

QUEEN CITY OF THE PLAINS?  
DENVER'S GAY HISTORY 1940-1975

by

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### **ABSTRACT**

Since its establishment as a mining camp, Denver was an integral part of life for many westerners, including homosexuals. This study examines how upper and middle-class white gay men navigated the boundaries of sexual morality to help define homosexual personhood for the public and form the basis of Denver's gay community between 1940 and 1975. Within the context of national discourse regarding "homosexuality," breadwinner liberalism, and the sexual revolution, the emergence and cohesion of Denver's gay community occurred during a transformation from homophile activism to the gay liberation movement. Subsequently, the history of gay Denver demonstrates the importance of politicization and sexuality in the construction and organization of gay scenes and the politics of moral respectability. Well before the materialization of a national "gay rights" movement and the gay liberation movement in the American twentieth century, Denver functioned as an example of how white gay men attempted to unify and create the basis of an early gay political movement.

The form and content of this abstract are approved. I recommend its publication.

Approved: Christopher Lowen Agee

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## INTRODUCTION

The corner of 17<sup>th</sup> street and Stout Avenue in downtown Denver was bustling on the night of September 4, 1959. The colonial room inside the Albany Hotel was full of conventioners. Enjoying an array of beverages and visiting cordially, old friends reconnected while newly arrived guests in the Mile High City made friends with Denver residents. At first, bartenders ignored patrons' attempts at conversation and only spoke with each other. As Rolland Howard—a homophile activist and Mattachine Society founder—recalled, “[T]he delegates showed themselves to be both human beings and ladies and gentleman...the bartenders, who at first only communicated only with each other—in whispers—soon were as warm and friendly and full of wry humor as bartenders are usually thought to be.”<sup>1</sup> Reporters for the Rocky Mountain News and Denver Post even joined in on the festivities and began conversations with the out-of-towners.<sup>2</sup>

The next morning, visitors and natives of Denver gathered on September 5, 1959 for the Sixth Annual Convention of the Mattachine Society, a nonviolent homophile activist group. Professionals, homosexual activists and advocates, and police from around the country came to the Albany Hotel for three days to “create greater understanding of the social, psychological and legal problems of homosexuality.”<sup>3</sup> Devoid of harassment by friend or foe, the Mattachine Convention began on Friday and continued on Saturday with opening ceremonies, collection of registration fees, and reports about individual associations across the country.

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<sup>1</sup> Rolland Howard, "Notes on the Convention," *Denver Area Newsletter*, 3, no. 10 (1959): 3.

<sup>2</sup> Howard, "Notes on the Convention," 3.

<sup>3</sup> "Group to Discuss Homosexual Needs." *The Denver Post*, September 4, 1959. 32.

Members of the Denver Police Morals Bureau also attended the meeting and even paid a registration fee. As Howard remembers, “[A] civil request with a civil explanation got from these gentlemen their civil cooperation, and they registered for the minimum attendance.”<sup>4</sup> The convention luncheon welcomed Dr. Leo V. Tepley, a Russian born psychiatrist living in Denver, who discussed homosexuality not as a disease, but as an adjustment to normative adulthood.<sup>5</sup> Those in attendance learned of the growing debates in the psychiatric world as many psychologists began to disagree with antiquated ideas of homosexuality as a curable disease, and began advocating for greater tolerance and understanding for this newly emerging minority. Discussions followed with teachers, attorneys, and political officials regarding homosexuals in society and the problems they faced regarding civil liberties. After a day of education, attendees concluded that the policing of homosexuality was moot and a “better definition [of criminal behavior] is a necessity for both public welfare and civil liberties.”<sup>6</sup> The society held an awards banquet to honor outstanding members at a national level. The convention continued into Sunday with more panel discussions by esteemed professionals; the Denver Mattachine Chapter concluded its business on Monday.

Despite the public arrest of the Denver Mattachine Librarian, Billy M. Matson, for possession of illegal pornographic articles—a law enacted in the late 1930s—the congregation of many known homosexuals during the Mattachine Convention resulted in little lawful harassment of people purely because they were homosexual persons.<sup>7</sup>

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<sup>4</sup> Howard, “Notes on the Convention,” 3.

<sup>5</sup> Howard, “Notes on the Convention,” 6.

<sup>6</sup> Howard, “Notes on the Convention,” 10.

<sup>7</sup> “Pornography Charged to Hospital Clerk.” *The Denver Post*, October 10, 1959. 3.



The annual Mattachine convention stands as one of the most public exhibitions of Denver's gay population in the 1950s. While the state knew of the existence of homosexual acts within Colorado from its inception as a territory, the Mattachine convention was the first time in Denver's history when a large group of homosexual identified individuals coordinated with heterosexual activists sympathetic to gay culture to speak out against anti-homosexual rhetoric and law to change how the state would distinguish, define, and police homosexual personhood.

As homophile activists apart of groups such as the Mattachine Society gained prominence, language regarding homosexuals transformed and what I term the "battle of moral respectability" began. In Denver, the construction of the gay identity and gay community operated around dysfunctional relationships within queer culture. While upper and middle class white men fought against the systematic and state constructed anti-gay rhetoric to define homosexuality as a respectable community, lower class individuals continued to operate within a normative function of gay culture—public sex. The disagreement in politics within the culture itself showcases class difference, and the dichotomy over homosexual classification—is it an act or a person—continued to be fought both in and out of the public eye.

This evaluation of Denver's queer community is about white men. Upper class white men used the politics of moral respectability because it allowed them to distance themselves from the "medical and forensic treatment of homosexuality as a psychiatric pathology or aberration."<sup>8</sup> White gay male Denverites focused on educating the heterosexual public regarding homosexual *personhood* in attempt to distance themselves

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<sup>8</sup> David Halperin, *What Do Gay Men Want: An Essay on Sex, Risk, and Subjectivity*, (Ann Arbor: University of Michigan Press, 2007,) 2.

from the act of sodomy occurring in public spaces—acts which vilified homosexuality as an identity and movement. While the state used sodomy to continually define homosexual personhood, the homophile movement in Denver gained prominence in a way to overcome homosexuality as a disrespectable act and instead as a group of moral and law abiding citizens.

While queer culture in Denver, Colorado faced hurdles in the route to equality, the experiences of gay men in Denver do not reflect those of larger urban communities throughout the United States from 1940 to 1975. As many other gender and sexuality historians persuasively argue, the discussion of regionally specific communities demonstrates how the treatment of homosexuality—while similar in varying locations—was not identical across the United States. Differences existed between rural and urban areas, and the treatment of homosexual persons varied by community composition. Denver is a distinctive case in relation to other burgeoning queer communities of the period because the influence of the area's queer culture allowed for the creation of a definable community in a small urban area located in an otherwise conservative and rural state.

