made between eighty-five and ninety arrests in the men’s restroom at Alki Beach in West Seattle.⁴⁶⁰ Police raided a secluded area of the Washington Arboretum several times in late spring and summer of 1981. Nude sunbathers were arrested for breaking Washington State’s indecent exposure laws, and plainclothes police officers unsuccessfully searched the bushes for sexual activity.⁴⁶¹

Gay Seattleites had differing opinions on sexual activity in parks and even nude sunbathing in secluded areas of parks. Generally, these voices split into those with a queer perspective that opposed policing of any nonviolent crime and supported people’s right to engage in some public sexual activity and those adhering to respectability politics, arguing that such activity harmed the gay community’s reputation in the eyes of straight society and city officials. The latter camp also generally trusted the police as an agent capable of protecting the gay community while the former criticized the police as agents of state violence. In February 1981, *Seattle Gay News* (SGN) ran an editorial advocating the queer position in response to the gay sex scandal of Republican Congressman Jon Hinson of Mississippi and after police had

⁴⁵⁸ Richard Andrus, letter to Wes Uhlman, September 26, 1972, cited in Gary Atkins, *Gay Seattle*, 196, 400.

⁴⁵⁹ Lynn Tilden, “Our perverse police (Part three),” *Seattle Gay News*, November 19, 1982, 10.

⁴⁶⁰ Mary Anne Fleck, “Neighbors want ‘their’ park back,” *Capitol Hill Times*, December 10, 1986, 1.

⁴⁶¹ Ed Estes, “Rapes in the Streets, Police in the Bushes,” *Seattle Gay News*, June 5, 1981, 2; Ed Estes, “Snitch Stalks Arboretum Beach,” *Seattle Gay News*, July 31, 1981, 2.

stepped up policing of sexual activity in Volunteer Park one month earlier. The editorial board recognized “We should not be so eager to dissociate ourselves from those cannot or will not confine themselves to the implicit desire of straights not to be confronted with overt differences in [sexual] behavior.”⁴⁶² The editorial board of *SGN* identified that many in the community want to “‘clean up’ the image of gay people, to underplay the aspects of gay life that take place in environments other than the private bedroom,” but the eschewed “respectability” and supported adults who chose to engage in the sexual lives they desired.⁴⁶³

Debates over how the gay community should react to the prolonged episode of policing nude sunbathing in the Washington Arboretum in late spring and summer of 1981 continued to show the split between respectable gay men and lesbians seeking to portray themselves as non-sexual and those taking a queer position that the police should stop policing such behavior. In response to the summer of police raids in the Washington Arboretum in 1981, gay man Richard Stewart had a letter to the editor printed in *SGN* that advocated that more people sunbathe nude in the same section of the Arboretum, resist police, get arrested, and go to trial over the right to sunbathe nude in an area where nobody cares.⁴⁶⁴ In response to Stewart’s letter, another gay man Bruce Lindberg defended the policing of nude sunbathing. He dedicated most of his letter, however, to describing how he had a negative encounter with police but supported them anyways: “I lost faith in police for a while, until I realized a few bad apples don’t make the bunch.”⁴⁶⁵ Debates over the targeted arrests especially of gay men using parks for nude sunbathing and casual sexual encounters demonstrated the contentious divide between those taking a queer position and those taking a respectable one against public nudity.

⁴⁶² “Anonymous Sex Has Its Rewards But Also Its Responsibilities,” *Seattle Gay News*, February 27, 1981, 2.

⁴⁶³ “Anonymous Sex Has Its Rewards But Also Its Responsibilities,”

⁴⁶⁴ Richard Stewart, “Show Your Buns at the Arboretum,” *Seattle Gay News*, September 28, 1981, 3.

⁴⁶⁵ Bruce Lindberg, “Police Have Job To Do,” *Seattle Gay News*, October 23, 1981, 4.

Friends of Volunteer Park and the Issue of Public Sex

As the politics of domestic partners stalled in 1985, sex between men in Volunteer Park emerged as an issue with the Seattle Police Department and the Parks Department because of pressure from Friends of Volunteer Park, an organization representing the wealthy neighbors of the park. Located on the north end of Capitol Hill, Volunteer Park served as the destination of the Northwest Lesbian and Gay Pride Parade and Freedom Rally by the mid-1980s. The park thus held symbolic value for the gay community, and the park also had a history as a popular cruising site for men seeking sex with men predating the association of the gay community with Capitol Hill. As “neighborhood activism” generally produced city support for business-driven initiatives on Capitol over the late 1980s as discussed in Chapter 3, Friends of Volunteer Park was a neighborhood organization advocating for more policing of their neighborhood park, demonstrating how neighborhood activism served to advance growing economic inequalities in the case of the former and a growing police-carceral response to nonviolent crime in this case.

Friends of Volunteer Park (FVP) represented the wealthy, white North Capitol Hill residents whose houses bordered Volunteer Park, thus making them a powerful voice based on their social standing in the city. Members of Friends of Volunteer Park understood themselves as “a bonus to work done already appropriated for the park not a substitute...the [Parks] dept. pays more attention to a park with a strong volunteer corps and listens to the complaints of those who actually have spent hours helping to beautify their park.”⁴⁶⁶ Thus, FVP comprised affluent residents with time to devote to civic activity, which granted them political access to the Seattle Parks and Recreation Department while men seeking sex in the park were subject to the greater

⁴⁶⁶ “Notes from Friends of Volunteer Park Meeting on Feb. 3 Tues., at 7:30 pm at Bullitt” (February 3, 1987), 2, Box 3, Folder 13, Series 8405-04, SMA.

policing advocated by the parks well-to-do neighbors. FVP first raised the issue of sexual behavior in Volunteer Park in July 1986. In addition to sexual activity, members complained of “transients, bums,” loud teenagers and “gangs.” Thus, public sex was not the sole issue they found with Volunteer Park; they sought to sanitize the park for exclusive use by respectable citizens.

FVP brainstormed strategies for discouraging sexual activity in the park, relying on the restriction of unfettered access to the park at all hours; however, closing the park overnight was not yet considered a viable option. One suggestion was closing off parking in Volunteer Park as a means of curbing cruising in the park. Advocates of this position argued that the parking was intended for the Seattle Art Museum, which had moved from the Volunteer Park to its current downtown location. Meeting attendee Pat Ragen suggested closing off all but one section of parking, stating that “certainly able Tennis players can walk to the courts from above which will have plentiful parking ability without the Museum overload and therefore cut out the cruising of cars and parking of cars with loiterers inside waiting around for fornication in the bushes possibly or drug dealing or whatever.”⁴⁶⁷ The nonchalance with which Ragen describes “loiterers” in the park as sexual deviants and drug dealers demonstrates her classism and the shared belief among FVP members that the park was their backyard rather than a park intended for use by the full diversity of Seattle’s residents.

In 1986, Mayor’s Lesbian and Gay Task Force members and the Parks Department were more concerned that participants in casual public sex were doing so as safely as possible than they were with eliminating sexual activity from parks. However, MLGTF members also sought to legitimize the task force as a serious, respectable political organization, thus distancing

⁴⁶⁷ “Notes from Friends of Volunteer Park Meeting on Feb. 3 Tues., at 7:30 pm at Bullitt,” February 3, 1987, 1, Box 3, Folder 13, Series 8405-04, SMA.

themselves from men cruising in parks even as they prioritized promoting safer sexual practices among men who did. At a July 18, 1986 meeting, MLGTF members discussed the issue of sexual activity in the park, where the primary focus was on safe sex advocacy in the context of containing the AIDS epidemic. MLGTF's Health Committee had already discussed the issue of sex in Volunteer Park from a health standpoint, as the Parks Department had contacted them about making an educational poster for the park about how HIV is transmitted. Some Health Committee members were interested in curbing sexual activity in the parks and suggested pruning shrubs and hiring security guards to deter sexual activity in addition to enlisting volunteers to provide safe sex counseling in the park, mirroring efforts to encourage safe sexual practices in Seattle's gay bathhouses. MLGTF overwhelmingly passed a motion supporting a joint effort with SKCDPH and the Parks Department to place educational posters about AIDS in the park, but a motion to ask the Northwest AIDS Foundation (NAAF) to enlist volunteers for safer sex counseling in the park failed by one vote.⁴⁶⁸

The Mayor's Lesbian and Gay Task Force debated the issue of sex in public parks simultaneously with domestic partnership, revealing how caution around public sexuality and advocacy for domestic gay couples both stemmed from the Task Force's incremental and respectable approach to gay politics. Shelly Cohen served as MLGTF's point person on both the parks issue and domestic partnership as head of the Civil Rights Committee. In a September 11, 1986 memo relaying attitudes from Seattle's gay establishment in response to the policing sex in parks issue, Cohen also addressed domestic partnership tasks to be completed.⁴⁶⁹ While Cohen did not explicitly connect the two issues, the ease with which calculated reactions to the issue of

⁴⁶⁸ The Mayor's Task Force on Lesbian/Gay Issues, minutes (July 18, 1986), 3-4, Box 4, Folder 21, Series 458, KCA.

⁴⁶⁹ September 11, 1986 was also the date that Mayor Charles Royer signed the Broadway Business Improvement Association into existence.

gay sex in public space were coupled with a pragmatic approach to the passage of domestic partnership recognition were intimately connected. Openly tolerating public sexuality would have countered the politics of sexblindness as it would legitimate non-domestic forms of sex and intimacy and was, therefore, deemed politically impossible. However, the recognition of domestic gay couples by city officials validated gay men and lesbians who emulated domestic arrangements of most white, middle-class heterosexual Seattleites.

The opinions Cohen relayed in her memo indicated how middle-class gay activists were uncomfortable even addressing the issue of sex in parks for fear it would derail other efforts. Those who did advise Cohen suggested she work with SPD, indicating how they trusted the police to protect them, as respectable gay citizens; however, they failed to recognize the danger working with SPD posed to queer Seattleites engaging in public sex. NWAFF Executive Director Bea Kelleigh indicated that NWAFF was working on AIDS through a as “a health issue, not a gay issue.” Therefore, Kelleigh felt it was inappropriate for NWAFF to get involved in the issue of sex in parks in any way, even though any sex in the time of AIDS was a health issue. The Dorian Group President Jim Holm had served on the Police/Gay Task Force, formed in 1981 in response to the policing of the Washington Arboretum, and felt that the MLGTF should take up the issue directly with the Seattle Police Department. Sherry Harris, in her role on the Seattle Women’s Commission, noted that Noreen Skagen, a police officer who had served on the Police/Gay Task Force, had suggested revitalizing the Police/Gay Task Force. These activists with substantial power given the organizations they headed recommended Cohen and the MLGTF coordinate with the police department rather than the public health department as many queer Seattleites continued to mistrust the police.⁴⁷⁰

⁴⁷⁰ Shelly Cohen, memo to Task Force re: “Volunteer Park-update,” September 11, 1986, Box 3, Folder 13, Seattle Commission for Lesbians and Gays, Office of Women’s Rights, Record Series 8405-04, SMA.

The MLGTF generally agreed they could not come out in favor of public sex for fear of tarnishing the Task Force’s image in the eyes of straight residents and city officials, but MLGTF member Mark Greene advocated for efforts to discourage sex in Volunteer Park without involving the police. While Friends of Volunteer Park had asserted they would work with MLGTF on the issue of sex in the park, *Capitol Hill Times* raised the issue in a front-page story in December 1986.⁴⁷¹ In a letter to MLGTF Co-Chair Tarl Oliason, Greene cited the article’s assertion that MLGTF “does not condone the sexual activities in the park.” Recognizing that the white, middle-class orientation of the Task Force was not without controversy in the gay community, Greene’s position was predominantly informed by a desire to legitimate the work of the MLGTF in the eyes of the gay community the Task Force supposedly represented rather than city officials and straight residents. While acknowledging his own misgivings about sex in public parks, Greene wrote:

I feel that the use of ‘condone’ or any other terminology that indicates some sort of value judgment is dangerous for any continued credibility for the Task Force. I don’t believe we have the right to make any moral value judgments on sexual activity. In doing so, we lose a major defense against the larger society doing it to us, the Gay community...I cannot, and will not support the Task Force becoming a cog in the wheel of intolerance and oppression.⁴⁷²

Green still encouraged the domestication of gay sex, just through less coercive means than criminalization and law enforcement. He did support an MLGTF campaign to deter sexual activity in the park by stressing the illegality of such activity, the public health concerns around anonymous sex in the time of AIDS, and “the increased level of violence against Gay people” in Volunteer Park.⁴⁷³

In promoting itself as a legitimate advisory body in city politics, the Mayor’s Lesbian and Gay Task Force officially repudiated public sexual activity, but they did assert that Friends of

⁴⁷¹ Mary Anne Fleck, “Neighbors want ‘their’ park back,” *Capitol Hill Times*, December 10, 1986, 1.

⁴⁷² Mark Greene, letter to Tarl Oliason, December 12, 1986, Box 3, Folder 13, Series 8405-04, SMA.

⁴⁷³ Greene, letter to Oliason.