Scholars have yet to discuss the history of the homosexual population in Denver before the 1970s. Due to the language regarding same-sex sexual activities changing in the 1970s, scholars generally consider this a pivotal moment for gay Coloradans. Furthermore, scholarship regarding homosexuals in relation to evolving language began to emerge to discuss the gay rights movement and political activism in Colorado. Despite negative attention from state crafted anti-homosexual rhetoric and local media's attempts at crafting traditional discrimination patterns, middle and working class Denverites

tended to disregard homosexuals and allowed them to exist peacefully, and, in most cases, co-exist in recognized gay neighborhoods. So long as homosexuality remained discreet, it was a police problem, not a community problem. The gay network in Denver experienced limited amounts of policing during the 1940s and 1950s—mostly due to a preoccupation with public heterosexuality and prostitution—by the municipal government but it was not until the 1960s that police began to crack down on public displays of homosexuality as an affront to middle and upper class familial morality. Denver’s municipal government sought to regulate the public display of sexuality, identify homosexual personhood, and eliminate any traces of a homosexual culture as homosexual men and women slowly began to form a cohesive community. From 1940 to 1975, Denver police regulated sexuality based on a good/bad dichotomy rooted in moral and religious law. As I will show, Denver’s queer culture fought against the practice of exclusion and placed Denver on the map as a refuge for homosexuals throughout the west by discrediting Denver’s moral law as unjust.

In this study, I evaluate different sexual and political scenes that are a part of a burgeoning homosexual subculture within Denver. By doing so, I elucidate how self-identifying gay men created a collective and cohesive gay identity—that which creates the gay “community.” According to historian and sexual theorist David Halperin, the practice of community formation is a combination of gay subjectivity, also known as individual gay identity, and the shared experiences to which gay culture exposes men and women. As men and women shape both platonic and erotic relationships, the experiences within these groups create a normative function of gay culture, which can initiate new and younger queer subjects. He states, “To be gay...is not to exhibit a queer subjectivity,

but to belong to a social group. Homosexuality refers not to an individual abnormality but to a collective identity.”<sup>9</sup> Queer theorists are beginning to understand that homosexual culture creates an individual gay subjectivity by exposing men and women to the normative functions of gay scenes. Gay bars, public sex, specific sexual landscapes, and even political activism instill gay subjects with a sense of collective identity, and social groups that form around normative gay scenes help create the idea of a cohesive community.

The emergence of Denver’s gay community is indicative of larger sociological themes present within queer history. Denver’s geographical location, municipal government, and proximity to military bases helped facilitate the emergence of a queer culture because homosexuality—or sodomy— existed in the West alongside heterosexuality in institutions such as the military, prostitution, and an underground subculture. Denver’s unique geography helped create a public gay culture when the municipal government moved heterosexual immorality into public spaces. I argue, when Denver’s municipal government pushed heterosex into public spaces used by homosexuals for erotic encounters, the increased attention and backlash helped formulate a normative scene for one sect of gay culture in Denver. As the policing of public heterosexuality awakened municipal officials to homosexual practices common within the city, public sex and policing became a normative function of Denver’s gay culture and helped form a collective identity for some gay Denverites. Subsequently, as policing increased over the battle of public displays of sexuality, middle and upper class men formulated their own identity in opposition to that of lower class men and helped express their own form of gay identity; thus creating the politics of moral respectability.

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<sup>9</sup> Halperin, *What Do Gay Men Want*, 2.

### *Defining the Aberration: Act or Status*

Prior to the 1920s, the state defined same-sex sexual behaviors as sodomy. Those who partook in same-sex sexual behavior were understood as “sodomites.” The term homosexual defined a person who deviated from traditional gender expectations and as a man, expressed feminine behaviors and characteristics. This division of sodomy and homosexuality created the acts versus status dichotomy. Men could partake in same-sex sexual activity as long as they met gender expectations and expressions of the time. As one noted historian states, “The most striking difference between the dominant sexual culture of the early twentieth century and that of our own era is the degree to which the earlier culture permitted men to engage in sexual relationships with other men, often on a regular basis, without requiring them to regard themselves—or to be regarded by others—as gay.”<sup>10</sup> The status or identity of homosexual persons did not exist in the early decades of the twentieth century because sexual fluidity was largely acceptable—mostly by the working and lower classes. Men could alternate between male and female partners without recourse because the heterosexual public understood homosexuality as a set of feminine characteristics of dress and manner—early indicators of a homosexual personhood. But as long as a man retained masculine forms of dress, and held the penetrative position during intercourse, the public would not regard him as gay. As such, the use of mannerisms to denote homosexuals in the early twentieth-century misidentified and excluded a large subset of people from the larger queer narrative—especially in Denver’s early history. As historian Nayan Shah states, “Scholarship in the history of sexuality, gender studies, and queer studies denaturalizes bodies, gender, and erotic

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<sup>10</sup> George Chauncey, *Gay New York: Gender, Urban Culture, and the Making of the Gay Male World, 1890-1940*, (New York: Basic Books, 1994), 47.

interest, unhinging the formula that binary gender roles exhaust the direction of erotic interest, categorizing human erotic desires as either heterosexual or homosexual.”<sup>11</sup>

While contemporary studies regarding queer culture and gender expand our definitions of sexuality, the construction of homosexuality based upon characteristics and mannerisms alone left groups of men—such as miners, cowboys, and military men—out of the narrative of broader queer histories in the West.

The treatment of homosexuals during the twentieth century varied not only upon location, but also upon acceptance by “normal” society. Early studies illustrate an acceptance of homosexuals before WWI by working class societies, but smaller individual communities disappeared during the interwar period. Within many American cities, distinctive gay cultures with their own languages, participants, and nuances not only existed, but flourished as “part of the urban sexual underworld and was much more fully and publicly integrated in working-class than middle-class culture.”<sup>12</sup> Indeed, many early homosexual subcultures existed with a remarkable tolerance by the working class, which allowed for a public existence in many American cities. As long as gay culture remained discreet, and did not offend hegemonic sense of morality, they could remain apart of highly visible sexual underworlds. Shifting attitudes towards gender expressions and the importance of patriarchal family structures during the Great Depression, caused many cultures to publicly withdraw from even working-class communities as policing increased and acceptance diminished.

While queer cultures continued to exist, the policing of homosexuality increased during the 1930s. Homosexual cultures disappeared from public view because the state

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<sup>11</sup> Nayan Shah, *Stranger Intimacy: Contesting Race, Sexuality, and the Law in the North American West*, (Berkeley: University of California Press, 2011), 7.

<sup>12</sup> Chauncey, *Gay New York*, 35

passed laws pertaining to psychopathic persons to police their behavior. As one historian states, “The primary purpose of this new wave of policing was not to eradicate homosexuality altogether, a task the authorities considered all but impossible, but to contain it by prohibiting its presence in the public sphere.”<sup>13</sup> Indeed, many middle-class Americans tolerated the presence of homosexual subcultures but only as far as they did not cross over into public spaces or threaten normative sexual and gender practices. The subsequent rise of the middle-class and their assumption of middle-class society as “normative” caused the homosexual subculture to recede from public view. Heterosexuality moved sex for pleasure—sex with no intent of reproduction—away from acceptable same-sex sexual spaces and caused them to retreat into an underground subculture. As Jonathan Katz argues, “Heterosexuality began this [twentieth] century defensively, as the publicly unsanctioned private practice of the respectable middle class, and as the publicly put-down pleasure-affirming practice of urban working-class youths, southern blacks, and Greenwich Village bohemians.”<sup>14</sup> Heterosexuality distanced itself from reproduction and increased its association with pleasure in the mid twentieth century. The terminology of the homo/hetero binary slowly permeated public culture through mass media. As the public began to distinguish what was normal and abnormal—good and bad—they began to associate homosexuality with perversion, immorality, and abnormality. Middle and upper classes steadily defined sex away from procreation and created spaces for themselves outside the degeneracy of the sexual underground. As Katz explains, “Gradually, heterosexuality came to refer to a normal other-sex sensuality free

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<sup>13</sup> Chauncey, *Gay New York*, 9

<sup>14</sup> Jonathan Katz, *The Invention of Heterosexuality*, (New York: Dutton, 1995) 83.

of any essential tie to procreation.”<sup>15</sup> By disconnecting itself from the bonds of procreation, heterosexuality caused illicit sexual practices to actually become less forbidden. The movement of sex for pleasure normalized erotic desire and closed down acceptable spaces for degenerate sexual practices—including homosexuality. Following this evolution of heterosexuality, the homosexual subculture could only sustain a presence as long as it was outside of the public sphere.<sup>16</sup>

The public display of homosexual acts significantly affected the construction of the homosexual identity. Throughout the twentieth century, state and medical officials created the dichotomy of homosexual and heterosexual personhood to define normal and abnormal sexual categories. The response from moralists against homosexuals clearly indicates the role of public opinion in the early formation of the homosexual identity. Through the preoccupation with defining normative sexual categories in the 1920s and 1930s, homosexuals became the antithesis to the American norm. As Nayan Shah demonstrates, “by the mid twentieth century, the broad categories of ‘normal’ and ‘degenerate’ would become interchangeable with the binary opposition of heterosexual and homosexual.”<sup>17</sup> Ultimately the delineation of degeneracy, deviant, and perverted sexualities defined normative and socially acceptable forms of relationships in the mid twentieth century.<sup>18</sup>

Within this discussion of acceptable sexual practices, emerge other prominent themes within queer history. As heterosexuality and different-sex eroticism become

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<sup>15</sup> Katz, *The Invention of Heterosexuality*, 86.

<sup>16</sup> Increased policing of homosexuality also coincided with a rise in concern over child molestation and rape. For a more thorough evaluation regarding the concern of psychopathic personalities and increased policing see: Estelle B. Freedman, "Uncontrolled Desires": The Response to the Sexual Psychopath, 1920-1960, *The Journal of American History*, Vol. 74, No. 1 (June, 1987), pp. 83-106.

<sup>17</sup> Shah, *Stranger Intimacy*, 150.

<sup>18</sup> Shah, *Stranger Intimacy*, 12.



normal and public, same-sex sexual practices became increasingly private. Persons partaking in homosexual acts moved their eroticism to areas less frequented by the heterosexual public. Same-sex began the twentieth century as largely acceptable to working-class communities, but by the mid twentieth century heterosexuality, moralists, and medical discourse relegated homosexuals back into an underground sexual subculture within bars, parks, bathrooms, and bathhouses. By World War II, homosexuality continued to exist as an underground subculture. Those who identified or would soon identify as homosexual remained largely isolated from the heterosexual community and themselves until after the war.

By the end of WWII, homosexuals began to form connections with each other, experience gay culture more readily, and form a gay identity that would eventually produce the contemporary concept of a gay community. Many scholars recognize the engendering effect upon gay cultures across the United States following WWII. As men and women entered the military in massive numbers, and even more women entered defense industry jobs to fill the need for labor, many homosexuals became aware of themselves and others like them; they were no longer seeing themselves as abnormal but as part of a larger group. Indeed, the military actively discouraged homosexuality, laying the groundwork for anti-gay policies and consequently for the gay political movement in the post war world. Nonetheless, the experiences of gay men and women in the military, gay nightlife in large urban areas, and the battle to survive postwar antigay animosity all helped construct the basis of gay communities today.<sup>19</sup>

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<sup>19</sup> Allan Berube, "Marching to a Different Drummer: Lesbian and Gay GIs in World War II," ed. Martin Bauml Duberman, Martha Vicinus, and George Chauncey Jr. (New York: Penguin Books, 1989); D'Emilio, *Sexual Politics, Sexual Communities*, 4.

WWII was a watershed moment for gay cultures as the military's condemnation of homosexuality helped construct a visible queer identity to combat the mistreatment of gay people after WWII. The formation of the homosexual identity throughout the 1940s and 1950s catalyzed gay culture in the post war world. As the federal government, state, and public increased policing of sexual abnormality and sexual deviance, gay people began to see themselves as part of a larger minority facing similar injustices despite regional and geographic differences.<sup>20</sup> The movement of the gay community between invisibility and visibility was due to larger societal recognition of homosexual persons by the heterosexual public. As the state attempted to curb the visibility of homosexuality and sexual deviance, it created a homosexual identity and subsequently a minority capable of rebelling against sexual injustices. These newly forming communities would continue increase their visibility and identity recognition well into the twenty-first century.