Volunteer Park overstated the issue. Councilmember Jeannette Williams met with Friends of Volunteer Park to discuss “nuisance complaints” in late May 1987, nearly a year after they first raised the issue with MLGTF. The MLGTF had been sending representatives to Friends of Volunteer Park meetings to monitor the issue of public sex between men but received too short a notice to send a representative to the meeting with Williams. However, MLGTF co-chairs Tarl Oliason and Karen Fredericksen expressed their concerns in a letter to Williams, which emphasized that incidences of sexual activity in the park were isolated and generally did not affect park visitors. The letter further emphasized that such activity was not the norm in the gay community: “‘Safe sex’ is the rule in our communities: chance anonymous sexual encounters are the exception. We do not condone explicit sex in public places.”⁴⁷⁴ The above passage from Oliason and Fredericksen’s letter seems to conflate “safe sex” with “domestic sex,” sex that is neither public nor anonymous. While the letter makes clear that the issue should not be taken so seriously by FVP, the letter also posits the lesbian and gay community as a respectable one, writing off a large segment of the gay and non-gay-identified population that did partake in anonymous and public sex.

While Friends of Volunteer Park forced the issue of policing sex in public parks, the MLGTF was more concerned with the issue of violence against gay Seattleites, which came into sharp focus in the summer of 1987 in Volunteer Park and replaced public sex as the most pressing policing issue involving the gay community. The front page of *Seattle Gay News* announced on July 24, “Fag bashing has returned to Capitol Hill with a vengeance during the past four weeks. Another man was attacked and beaten on Sunday, July 19, by six youths in

⁴⁷⁴ Tarl Oliason and Karen Fredericksen, letter to Jeannette Williams, June 1, 1987, Box 3, Folder 13, Series 8405-04, SMA.

Volunteer Park.”⁴⁷⁵ In September, MLGTF member Karen Fredericksen claimed that there had been 50 to 60 anti-gay assaults between January 1 and August 31, 1987.⁴⁷⁶ The publicity over gay sex in Volunteer Park likely played a significant role in the rise of violence against gay Seattleites. With the spike in anti-gay violence, however, sex in the park became far less important for both MLGTF and SPD in the summer 1987. Although Mark Greene was skeptical of MLGTF collaborating with SPD over the issue of sex in Volunteer Park, he volunteered himself as the MLGTF representative to work with the police on anti-gay violence, demonstrating how his previous position was about building credibility in the gay community rather than a reflection on his own views of the police.⁴⁷⁷ Greene was against involving the police in victimless vice crimes that gay men engaged in, but he believed the police could effectively protect gay men from violent attacks. With MLGTF and SPD working together on anti-gay violence, public sex waned from the public eye for a few years.

Policing Sex in Volunteer Park

As domestic partnership was gaining traction in City Hall, publicity over sex between men in Volunteer Park reemerged in 1990, driven by the actions of police officers rather than Friends of Volunteer Park. Several gay men had reported that a homophobic police officer had been patrolling Volunteer Park, harassing men cruising in the park around New Year’s Day, 1990. The officer refused to disclose his identity as a police officer to these men. East Precinct Captain Pirak was unaware of the policing happening in Volunteer Park, suggesting that the

⁴⁷⁵ William J. Freeberg, “Man beaten by six youths in Volunteer Park,” *Seattle Gay News*, July 24, 1987, 1.

⁴⁷⁶ William J. Freeberg, “Working together to put a stop to anti-Gay violence,” *Seattle Gay News*, September 4, 1987, 8.

⁴⁷⁷ William J. Freeberg, “Anti-Gay violence to be the subject of meeting with police, community,” *Seattle Gay News*, July 31, 1987, 8.

officers harassing gay men in the park were not assigned to patrol the park but rather did so on their own accord.⁴⁷⁸ In the early 1980s, The Dorian Group and the Greater Seattle Business Association endorsed the East Precinct's location on East Pine Street, viewing SPD as an agent of protection for them and their businesses, but many gay Seattleites expressed concern that the arrival of the East Precinct on Capitol Hill would result in greater policing of the gay community.⁴⁷⁹ Those fears appeared to be legitimated by policing in Volunteer Park in early 1990.

Two police officers proposed the first overnight park closure as a tactic to deter sex in parks, reintroducing sex in parks as a public issue and introducing the criminalization of overnight uses of parks as a possible deterrent to sexual activity. Captain Pirak had no prior knowledge that two officers from his precinct would be attending the Parks Department meeting on January 4, 1990. At the meeting, the officers requested that Volunteer Park be closed to pedestrians overnight and shared photographs of used condoms and men having sex in bushes at the meeting to support their request. The park was already closed to cars after midnight following Friends of Volunteer Park's advocacy in 1986.⁴⁸⁰ Although the policing of sex in Volunteer Park seemed to be an issue raised by two individual officers on their own accord, their actions set in motion a public discourse that ultimately had profound effects on the restriction of public access to Volunteer Park.

⁴⁷⁸ Tom Flint, "Police officers request closure of Volunteer Park at night to pedestrians," *Seattle Gay News*, January 5, 1990, 1.

⁴⁷⁹ On The Dorian Group's support for placing the East Police Precinct at 12th Avenue and E Pine St, see Roger L. Winters, letter to Paul Kraabel, November 2, 1982, Box 18, Folder 19, George Benson, Legislative Department, Record Series 4614-02, SMA; On the Greater Seattle Business Association's support for the 12th Ave and E Pine location of the East Police Precinct, see Paul Gjeffe, letter to Charles Royer and Jeannette Williams, May 31, 1983, Box 27, Folder 11, Norm Rice Subject Files: Public Safety, Legislative Department, Record Series 4674-02, SMA. On queer, anti-racist coalition against the East Police Precinct, see Stop the Other Police Precinct, petition to Charles Royer, City Council, Department of Construction and Land Use, and Patrick Fitzsimmons, Box 16, Folder 5, Director's Records, Fleets and Facilities Department, Record Series 0200-01, SMA.

⁴⁸⁰ Flint, "Police officers request closure of Volunteer Park."