It is also important to note the evolving politics surrounding queer subjects across the nation. National historiographic trends examine that the period of 1940 to 1970s label the white heterosexual man as the dominant force within both foreign and domestic

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<sup>20</sup> For a comparative look at policing of gay populations in the post war world and community formations, see: John D'Emilio, *Sexual Politics, Sexual Communities: The Making of a Homosexual Minority in the United States 1940-1970*, (Chicago and London: University of Chicago Press, 1983); Nan Alamilla Boyd, *Wide Open Town: A History of Queer San Francisco to 1965*, (Berkeley and Los Angeles: University of California Press, 2003); Charles Kaiser, *The Gay Metropolis 1940-1996*, (Boston, New York: Houghton Mifflin Company, 1997); Lillian Faderman, and Stuart Timmons, *Gay L.A.: A History of Sexual Outlaws, Power Politics, and Lipstick Lesbians*, (New York: Basic Books, 2006); Gary L. Atkins, *Gay Seattle: Stories of Exile and Belonging*, (Seattle and London: University of Washington Press, 2003),<sup>20</sup> Allan Berube, *Coming Out Under Fire: The History of Gay Men and Women in World War II*, (New York: The Free Press, 1990); John Howard, *Men Like That: A Southern Queer History*, (Chicago and London: University of Chicago Press, 1999); John Howard, "The Library, the Park, and the Pervert: Public Space and Homosexual Encounter in Post-World War II Atlanta," *Radical History Review*, 62 (1995): 166-187.; David K. Johnson, *The Lavender Scare: The Persecution of Gays and Lesbians in the Federal Government*, (Chicago, London: University of Chicago Press, 2004); Christopher Agee, "Gayola: Police Professionalization and the Politics of San Francisco's Gay Bars, 1950-1968," *Journal of the History of Sexuality*, 15, no. 3 (2006): 462-489.; Marc Stein, *City of Sisterly and Brotherly Loves: Lesbian And Gay Philadelphia, 1945-1972*, (Philadelphia: Temple University Press, 2004); and Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America*, (Princeton and Oxford: Princeton University Press, 2010)

policy, American culture, and shifting ideologies of gender and sexuality.<sup>21</sup> The heterosexual husband and father created the homosexual person as the antithesis to the American norm. As historian Robert Self persuasively argues, “[T]he competing visions of American life were two ideas with far-reaching political consequences: citizens have a sex and they have sex. Prior to the second half of the twentieth century, the United States...rarely recognized the first proposition...the universal subject of modern democracies was assumed to be a white heterosexual male.”<sup>22</sup> The preoccupation and importance placed on the respectable father created a division within queer cultures as well. How do we organize into a community able to fight on the political battlefield? The transformation of early homosexual activist groups (homophile movements) into the activists of the radical gay liberation movement helped create the idea of a fully formed queer community. As historian Elizabeth Armstrong demonstrates, “This turn toward identity building was accompanied by rapid political consolidation and the explosive growth of a commercial subculture oriented around sex. For the first time, gay organizations agreed upon a national gay rights agenda and moved aggressively to pursue common goals in the political arena.”<sup>23</sup> Similar identity and community formation occurred in Denver. This study is about the politics of moral respectability and the successes and failures of Denver’s queer culture in defining themselves against state

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<sup>21</sup> See James Gilbert, *Men in the Middle: Searching for Masculinity in the 1950s*, (Chicago, London: University of Chicago Press, 2005); Robert J. Corber, *In the Name of National Security: Hitchcock, Homophobia, and the Political Construction of Gender in Postwar America*. (Durham, London: Duke University Press, 1993); Robert Dean, *Imperial Brotherhood: Gender and the Making of Cold War Foreign Policy*, (Amherst: University of Massachusetts Press, 2001); Kyle Cuordileone, *Manhood and American Political Culture in the Cold War*, (New York, London: Routledge, 2005); and Stephen J. Whitfield, *The Culture of the Cold War*, (Baltimore, London: John Hopkins University Press, 1996).

<sup>22</sup> Robert O. Self, *All in the Family: The Realignment of American Democracy since the 1960s*, (New York: Hill and Wang, 2012), 4.

<sup>23</sup> Elizabeth A. Armstrong, *Forging Gay Identities: Organizing Sexuality in San Francisco, 1950-1994*, (Chicago: University of Chicago Press, 2002), 2.

sponsored anti-gay rhetoric. It seeks to add to the historiography of community and identity formation by showing that while gay culture in Denver had its battles in its route to equality, white gay men distanced themselves from medical and psychiatric discourse and navigated the boundaries of “breadwinner liberalism” to help create a gay identity for the public that was moral and acceptable.

The post-WWII era significantly changed Denver’s social structure. Individuals brought to Denver for the war effort found jobs and set down roots, and queer individuals began to form a queer culture. Increased attention to homosexual acts in the public sphere and the military prompted the federal government to legally define homosexuals based upon characteristics and their identity as sexual deviants rather than participation in sexually deviant acts, thus denying them from military service. The act of doing so set in motion the first of several sexual injustices that members of gay culture would fight against as a cohesive minority. The increased policing of homosexuals in the post-war world attributes to a substantial increase in their visibility following WWII. As the public and state sought ways to define and exclude homosexuals based on their identity and very personhood, policing actually increased gay visibility in both the political and domestic realm as homosexuals fought discrimination.

### ***Stepping Into the Light: The Awareness of Denver’s Queer Culture***

Denver is unique because of the way the municipal government sought to regulate sexuality. The increasing number of public displays of sexuality threatened the reputation of Denver—which was one of the primary concerns for city council, the mayor, and the police chief. Throughout WWII, local officials concerned themselves with morality as a

way to save Denver from itself. Denver officials monitored all immoral activities such as gambling, prostitution, drugs, liquor, and eventually homosexuality. As a way to protect soldiers from venereal disease and prostitution, Denver systematically began a war against public acts of indecency. As one historian states, “More than an effort to re-solidify gender norms tested by the trials of war...condemnation of homosexuality resulted from a heightened awareness of nonconforming sexualities made possible by the increasing movement of middle-class, heterosexual courtship into public spaces, the very spaces long occupied by marginal groups.”<sup>24</sup> Homosexual men suddenly faced increased policing because heterosexual couples moved into public spaces—such as restrooms and parks—that gay culture had been using for years. Indeed, it was not just the mobilization after WWII that increased gay visibility, but the need to control heterosexuality for the sake of Denver’s reputation. As the police continued to regulate the public display of prostitution, they became aware of homosexual incidences in Denver.

Denver acted as the center for homosexual activity in the west. For rural communities between Chicago and San Francisco, Denver operated as the major stepping-stone for many gay men. The experiences of rural gay men did not differ from those of their larger urban counterparts, but their location dictated the types of interactions they experienced. Rather than constructing a visible subculture in small communities, rural gay men used transportation to navigate their experiences to larger urban areas. As such, Denver operated as the larger urban area for outlying counties. Many queer individuals in Colorado Springs—specifically in the military—or from smaller conservative areas from Boulder, Fort Collins, and Greeley, would travel to

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<sup>24</sup> John Howard, "The Library, the Park, and the Pervert: Public Space and Homosexual Encounter in Post-World War II Atlanta," *Radical History Review*, 62 (1995): 166-187, 168.

Denver because it was the center of queer culture in Colorado. Notwithstanding, many homosexual individuals reached out to each other within their smaller areas, but instead of trying to form distinctive and public subcultures from 1950 to 1970, Denver offered the state of Colorado a public culture complete with activist groups, bars, and sexual scenes. The participants of smaller rural gay scenes outside Denver County helped catalyze the creation of a public and cohesive gay community as traveling into the city for experiences became increasingly possible.

The growth of Denver's queer culture in the post war era is indicative of social and cultural influence from the municipal government and geographic organization. This study of Denver's queer culture seeks to illuminate and discuss identity and community formation for the homosexual culture in a small urban transit center. Chapter 1 will provide a brief background on homosexuality—more commonly referred to as sodomy in the 19<sup>th</sup> century—and the rapid and brief evolution of gay populations known to live their lives in Colorado and the West. Chapter 2 will begin in the 1940s and continue through 1959. These nineteen years saw rapid change and growth in the way Denver distinguished, described, and challenged homosexual peoples within its city limits. Chapter 3 will discuss the 1960 to 1969 and the transition of Denver's gay population from a gay culture to gay community within the evolving world of political movements. The transformation of gay scenes and gay culture began in 1959 as gay subjectivity crystallized to form a coherent gay identity and with it a cohesive community. Between 1959 and 1969, the politics of moral respectability—present within homophile activists beginning in the 1950s—finally made fundamental gains in compelling Denver officials to recognize the open and public gay community of Denver. The subsequent and rather

brief moment of extreme animosity helped the gay minority define itself in a way that attempted to discredit the inequality present within Denver law. Chapter 4 will briefly evaluate 1970 to 1975 and how the transformation of homophile activism to the gay liberation helped Denver's gay community come to resolutions with the Denver Police Department and have their sexuality openly accepted without fear of harassment. I will end by reevaluating several social theories, and how Denver presented a distinct case separate from larger urban areas, which makes it unique.

For the purposes of this study, I will use the terms gay and queer to encompass the entire LGBTQ community. This study focuses on white homosexual men—due to their increased visibility both as a subculture and as targets of policing during the twentieth century. I also mention female groups to evaluate how all subsets of the LGBTQ community interacted with heterosexual society and their evolving relationships in Denver, but do not focus on them exclusively or inclusively. While lesbianism surely existed in the region, other scholars demonstrate that the private nature of women's relationships resulted in less policing and lawful harassment.<sup>25</sup> Although in contemporary language, the idiom "gay" is not considered an encompassing term for the entire homosexual community, in the period discussed in this study (1940 to 1975,) the term would be considered relatively inclusive vernacular for the entire homosexual population and will be used as such.

By writing the history of gay Denver, I hope to fill the void in the historiography of male homosexuality in the post war era by discussing the homosexual population of a

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<sup>25</sup> For more complete discussion on female groups see Leisa Meyer, *Creating G.I. Jane: Sexuality and Power in the Women's Army Corps During World War II*, (New York: Columbia University Press, 1998); and Madeline Davis and Elizabeth Lapovsky Kennedy, *Boots of Leather, Slippers of Gold: The History of a Lesbian Community*, (New York: Routledge, 1993.)

small urban community. Additionally, the study will fill a critical gap in the literature by providing the first scholarly examination of Denver's gay community in the post war era. The experiences of many gay men in Denver reflect similar experiences of those in other urban areas, yet Denver does not emerge as a location of interest for the larger national narrative until the late 1970s. Scholars who discuss the history of homosexuality often construct narratives of rural communities catalyzing larger queer communities, and Denver is no different.<sup>26</sup> Colorado's capitol functioned as a transportation hub, bringing many transients west. A unique aspect of Denver, as Thomas Noel alluded, was that the city was a large enough urban area to give homosexuals in Colorado an opportunity to experience, for the first time, gay culture. However, Denver acted as a community of initiation, and many of its members continued to move west to larger urban areas such as Los Angeles and San Francisco that fostered larger queer communities. The forthcoming study illustrates that rural/urban dynamics are shared experiences yet not wholly universal, and the transient nature of Denver provided a representative introduction for many gay men to political and sexual scenes which compose a part of the homosexual community. As Noel wrote in 1978, "Just as Denver attracts many gays fleeing their homes in the rural Midwest and the Rocky Mountain states, so San Francisco attracts many gays who 'outgrow' Denver. Yet the gay world is an urban world, with Denver serving as a major stepping stone on a route often leading to bigger cities."<sup>27</sup> This is the

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<sup>26</sup> See Thomas Noel, "Gay Bars and the Emergence of the Denver Homosexual Community," *The Social Science Journal*, 15, no. 2 (1978): 59-74, 72; Gary Atkins, *Gay Seattle: Stories of Exile and Belonging*, (Seattle: University of Washington Press, 2003); and John Howard, *Men Like That: A Southern Queer History*, (Chicago: University of Chicago Press, 2001.)

<sup>27</sup> Thomas Noel, "Gay Bars and the Emergence of the Denver Homosexual Community," *The Social Science Journal*, 15, no. 2 (1978): 59-74, 72.



history of Denver's gay community who gave Denver's nickname, "Queen City of the Plains," a completely new meaning.

## CHAPTER I

### 100 YEARS OF AN UNDERGROUND SUBCULTURE

Denver's history as a mining town almost encouraged the growth of homosexual acts within its city limits due to the demographic structure of its inhabitants, who were predominately young men. Historian Thomas Noel observes, "The almost exclusively male life in the mining camps, on railroad crews, in the military, and among cowboys probably fostered homosexual practices."<sup>28</sup> While the incidence of homosexual acts during the late nineteenth century is hard to expose, sodomy laws indicate an obvious awareness of homosexual acts. In 1861, Denver wrote its first anti-homosexuality clause into the statutes of the Colorado Territorial Laws. Colorado Session Law 64 states, "The infamous crime against nature, or the attempt to commit said crime, either with man or beast, or any unnatural carnal copulation committed, or the attempt to commit any unnatural carnal copulation per anus or per os or in any other way whatsoever, shall subject the offender to be imprisoned in the penitentiary."<sup>29</sup> When the government first recognized Colorado as a territory, the state adopted English Common Laws as their own. Thus, Colorado imported its first forms of anti-homosexual rhetoric from the "old Country." However, the government's need to include a sodomy statute in the territorial law suggests the existence of male homosexual acts in the late nineteenth century.

From its inception as a territory until its recognition as a state, Colorado laws acknowledged the existence of homosexual acts taking place within its boundaries. As one journalist recognized, "The same ruthless proselytizing zeal that was used by the missionaries to destroy the gay Indian culture was also used to keep down domestic gays.

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<sup>28</sup> Thomas Noel, "Gay Bars and the Emergence of the Denver Homosexual Community," *The Social Science Journal*, 15, no. 2 (1978): 59-74, 60.