Representatives of the Parks Department entertained the officers' request as they brainstormed strategies to deter sexual activity in the park. Three employees of the Seattle Department of Parks and Recreation toured Volunteer Park with the two East Precinct officers on January 12, 1990. All suggested courses of action entailed restricting access to areas of the park, including closing the bathrooms behind the park's amphitheater during the winter rather than the pagoda bathrooms, which were "more visible to park users and the police." The previous suggestion made by Friends of Volunteer Park in 1986 to close parking near the Seattle Art Museum at night came up, though it was noted that the museum held some evening events and nighttime users of the park may park in the surrounding neighborhood, which "would not be acceptable to park neighbors." Another suggested response was to close the Observation Tower in the park before sunset and after sunrise as opposed to the annual closing time of 6 PM, well after nightfall during the shortest days of the year, to facilitate security of the tower by only keeping it open during daylight hours. It was noted, however, that this would "prohibit viewing of sunrise and sunset" from the Observation Tower. Pruning trees and shrubs was also suggested to expose certain areas where sexual activity could occur in relative privacy in the park.⁴⁸¹

Although the officers had requested an overnight closure of the park, the Parks Department employees believed that to be politically impossible, as many respectable citizens used the park overnight and closing it seemed to unnecessarily criminalize residents' access to public space. The Parks Department employees noted, "Volunteer Park is a regional park" that had "legitimate park users in the evening and/or early morning, e.g., joggers, Seattle Art Museum patrons, public viewing of view from the lookout in front of the Seattle Art Museum." Toni Long of the Parks Department also informed the SPD officers that closing the park would

⁴⁸¹ Toni Long, memorandum to Holly Miller re: "Volunteer Park" (January 29, 1990), Box 3, Folder 13, Series 8405-04, SMA.

not address the issue of public sex more broadly but would merely force the activity elsewhere. Long also acknowledged, “The activity that should warrant greatest concern is the assaults on gays,” which had shifted public conversations away from addressing public sex prior to 1990.⁴⁸² Long raised the issue of violence against gay men in Volunteer Park, but the officers’ impetus for proposing closing the park overnight was consensual sexual activity, *not* violent crime. Enforcing the boundaries of respectable sexuality thus took precedence over protecting gay citizens in the eyes of these two police officers.

Closing Volunteer Park overnight was not seriously considered by city officials in 1990, but the proposal fueled a number of gay men and lesbians to write to *Seattle Gay News* in defense of sexual activity in parks, emphasizing a right to engage in queer sexualities.⁴⁸³ A week following the police officers’ announcement overnight closure request, an *SGN* reader calling himself Morning Star wrote, “I think anyone willing to bare his bottom in this weather deserves our support. As for the condoms which litter the ground, let’s collect them and make a latex collage to celebrate the fact that even in the woods we’re practicing safer sex. I personally have better things to do than patronize the puritanical leanings of our straight neighbors.”⁴⁸⁴ Gay men were not the only ones defending sexual behavior in the park. Diana Nathuen and Laura Louise Bramb submitted a letter to the editor supporting people’s right to engage in sexual behavior in the park while advocating men dispose of used condoms to “keep our park open for love!”⁴⁸⁵ *SGN* reported on January 19 that both the Seattle Police Department and the Parks Department had no intention of entertaining the idea of closing Volunteer Park overnight.

⁴⁸² Toni Long, memorandum to Holly Miller re: “Volunteer Park,” January 29, 1990, Box 3, Folder 13, Series 8405-04, SMA.

⁴⁸³ Tom Flint, “Closure of the park is not imminent,” *Seattle Gay News*, January 19, 1990, 1.

⁴⁸⁴ Morning Star, “Free coffee and condoms in the Park?,” *Seattle Gay News*, January 12, 1990, 3.

⁴⁸⁵ Diana Nathuen and Laura Louise Bramb, “Littering is littering – clean up!,” *Seattle Gay News*, January 19, 1990, 2.

The Seattle Commission for Lesbians and Gays, which replaced the Mayor's Lesbian and Gay Task Force in December 1989, responded to the growing discussion of sex in public parks as a reflection of society's homophobia that more visibility of respectable gay citizens could remedy. Commission Co-Chair Ed Murray responded in a letter to the editor of *The Seattle Times*, framing the issue within a family values framework and calling for social tolerance of gay people:

Such media attention helps confirm the stereotypes of gay males as sexual wantons. It also misidentifies the participants and the reasons for engaging in these activities. A ground breaking study by sociologist Laud Humphreys found that many of the participants engaging in sexual activity in parks and restrooms do not identify themselves as gay...

Given the continuing stigmatization directed at lesbians and gay men, and the long standing lack of social supports, it should come as little surprise that some men will find their sexual outlet in places that allow them to avoid what they perceived as the terrifying definition of 'homosexual' ...

Further we recommend the solution to this situation lies in addressing its deeper causes and not further police enforcement...

We also encourage the press to spend as much time on covering gay and lesbian church and temple groups or volleyball games as they have spent wandering around secluded areas of public parks. Or spending as much time with the thousands of volunteers who are working with those living and dying from AIDS. Such reportorial responsibility would help demystify gay and lesbian lifestyles and focus attention on solving shared problems.⁴⁸⁶

Murray identified participants in public sex as non-gay-identified men, even framing many of the men being policed as "fathers." Importantly, Murray's letter called for coverage of gay men and lesbians participating in "normal," respectable activities, such as sports, organized religion, and caring for the community's sick. Murray navigated the "family values" political terrain of the late twentieth; however, doing so meant conceding that efforts should be made to reduce incidences of public sex, albeit without making participants victims of policing and incarceration.

⁴⁸⁶ Ed Murray, letter to the editor of *Seattle Times*, written February 16, 1990, Box 3, Folder 13, Series 8405-04, SMA.

A proposal to close parks overnight in the fall of 1990 ultimately did not pass as the closure of parks did not seem politically viable to a population that may use the parks for “legitimate reasons” during those hours.⁴⁸⁷ The restriction of access to public space had not yet gained enough traction as a viable political response to sexual activity in public parks. However, North Police Precinct officers again opened the issue through far more aggressive efforts to police sex in Woodland Park, far removed from the center of gay community life in North Seattle. Once the issue of sex in public parks extended beyond Volunteer Park, all city parks became embroiled in political conversations about how City Hall should respond.

Policing Sex in Woodland Park

Simultaneous with the City Council’s approval of a domestic partnership registry open to all Seattle residents in 1994, police entrapment of men into sexual situations resulted in mass arrests in Woodland Park in the summer of 1994. SPD North Precinct Captain Douglas Dills, who had a well-documented history of homophobia, established a “sex police unit” to investigate male-male sexual activity in Woodland Park. Dills outlined his homophobic views in the police guild’s *Guardian* newspaper, calling for a ban on homosexual police officers in 1979, one year after Initiative 13 failed. As he unveiled the “sex police unit,” he repudiated his homophobia, claiming that he had come to know and understand gay men and lesbians and welcomed them to serve as officers in the North Precinct. Dills defended the creation of the “sex police unit” in response to complaints by neighbors of sexual activity happening in the park. When asked about his current views on homosexuality, however, he responded, “No matter what a person’s

⁴⁸⁷ Seattle Commission for Lesbians and Gays Executive Committee, minutes, October 4, 1990, Box 1, Folder 1, Series 8405-03, SMA.

private views may be, it is inappropriate to use a public office to promote a personal agenda.”⁴⁸⁸

While Captain Dills did not particularly reassure the public that he had totally relinquished his homophobic views, he acknowledged that SPD’s official stance was one of tolerance toward the gay community.