<sup>29</sup> *Legislative Assembly, Territory of Colorado*, §64, 1861.

Hatred and fear of gays was only one of the many social attitudes that settlers brought west with them.”<sup>30</sup> However, Denver’s gay culture existed as an underground subculture primarily in brothels and in the intimate living spaces of the army before the twentieth century: “That Army conditions lent themselves to gay sexual activities was well known to contemporary experts. Fellatio among army personnel was even a subject of discussion in at least one medical journal.”<sup>31</sup>

Homosexual encounters were common in such environments, but the existence of a homosexual identity was far from concrete. Instead, homosexuals created a nuanced culture in which homosexual acts did not necessarily signify an identity as a homosexual person. The determining factor for a sodomite was not the extent of their desire to partake in same-sex sexual acts, but instead the gender persona and status they performed.<sup>32</sup> The use of sexual acts to denote a sexual identity complicated the early homosexual culture of Denver. Cowboys and soldiers would routinely partake in same-sex sexual acts (a common occurrence in all male-environments), but assume the active role during intercourse.<sup>33</sup> By partaking only in an active manner, these men retained their masculine role and could identify as heterosexual without repercussion for their actions.<sup>34</sup> This nuanced reading of sexual acts and sexual identity highlights one problematic emergence of Denver’s queer culture. As many individuals retained their masculine identity, policing homosexual acts became difficult and taboo. Military environments of the early army,

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<sup>30</sup> Terry Mangan, "The Gay West." (Unpublished manuscript,) Gay and Lesbian Community Center of Colorado Collection History Colorado, Denver, Colorado. (MSS#1832,) (1978,) 9.

<sup>31</sup> Mangan, "The Gay West," 16.

<sup>32</sup> Chauncey, *Gay New York*, 47

<sup>33</sup> Alfred C. Kinsey, Wardell B. Pomeroy, and Clyde E. Martin, *Sexual Behavior in the Human Male*, (Philadelphia and London: W.B. Saunders Company, 1948,) 457.

<sup>34</sup> For a more detailed discussion of active versus passive roles, see: Chauncey, *Gay New York*; also see Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America*, (Princeton: Princeton University Press, 2009.)

mining camps, and cowboy atmospheres with few to no women all encouraged the exploration of same-sex sexual acts, but the incidence or occurrence of homosexual acts did not necessitate the emergence of the homosexual person. Sexual fluidity regarding participation in same-sex sexual acts during the early twentieth century concealed the formation of a homosexual group because the state chose to focus on the sexual act—acts which many denied or obscured from their public identity.

For many queer individuals, life in the west involved assuming and performing a gender role outside of their biological sex. Gender-variant and cross-dressing populations existed as some of the earliest evidence of white queer culture in Colorado. The expansion of the west in the early nineteenth century afforded many of these individuals the opportunity to perform their expressed gender identity.<sup>35</sup> As one author notes, the number of gender-variant and cross-dressing individuals living in the west was higher than originally believed. Only upon death did the biological identities of many of these individuals come to light. Individuals such as Mrs. Nash, a laundress for the military; Billy Leroy, a drag performer and armed robber; and Charles or Katherine Vaubough, a gender-variant man, lived normal lives through the performance of expected gender roles incongruent with their biological sex. Before their deaths, no one suspected their disidentification with their biological sex or possible queer identity since many of them married and performed their gender within heteronormative roles.<sup>36</sup>

The gender-variant and transgender history of Denver in the late nineteenth and early twentieth century is difficult to discuss as contemporary language often conflates gender and sexual orientation into a singular construct. For instance, persons who might

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<sup>35</sup> Peter Boag, *Re-Dressing America's Frontier Past*, (Berkeley: University of California Press, 2011.)

<sup>36</sup> Brent Everett, "It's Okay to Be Gay" *The History of Gay Denver: Volume One, The Gay Social Construct*, (Denver: Private Publisher, 2013,) 34-53.

identify as transgender, gender queer, or gender neutral within the construct of modern language did not use such identifications in the late nineteenth and early twentieth centuries. It is important to note, however, that persons who appear gender-variant or gender-nonconforming within the early history of Denver lived out their lives performing gender roles that were not congruent with normative expectations of their biological sex at the given time period. These individuals may reveal the existence of an early homosexual subculture as the manner in which they deviated from gender roles of their time would likely group them with other men and women who partook in same-sex sexual acts. Regardless, the governments of Colorado and Denver continued to use the acts/status dichotomy to police what they considered homosexual activity throughout the twentieth century. In this context, it is indeed difficult to assess the earliest formations of a queer culture because sexual acts did not immediately indicate a specific sexual identity, and many of these populations would have appeared as heterosexual to the public.<sup>37</sup>

Homosexual acts in Denver in the early twentieth century also existed within heterosexual brothels. The increase in sexually transmitted diseases as well as prostitution exponentially heightened awareness of male homosexuality in Denver. By 1912, there were remarkable increases in the publicity of male—homosexual—prostitution according to local newspapers. The areas on Market Street, while home to many female brothels and gambling rings, elicited a rise in male prostitution as “several largely straight houses had an occasional male prostitute to meet the unusual demands of discriminating customers.”<sup>38</sup>

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<sup>37</sup> For a more thorough discussion of gender and performance, see: Judith Butler, “Performative Acts and Gender Constitution: An Essay in Phenomenology and Feminist Theory,” *Theatre Journal*, Vol. 40, No. 4. (Dec., 1988,) pp. 519-531.

<sup>38</sup> Mangan, “The Gay West,” 24.

Increased accounts of venereal disease prompted city officials to take notice of the prostitution and the growing number of same-sex incidences on Larimer Street. A small visible gay culture existed within the entertainment and red-light districts until those districts became a target of the moralists.<sup>39</sup> In Denver, the public display and visible nature of sexual acts in the early twentieth century prompted moralists and religious affiliates to attack and pursue those partaking in prostitution and other illicit activities—areas in which same-sex sex just happened to be occurring. The need to eliminate homosexual acts through the policing of sexually transmitted diseases helped exacerbate an underground sexual subculture in smaller rural areas until the 1950s and 1960s.

Awareness of homosexual acts continued to grow in Denver in the 1920s and 1930s as transient populations arrived in large numbers. By the end of World War I, prohibition and anti-vice crusades sought to shut down gambling halls, brothels, and curb illicit activities in the Denver area. The same social activists vying to shut down saloons and gambling halls also began the Young Men's Christian Association (Y.M.C.A.) as an environment to help transients and hobos. Denver's geographical location proved to make it a routine stop for men traveling from the east coast to the west.<sup>40</sup> Homosexual activities thrived in the cultures of hobos and transient men, and government officials were aware of the homosexual subculture present in transient populations. Their all male environments routinely cultivated situations for same-sex erotic behavior and homosexual acts.<sup>41</sup> Historian Margot Canaday explains, "The [Federal Transient

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<sup>39</sup> Another community that operated similarly was Seattle Washington. Smaller rural communities in the west had gay cultures within red light and entertainment districts until moralists and the public deemed them unfit to exist. For a discussion of Seattle's culture see: Gary Atkins, *Gay Seattle*, 6-8

<sup>40</sup> Todd DePastino, *Citizen Hobo: How a Century of Homelessness Shaped America*, (Chicago: University of Chicago Press, 2003.)

<sup>41</sup> Depastino, *Citizen Hobo*, 88.

Program] created a national system of camps and shelters for mostly male migrants...but the transient in particular was associated with the distinctive sexual subculture of hoboes and bums in which homosexuality featured prominently.”<sup>42</sup> Indeed, the occurrence of same-sex sexual activity increased throughout the depression era as many men viewed sexual intercourse with other men as one of the few viable options within transient culture. The creation of federal camps for transients and institutions such as the Y.M.C.A actually helped create social environments where homosexuality thrived. The introduction of the Y.M.C.A. in Denver created a space for homosexual men to indulge and experience same-sex sexual acts. “[The ‘Y’] became the centre of gay activities for the entire Western Slope” reported one journalist.<sup>43</sup> The all-male activities of the gymnasias and dormitories allowed many men to experience their first encounter with homosexual activity. While the moral progressives shut down prostitution rings, transient and vagabond men used the “Y” to escape the public eye of heterosexual society well into the 1930s.<sup>44</sup> The “Y” was not unique to Denver as many of these organizations reported homosexual incidences across the country. Denver’s “Y” provided men a semi-private institution to partake in same-sex activities. By giving them an arena for sexual exploration, the “Y” served as one of the first rallying points for queer culture in Denver prior to World War II.

Denver’s gay culture stayed largely invisible within heterosexual brothels and institutions such as the Y.M.C.A. until 1939. As Thomas Noel contends, “In Denver, there was apparently no exclusively gay tavern until 1939. That year, a pioneer short-

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<sup>42</sup> Margot Canaday, *The Straight State: Sexuality and Citizenship in Twentieth-Century America*, (Princeton: Princeton University Press, 2009,) 92.

<sup>43</sup> Mangan, “The Gay West,” 26.

<sup>44</sup> For a more detailed discussion regarding the Y.M.C.A and its role in same-sex relations see: John Donald Gustav-Wrathall, *Take the Young Stranger by the Hand*, (Chicago: University of Chicago Press, 1998.)

lived gay bar, the Pit, opened on Seventeenth Street in the heart of downtown. It was not until after World War II, however, that gay bars and a visible gay culture became well established in Denver.”<sup>45</sup> While it is unknown why the bar closed or if it was a known gay establishment, its brief appearance illustrates the formation of an early gay culture that would shape itself into a cohesive minority in the post war world.

The post-War era was a defining time for queer culture. The war offered men and women increased mobility and the chance to leave behind their families and the restrictions imposed on their sexuality. Military bases opened across the country, and defense industry and war planning significantly influenced the ways homosexuals formed relationships and navigated the social sphere. According to historian Allan Berube: “The massive mobilization for World War II relaxed the social constraints of peacetime that had kept gay men and women unaware of themselves and each other, ‘bringing out’ men in the process.”<sup>46</sup> Since WWII created the opportunity for homosexual men and women to meet others like themselves and experience the gay world, the military was largely responsible for fostering homosexual tendencies and the emergence of a cohesive homosexual identity. The military not only fostered homosexual tendencies by offering all male and all female spaces, but also resulted in the formation of a cohesive minority due to its systematic policing of homosexuals beginning in 1943. Military policing gave the queer culture an “other” to oppose. The methodical policing of homosexuals taken up by the state, military, and heterosexual public during WWII helped foster the image and idea of a unified queer community.

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<sup>45</sup> Noel, “Gay Bars and the Emergence of the Homosexual Community,” 61.

<sup>46</sup> Allan Berube, *Coming Out Under Fire: The History of Gay Men and Women in World War II*, (New York: The Free Press, 1990,) 6.



Denver's role as a transportation center changed during WWII. The construction of military bases and defense industry close to the city brought many individuals to the Mile High City for the first time, and many chose to stay after the war ended or after the military discharged them for homosexuality. Mobilization brought the government closer to public institutions and invited government control of sexuality, both heterosexual and homosexual.<sup>47</sup> In Denver, the movement of the military to cultural institutions helped facilitate an increase in the public display and awareness of homosexual persons.

The model of policing introduced by the American military helped perpetuate anti-gay policy in the post-war world as systematic regulation of homosexuality at a federal level aided in minority and community formation. Historian John D'Emilio states, "Before a movement could take shape, that process had to be far enough along so that at least some gay women and men could perceive themselves as members of an oppressed minority, sharing an identity that subjected them to systematic injustice."<sup>48</sup> Before the nineteenth century there was no label of the homosexual identity. Police, religious groups, and the state routinely policed the activity of homosexuality under the term of sodomite, but the identity did not exist. It was not until the term homosexual applied to a person's identity could activists mobilize against sexual injustice. Denver's queer culture functioned within this context. As the war brought the military and the defense industry to Denver, the policing of soldiers' sexuality brought the awareness of homosexuality to the municipal government. The city's preoccupation with policing prostitution led city officials to recognize homosexual incidents among soldiers and the community within

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<sup>47</sup> Stephen J. Leonard and Thomas J. Noel, *Denver: Mining Camp to Metropolis*, (Boulder: University Press of Colorado, 1990,) 235.

<sup>48</sup> John D'Emilio, *Sexual Politics, Sexual Communities: The Making of the Homosexual Minority in the United States 1940-1970*, (Chicago: University of Chicago Press, 1998,) 4.

public spheres. As the government shut down brothels, they pushed these heterosexual entities into the public sphere, the awareness of homosexual acts increased due to heterosexuality in public spaces—the same spaces the queer culture had operated in for years.

The entry of the United States into WWII and Denver's contribution to the war effort changed everything. The mobilization of millions propelled men out of their home communities and loosened restrictions on their sexual development and sexual activity but also reinforced heteronormative assumptions regarding strict gender roles. The massive mobilization of society during and after WWII created the conditions for a substantial and lasting homosexual community, but also gave rise to the concern over gender deviants and their affects on society. WWII and the military—due to its existence as a primarily male environment—are largely responsible for the return of a public and viable homosexual minority, especially in the Denver area. While the opening of a gay tavern in Denver shows the existence of queer culture, policing and entrapment still existed as gender expectations grew to be a moral concern. Before the gay community existed as a public minority, they first became outsiders to the heteronormative lifestyle.