Located in North Seattle, Woodland Park was far removed from the center of gay life on Capitol Hill. While North Seattle had one gay bar located in the Wallingford neighborhood just south of Woodland Park, this would not have been a venue all men seeking sex with men would have been comfortable going to, particularly since homophobia was more pervasive in North Seattle than on Capitol Hill. While Capitol Hill was not free of homophobic residents, as Friends of Volunteer Park made clear, their homophobia was less explicit than the arguments made by many North Seattle residents. Anti-gay letters from within Seattle city limits to the mayor largely came from North Seattle residents, and the North Seattle’s social geography was shaped by a legacy of racial covenants, fostering a more conservative political climate.⁴⁸⁹ Woodland Park had served as a refuge for gay men living in North Seattle, not only those seeking illicit sex, but the park’s reputation as a gay space brought the park under scrutiny by North Precinct officers.⁴⁹⁰

In the six-month period following the expansion of domestic partnership recognition to all city residents, “sex cops” of the North Precinct of the Seattle Police Department routinely harassed men seeking sex with men in Woodland Park, drawing the attention of some activists, including Tom Flint of *Seattle Gay News*. Flint investigated police activity in Woodland Park over the six-month period, finding that gay men were being harassed regardless of whether they

⁴⁸⁸ Tom Flint, “SPD Captain denounces homophobic past,” *Seattle Gay News*, June 17, 1994, 1, 14.

⁴⁸⁹ “Letter sent to 7/31 to homophobics who give us grief,” 1986, Box 33, Folder 60, Charles T. Royer Subject Files, Office of the Mayor, Record Series, 5274-02, SMA.

⁴⁹⁰ Tom Flint, “Sex Police target Gay men in Woodland Park,” *Seattle Gay News*, March 3, 1995, 1, 8-9.

were engaging in or pursuing sexual activity. Flint described gay men who used the park to “linger and read the newspaper, strike up conversations, flirt, and cruise.” Flint documented several cases of police entrapment. Some undercover officers solicited sex from men in the park, arresting men even when they refused sex but physically engaged officers in a friendly embrace, such as a hug. One man was arrested for indecent exposure for changing in a park restroom. While sexual activity was banned in public parks under Washington State’s indecent exposure laws, sexual minorities explicitly had the right to “equal opportunity for full enjoyment and use of park facilities,” according to the Seattle Municipal Code.⁴⁹¹ One *SGN* reader John Mark responded to Flint’s exposé by comparing North Precinct officers to SS officers: “The accounts read like something out of Nazi Germany in 1935, rather than Seattle in 1995.”⁴⁹² Although publicity over the North Police Precinct’s “sex police” brought the precinct under greater scrutiny by Chief of Police Norm Stamper and other city officials, it also had the unintended consequence of reopening conversations about how to eliminate sexual activity from city parks.

Closing City Parks Overnight

Although overnight park closures seemed like too extreme a measure to be politically viable in 1990, the City Council’s resolution to the issue of male-male sex in public parks in 1995 was exactly that, thereby legally limiting access to public space for all Seattle residents in the name of containing sexuality in private space. This targeted same-sex sexual encounters of gay and non-gay-identified men who might not have been comfortable in city-sanctioned gay spaces such as bars, clubs, and bathhouses, a population that had used parks for that purpose for about a century. Gay-identified couples reproducing the white, middle-class household were

⁴⁹¹ Tom Flint, “Sex Police target Gay men in Woodland Park,” *Seattle Gay News*, March 3, 1995, 1, 8-9.

⁴⁹² John H. Mark, “How about it, Norm?,” *Seattle Gay News*, March 10, 1995, 20.

recognized as normal and thereby granted state recognition through domestic partnership, and overnight park closures relegated all sexual activity to private space, imagined as domestic space by city officials and straight residents though bathhouses were privately owned sex clubs that continued to operate. Domestic partnership registration and male-male sex in public parks were treated as separate issues, but ultimately the gay establishment, embodied by the Seattle Commission for Lesbians and Gays, advocated for domestic partnership, and quietly allowed overnight closures of public parks. Park closures not only affected cruising in parks, but provided police officers a reason to arrest *anyone* present in a park after hours, a burden that likely fell disproportionately on queer people, people of color, and homeless people.

Days before Flint's exposé on police entrapment in Woodland Park, published March 3, 1995, the Seattle Parks Department Board voted to close Volunteer Park to pedestrians between 11 PM and 6 AM, making Volunteer Park the first city park with restricted access overnight stemming from opposition to sexual activity. The Parks Department Board claimed the decision was not about sexual behavior in the park but about a "noise complaint"; however, the noise neighbors had complained about was made by police officers going after men for sexual activity. At 2:30 AM on Sunday, January 15, police entered Volunteer Park to police public sex. One police officer sang over his loudspeaker, "We're coming to get you!" Witnesses watched as police officers disbursed across the park, and no arrests were made. The Parks Department Board's decision came in response to police officers going after men having sex with men in the park, but the rationale given for the park closure was noise complaints in response to noise made by police officers. Rather than admonish East Precinct officers for being noisy in the middle of the night, the Parks Department instead voted to close the park overnight. Some gay men were rightfully suspicious that the noise complaints were a convenient way for the Parks Department

to close the park overnight to curb sexual activity in the park without publicly coming across as homophobic.⁴⁹³ The noise complaints brought by police activity in the park offered a convenient, sexblind rationale to close the park overnight and thereby criminalize access to public space.

With precedent for overnight park closures set by the Parks Department, the Seattle City Council began discussing uniform overnight park closures as a resolution to the issue of same-sex sexual behavior in all public parks, indicating how surveillance and criminalization of public space had become politically viable for liberal politicians by the mid-1990s. The Parks Department submitted a recommendation to the City Council to consider closing all public parks overnight in response to the publicity over policing public sexuality in Woodland Park. As chair of the City Council's Parks, Public Grounds, and Recreation Committee, City Councilmember Sue Donaldson called together a hearing to address the Parks Department's recommendation on March 21, 1995. Even as she called the hearing, Donaldson expressed her own reservations about the proposal: "Although closing parks during the nighttime hours has shown some reductions in illegal activities, I have some reservations. It is unfortunate when we feel the need to limit the use of our public parks, due to the unfortunate actions of a few individuals."⁴⁹⁴ Donaldson acknowledged that the closure of parks was an illiberal measure while acknowledging that such a move might be justified to curb non-violent crime.

Even as the City Council advanced the agenda of overnight park closures, many gay Seattleites continued to decry the action of the police officers in the North Precinct, demonstrating how the incorporation of gay couples in domestic partnership recognition did not

⁴⁹³ "Sound and Fury in Volunteer Park," *Seattle Gay News*, March 3, 1995, available in Box 3, Folder 13, Series 8405-04, SMA.

⁴⁹⁴ Sue Donaldson, letter to Community Member, March 15, 1995, Box 3, Folder 13, Series 8405-04, SMA.

protect gay men from police harassment in public space. Under political pressure, North Precinct Captain Dan Bryant, who succeeded Douglas Dills in September 1994, announced that officers would no longer arrest anyone for indecent exposure but would instead issue citations in a meeting with the Seattle Commission for Lesbians and Gays on March 13, just ten days after Flint's exposé was printed. While Bryant asserted there was "no anti-Gay purge of Woodland Park, and there are no sex police," arrest statistics showed that "260 people had been arrested and charged for sex-related offenses, primarily in Woodland park. Of those cases, 90 were dismissed – indicating that one-third of the cases could not stand up in court."⁴⁹⁵ SCLG and Dan Bryant agreed to continue to work together to address the issue of sex in parks, demonstrating SCLG's general faith in police officers as agents of protection for gay men and lesbians even though many within the gay community continued to mistrust the police.

As representatives of the "gay community," the Seattle Commission for Lesbians and Gays attempted to balance political momentum for recognition of gay men and lesbians as respectable citizens with the outcry expressed by many gay residents against the policing of public sex in parks. Ultimately, SCLG sided with city officials. There was no survey, poll, or forum conducted regarding what actions SCLG should take on the issue of sex in public parks. The SCLG members who attended the March 30 Executive Committee meeting agreed to oppose police officers who overstepped the boundaries of the law through entrapment, but they also conceded that the SCLG should not defend people having sex in parks. SCLG member Jerry DeGriek said, "Deterrance [sic] is more appropriate than entrapment," suggesting that the SCLG might go along with the plan to close parks overnight to prevent sexual activity in public parks while chastising the North Precinct officers engaging in entrapment. The committee also

⁴⁹⁵ Tom Flint, "Woodland Park arrests will end, police captain says," *Seattle Gay News*, March 24, 1995, 1.

discussed penning an *SGN* article to lay out the law regarding indecent exposure, though the concern was raised that many men participating in such activity were not gay-identified and thus not likely to read *SGN*.⁴⁹⁶ Thus, SCLG members posited themselves as ambassadors to the gay community to enforce the law at the behest of the Parks Department and the Police Department to minimize direct policing of sexual encounters. SCLG sided with the city's interest in eliminating sexual activity in public parks rather than consider the diversity of gay voices on the issue, demonstrating how respectable gay activists claimed to represent the entire "gay community" as they pursued state recognition of gay citizens who otherwise reflected white, middle-class norms.

The Seattle City Council voted to close all public parks overnight over the issue of public sex. Public parks were not closed due to violence, which gay men had experienced in parks, nor did the council vote to close parks over issues other cities closed parks over – violent crime, theft, drugs, or homelessness. Sex was deemed unsafe for public space so much so that overnight access to public space for *all* Seattleites was criminalized. The Parks, Public Grounds and Recreation Committee of the Seattle City Council voted on May 10 to submit the overnight park closure proposal to the full council. The proposal submitted to the full City Council by the Parks, Public Grounds and Recreation Committee on May 10 established operating hours, to be set by the Superintendent of the Seattle Parks Department, for all city parks, "adding to the crime of trespass in the parks the act of being present in a park when the park is not open to the public."⁴⁹⁷ The full City Council voted eight-to-one in favor of the proposal on May 30, the same margin domestic partnership for municipal employees had passed the council in 1989

⁴⁹⁶ Seattle Commission for Lesbians and Gays Executive Committee, meeting notes, March 30, 1995, Box 1, Folder 17, Series 8405-04, SMA.

⁴⁹⁷ Seattle City Council Parks, Public Grounds, and Recreation Committee, agenda (May 10, 1995), Box 3, Folder 13, Series 8405-04, SMA.

before the lone opposition, Sam Smith, lost his seat on the council. Mayor Norm Rice signed the ordinance two days later, thus restricting access to public space for all Seattle residents over the non-violent crime of public sexual behavior.⁴⁹⁸

Conclusion

The City of Seattle's recognition of gay people as citizens only extended to those who maintained private sexual lives. With the passage of domestic partnership, it was easier for city officials to act on sexual activity in parks without fear of being labeled homophobic. The City Council ultimately voted in favor of restricting public space to all citizens to curb the non-violent sexual behavior of a few in the decision to close public parks overnight. The Mayor's Lesbian and Gay Task Force and the Seattle Commission for Lesbians and Gays's adherence to respectability politics precluded them from defending public sex, allowing city officials to turn toward the surveillance and criminalization of public space in the effort to eradicate male-male sex from public parks. Today, same-sex couples nationwide have access to marriage, but Seattle residents remain banned from all public parks between the hours of 11:30 PM and 4:00 AM, while some parks, including Volunteer Park, are closed between 10:00 PM and 6:00 AM. Park closures subject far more than sexual deviants to the police power of the state, and queer people of color, and homeless people are more likely to be cited or arrested for violating park hours. Politically connected gay citizens were thus complicit in the rise of the police-carceral system, criminalizing citizens' existence in public space at the wrong time.

⁴⁹⁸ "Council Bill Number: 110626; Ordinance Number: 117645," City of Seattle Legislative Information Service, Office of the City Clerk, City of Seattle, <http://clerk.seattle.gov/~scripts/nph-brs.exe?s3=&s4=117645&s5=&s1=&s2=&S6=&Sect4=AND&l=0&Sect2=THESON&Sect3=PLURON&Sect5=CBORY&Sect6=HITOFF&d=ORDF&p=1&u=%2F~public%2Fcbor1.htm&r=1&f=G> (accessed March 29, 2016).

Conclusion

The rise of Ed Murray to the mayoralty of Seattle exemplifies the degree to which white, middle-class gay men had become full citizens by 2013. Ed Murray, who had served as Co-Chair of the Seattle Commission for Lesbians and Gays in 1990, replaced his mentor and Seattle's first gay representative in Olympia Cal Anderson in the Washington State Legislature in 1995. Murray ran for mayor in 2013 on the coattails of leading the fight for same-sex marriage in Olympia, which passed the State Legislature and survived a statewide referendum effort in 2012. He married his long-term partner Michael Shiosaki during his run for mayor in August 2013.⁴⁹⁹ Murray's campaign relied on his ability to achieve statewide adoption of the white, middle-class gay politics of inclusion that developed from The Dorian Group's right to privacy defense of housing rights to domestic partnership recognition between the mid-1970s and mid-1990s in Seattle politics. *Seattle Times* reporter Jim Brunner described Murray as "the guy backed by the downtown business establishment," and his endorsements included Amazon and Comcast.⁵⁰⁰ Murray was thus corporate-sponsored, and he won the mayoralty in large part due to Seattle voters' ally politics, viewing gay marriage as an achievement of justice despite the continued marginalization of single and polyamorous residents and queer people more broadly. Murray won even as Seattle voters opposed rising living expenses that have made Seattle increasingly inaccessible to working-class residents, an issue central to incoming Socialist Alternative Councilmember Kshama Sawant's campaign.⁵⁰¹

⁴⁹⁹ Bob Young, "The rise and fall of Seattle Mayor Ed Murray's political career," *Seattle Times*, May 9, 2017, accessed July 20, 2017, <http://www.seattletimes.com/seattle-news/politics/the-political-career-of-seattle-mayor-ed-murray/>.

⁵⁰⁰ Jim Brunner, "How will the McGinn, Murray Seattle mayor race unfold?," *Seattle Times*, August 10, 2013, accessed July 20, 2017, <http://www.seattletimes.com/seattle-news/how-will-the-mcginn-murray-seattle-mayoral-race-unfold/>.

⁵⁰¹ Sawant predominantly, though not exclusively, won precincts where the average household income was below the city's average, Gene Balk, "Who voted for socialist Sawant: Income map has some surprises," *Seattle Times*,

Ed Murray's respectable gay image was a positive attribute in Seattle's mayoral race in 2013, but accusations and evidence of queer sexual behavior – outside of the state's legal and socially acceptable forms of sexual deviance from white, middle-class heterosexual norms – forced Murray to end his reelection bid in 2017 under pressure from other city officials. Accusations of sexual abuse and exchanging money for sex with younger men forced Murray to end his reelection in 2017 even before evidence emerged demonstrating that Murray had sexually abused his former foster son on July 16, 2017.⁵⁰² In the interim, Murray endorsed former U.S. Attorney Jenny Durkan, a white, professional class lesbian who now has the backing of the downtown business establishment like Murray did in 2013.⁵⁰³ As a gay man whose sexual behavior remained a private matter – remained sexblind – Ed Murray became Seattle's first gay mayor, but the publicity of his queer sexuality – outside the liberal state's parameters of appropriate sexual behavior – ruined his political career.

Before Murray backed out of the race, his first opponent, Nikkita Oliver, was a queer woman of color nominated by the Peoples' Party, founded by a younger generation of activists from communities of color to center the needs of Seattle's most marginalized. Oliver represented those pushed to the margins because of their race, class, gender, and sexualities as

December 12, 2017, accessed July 20, 2017, <http://www.seattletimes.com/seattle-news/data/who-voted-for-socialist-sawant-income-map-has-some-surprises/>; On rising living expenses in Seattle see, for example, Mike Rosenberg, "Seattle housing market tops nation in bidding wars and price gains," *Seattle Times*, May 30, 2017, accessed July 20, 2017, <http://www.seattletimes.com/business/real-estate/seattle-housing-market-tops-nation-in-bidding-wars-and-price-gains/>.

⁵⁰² Lewis Kamb and Jim Brunner, "Seattle Mayor Ed Murray sexually abused foster son, child-welfare investigator found in 1984," *Seattle Times*, July 16, 2017, accessed July 20, 2017, http://www.seattletimes.com/seattle-news/times-watchdog/mayor-ed-murray-sexually-abused-foster-son-child-welfare-investigator-found-in-1984/?utm_source=The+Seattle+Times&utm_campaign=de2eb84c93-Alert_Seattle_Mayor_Ed_Murray_sexually_abused_fost&utm_medium=email&utm_term=0_5beb38b61e-de2eb84c93-122882941.

⁵⁰³ Daniel Beekman, "Jenny Durkan draws big-time backers, overt opposition in Seattle mayor bid," *Seattle Times*, July 19, 2017, accessed July 20, 2017, <http://www.seattletimes.com/seattle-news/politics/jenny-durkan-showcases-her-experience-in-race-for-seattle-mayor/>.

white, middle-class gay men and lesbians were gradually let in. However, she was narrowly edged out in the primary by Cary Moon, indicating how many white liberals to Durkan's left preferred an independently wealthy, middle-aged white woman to a younger queer woman of color. Queer people of color have historically been denied recognition by city officials, the white middle-class gay establishment, and many leaders in communities of color as too radical or worse, nonexistent.⁵⁰⁴

Because city officials wished to promote Seattle as a socially tolerant, liberal city, Seattle has by-and-large been a city at the forefront of the gay rights movement, both shaping and reflecting broader state strategies of selective recognition of gay activism amenable to economic growth and law and order. Gay men and lesbians won employment nondiscrimination protections as they asserted themselves as citizens in opposition to police abuses *without* concerning themselves with presenting a respectable image or engaging in polite political conversation. However, when moderate white, professional class gay men and lesbians began organizing around an individual rights-oriented politics of inclusion that reflected their racial and class privilege, city officials identified this group – The Dorian Group, Citizens to Retain Fair Employment, the Greater Seattle Business Association – as more amenable to the city's broader goals of economic development and maintaining social order. Members of these groups were disproportionately represented on the Mayor's Lesbian and Gay Task Force and the Seattle Commission for Lesbians and Gays. Their desire for inclusion in society as it existed pushed these activists toward domestic partnership as the realization of gay citizenship at the municipal level, a recognition of gay men and lesbians replicating the middle-class heterosexual household,

⁵⁰⁴ Daniel Beekman, "Durkan, Moon advance in Seattle mayor's race – without Oliver's endorsement," *Seattle Times*, August 15, 2017, accessed August 16, 2017, <http://www.seattletimes.com/seattle-news/politics/durkan-moon-advance-in-seattle-mayors-race-without-olivers-endorsement/>.

but their concern for respectability produced the marginalization of queer politics and increased policing and criminalization of queer sexualities, including sex work and sex in public. The goal for white, middle-class gay activists and city officials was a sexblind society, devoid of visible queer sexualities while recognizing individuals who kept their sexual lives private, including sexual minorities and, more recently, trans and gender non-conforming people. These politics were safer for the city to engage than queer critiques of the state or racial and economic justice projects that required a greater investment of municipal resources.

Seattle officials' incorporation of middle-class gay politics is an example of how late-twentieth century liberals embraced multiculturalism while simultaneously centering an individual rights framework conducive to, if not productive of, growing economic inequalities and greater policing by valuing individually owned property over human lives. This was late twentieth century liberalism – not a rise in conservatism, but the evolution of self-described liberal politics that have increasingly come to be associated with America's cities and the national Democratic Party. Embracing sexual diversity became a key component of urban liberalism while the political economy of America's cities embraced state support for market-driven solutions to social and economic problems, such as business improvement districts. The neoliberal consensus thus did not simply begin with the Democratic Leadership Council, which was generally comprised of politicians from non-urban districts. Urban liberals also embraced a political economy with heavy state involvement on the side of capital rather than labor or the consumer in response to the economic challenges of the 1970s. On the streets of Seattle, city officials' recognition of gay business owners as contributors to economic growth produced a relationship that accelerated gentrification in Seattle's central neighborhoods.

The inclusion of white gay men and lesbians adhering to white, middle-class norms as citizens facilitated the growth of policing, criminalization, and incarceration of Seattleites who did not adhere to white, middle-class norms, including people with visibly queer sexualities and poor people of color. On the word of MacGiver Wells, a gay bar owner, police “reform” brought greater police violence against average members marginalized communities as business owners from those communities were relieved of the police payoffs. Seattle voters recognized that discrimination against gay residents was bad and should be illegal at the same time they voted that police officers should have the right to use firearms and lethal force in policing nonviolent felony cases and that busing to achieve integration in public schools was too heavy a state intervention to correct racial disparities in education. Gay business owners and the city cooperated to police Capitol Hill’s homeless, panhandlers, and radical activists in the making of a vibrant commercial district. And gay couples emulating white, middle-class heterosexual households won municipal state recognition, which enabled the City Council to deflect accusations of homophobia as Councilmembers voted overwhelmingly to criminalize overnight loitering in parks in response to public sexual activity, subjecting residents to surveillance and policing simply for being in the wrong public space at the wrong time.

In contrast to efforts to police, criminalize, and erase sexuality from public space and public discourse, the Seattle-King County Department of Public Health’s response to AIDS recognized and publicized queer sexualities, and it continues to do so, in its efforts to prevent and treat sexually transmitted diseases such as HIV/AIDS. Promoting sexual health is thus an exception to city officials’ desire to contain sexuality. However, the City of Seattle’s previous recognition of white, middle-class gay men coupled with national publicity of “gay cancer” fostered a safer sex campaign that exclusively targeted gay men during the AIDS epidemic’s first

five years in Seattle. Seroconversion rates continued to increase in the black, Latinx, and Native American communities as they decreased in the predominantly white gay community. Racial misunderstandings characterized much of the Department of Public Health's response to AIDS in those communities despite honest efforts to reach those communities by hiring people of color to the AIDS Prevention Project and subcontracting with the People of Color Against AIDS Network. Following SKCDPH's response to the AIDS epidemic, Washington State passed the first AIDS funding bill of any state government in 1988. Today, Washington State's Department of Social and Health Services provides financial support for men who are sexually active with men to take PrEP (pre-exposure prophylaxis), a daily medication proven to be effective against HIV seroconversion. PrEP has been advertised on billboards and King County Metro buses through the WeAre1 campaign, a collaboration among health departments in the Puget Sound regions and gay health organizations, including Entre Hermanos and the Center for Multicultural Health representing queer communities of color.⁵⁰⁵

Seattle and Washington State's record on public health does not erase the state violence enabled by the inclusion of normative white, middle-class gay people as citizens. As the incorporation of gay men and lesbians into mainstream society and politics has traveled up from cosmopolitan cities into the national Democratic Party, the incorporation of gay rights has projected a national movement of gay men, lesbians, and allies that this strand of gay rights is *the* gay rights movement. Without access to queer communities in cosmopolitan cities, liberal Americans rather quickly lined up behind this gay rights movement, promoted by privileged members of the gay community. Lisa Duggan and Alexandra Chasin discuss the incorporation

⁵⁰⁵ Since 2014, the WeAre1 campaign has been working to promote holistic well-being among "gay men, bi men, trans people, and straight men who love men," and promoting PrEP as one method of preventing HIV transmission has been central to their campaign, "About," WeAre1, accessed July 20, 2017, <http://we-are-1.com/about>.

of well-funded organizations such as the Human Rights Campaign, with predominantly white, middle-class, cisgender male leadership claiming to speak on behalf of a mythic “LGBT community,” and the economic inequality this mainstream gay rights movement has failed to address.⁵⁰⁶ As marriage equality was determined to be the next logical step in the gay rights movement, a recognition of gay couples as analogous and equal to straight couples, marriage campaigns received far more funding than organizations addressing more life-and-death issues such as homelessness among queer youth abandoned by their families. It is telling that marriage is now a sexblind institution nationally following the Supreme Court’s decision in *Obgerfell v. Hodges*, but there is no federal law protecting LGBT people from discrimination.⁵⁰⁷

The incorporation of gay men and lesbians arguing for recognition and inclusion in American society as it exists has not only served as window-dressing for the Democratic Party’s turn toward trade deregulation, aggressive policing, and mass incarceration but has also advanced the imperial agenda of the United States. Jasbir Puar has described this in the American context as “homonationalism.”⁵⁰⁸ Others, such as Sarah Schulman, have described this in the context of the State of Israel’s violence against Palestinians as “pinkwashing.”⁵⁰⁹ This development is best exemplified by the inclusion of gay men and lesbians in the U.S. military and Secretary of State Hillary Clinton’s 2011 proclamation that “Being gay is not a Western invention; it is a human reality,” a justification for American intervention in countries on the

⁵⁰⁶ Duggan, *The Twilight of Equality?*; Chasin, *Selling Out*.

⁵⁰⁷ Timothy M. Phelps, “Next frontier for gays is housing and employment nondiscrimination,” *Los Angeles Times*, June 26, 2015, accessed July 20, 2017, <http://www.latimes.com/nation/la-na-gays-employment-20150626-story.html>.

⁵⁰⁸ Jasbir Puar, *Terrorist Assemblages: Homonationalism in Queer Times* (Durham, NC: Duke University Press, 2007).

⁵⁰⁹ Sarah Schulman, *Israel/Palestine and the Queer International* (Durham, NC: Duke University Press, 2012).

basis of not recognizing gay rights.⁵¹⁰ However, Clinton's speech failed to recognize that gay identity *was* a Western invention, produced by Western epistemologies and given social currency through state surveillance and policing, spread throughout the world through imperial violence against gender and sexual systems that did not fit the West's belief that compulsory heterosexuality and the patriarchal family were socially correct.⁵¹¹ Thus, homonormative politics have not only facilitated increased state violence in urban space within the United States but have also justified U.S. state violence across the globe.

⁵¹⁰ Hillary Rodham Clinton, Human Rights Day Speech, Geneva, Switzerland, December 6, 2011, Huffington Post, accessed July 20, 2017, http://www.huffingtonpost.com/2011/12/06/hillary-clinton-gay-rights-speech-geneva_n_1132392.html.

⁵¹¹ See Chauncey, *Gay New York*; Canaday, *The Straight State*.

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