## CHAPTER II

### AN ASSAULT ON DENVER'S MORALITY: CREATING THE PROBLEM OF HOMOSEXUALITY

World War II significantly altered the demographics of Denver, Colorado. Many of the men and women brought to the state by the military put down roots and created lives away from their families. Denver natives were suddenly joined by “thousands of ex-military personnel who had fallen in love with the clean, green, and friendly Mile High City.”<sup>49</sup> The proximity of military bases to Denver presented the municipal government with problems before the war even started. Yet the need to protect soldiers from immorality—including prostitution, liquor, drugs, and pornography—created systematic efforts to police all forms of depraved actions. The city’s preoccupation with policing prostitution led officials to recognize homosexual incidence among soldiers and the community within public spheres. As the government shut down brothels and other controlled areas of prostitution, they pushed these heterosexual entities into public arenas—spaces gay scenes operated in and around for years. Awareness of homosexual acts within Denver grew due as the new inhabitants of the city began to partake in illicit activities and subsequently forced police to regulate sexuality within public spaces.

Even before the start of WWII, the municipal government sought to incorporate Denver into the war effort. Thomas Noel, a Colorado historian, noted, “Denver saw that there were money and jobs in defense industries. To induce the army to locate an air corps training center near the city, Denver floated \$750,000 in bonds to purchase the

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<sup>49</sup> Stephen J. Leonard and Thomas Noel, *Denver: Mining Camp to Metropolis*, (Boulder: University Press of Colorado, 1991,) 220.

Agnes Phipps Memorial Tuberculosis Sanatorium at Sixth and Quebec.”<sup>50</sup> In 1938, this plot of land became Lowry Air Force Base, and in 1942, contractors opened Buckley Air Force base just south of Lowry. The proximity of these military bases to Denver routinely led military personnel to partake in illicit activities within Denver. Servicemen would venture out into Denver’s nightlife and routinely participate in the availability of both male and female prostitutes. As Thomas Noel notes, “the combination of a predominantly male population and great numbers of juvenile vagrants may have promoted homosexual liaisons commercial or otherwise.”<sup>51</sup> The increase in policing of prostitution coincided with the rise in accounts of venereal disease and, as early as 1937, “immorality” began to cause problems for the city of Denver.

To combat incidences of immorality, the Denver Police Department first established the Denver Morals Bureau (DMB) in 1939, under the direction of William E. Guthner—Manager of Safety.<sup>52</sup> The DMB set out to investigate and eliminate incidences of prostitution, liquor, and gambling as the reputation of Denver’s Larimer Street occupied the minds of city officials. Because of mounting fears of venereal disease, prostitution on a national scale, sex crimes, and pressure from the federal government, the DMB began cracking down on prostitution halls, brothels, and gambling rings throughout the Denver area. An article in *The Rocky Mountain News* reported in 1937 that Denver had fewer crimes than other U.S. cities, “showing decreases in seven of eight criminal classifications.”<sup>53</sup> While the Denver Police were able to decrease the amount of major crimes, such as theft and robbery, “only one major crime classification showed a gain for

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<sup>50</sup> Leonard and Thomas Noel, *Denver: Mining Camp to Metropolis*, 220-221.

<sup>51</sup> Noel, "Gay Bars," 60.

<sup>52</sup> "Date Bureaus in Denver Face Cleanup: Guthner Orders Vice Squad Drive To Begin Today." *Rocky Mountain News*, August 12, 1939

<sup>53</sup> "City Has Fewer Crimes Despite Increase thru U.S." *The Rocky Mountain News*, July 05, 1937.

the period the justice department report revealed. This was rape which increased from seven to 12. In spite of the increase the local force was able to report that each case resulted in an arrest.”<sup>54</sup> Sex crimes and venereal disease gained notoriety throughout the entire country as the nation geared up for war; the lack of delineation regarding specific sexual activity for crimes—what constituted a sex crime—gave increased attention to all forms of deviant sexualities.<sup>55</sup> According to the DMB, rape, prostitution, sexual assault, exhibitionism, child molestation, pornography, and homosexuality all made up the category of sexual crimes.

The DMB regulated all forms of sexual interaction beginning in 1939. The *Rocky Mountain News* reported, “An investigation of all date bureaus, get acquainted clubs, matrimonial agencies and other enterprises of similar nature now operating in Denver will be started today by vice squad detectives. ‘If we [the vice squad] find evidence of any immorality, the persons involved will be taken to Police Court on vagrancy charges.’”<sup>56</sup> By expanding to include dating agencies and even pro-marriage institutions in its fight against immorality, the DMB attempted to diminish the occurrence of sex crimes among both hetero and homosexual populaces in Denver.

City and government officials publicly declared a war on prostitution in Denver in 1941. The governments need to police and control immorality and the spread of venereal disease increased as Denver mobilized for the war effort and the military brought large numbers of soldiers into the area. As the federal government implemented programs

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<sup>54</sup> "City Has Fewer Crimes Despite Increase thru U.S." *The Rocky Mountain News*, July 05, 1937.

<sup>55</sup> For a more thorough discussion regarding changes in legal definitions and preoccupation with psychopathic personalities in the interwar period, see: Estelle B. Freedman, "Uncontrolled Desires": The Response to the Sexual Psychopath, 1920-1960, *The Journal of American History*, Vol. 74, No. 1 (June, 1987), pp. 83-106.

<sup>56</sup> "Date Bureaus in Denver Face Cleanup: Guthner Orders Vice Squad Drive To Begin Today." *Rocky Mountain News*, August 12, 1939

meant to control women's sexuality and "protect" men's sexual health, the government continually funded anti-venereal disease programs in Denver. An article in the *Rocky Mountain News* stated, "A police move against houses of ill fame in Denver came 12 hours after the federal government had threatened withdrawal of its contribution to Colorado's venereal disease program unless a responsible city official made a statement that prostitution was being suppressed."<sup>57</sup> Federal insistence on controlling heterosexuality and the spread of venereal disease in Denver culminated in an open threat from the government to pull its funding. In 1941, the U.S. Public Health Service contributed \$40,800 annually to the control of venereal disease in Denver.<sup>58</sup> Sam Lusky of the *Rocky Mountain News* wrote, "The United States threatened to withdraw its funds from the venereal disease clinic in Denver General Hospital, unless the city shut the houses down. Then the military added its insistence after large numbers of service trainees were moved into the Denver area."<sup>59</sup> While there is no statistical evidence available for local fund appropriation, "it was reported in both state and city circles that the federal action was inspired by the U.S Army, which has taken numerous steps to protect the morals and health of soldiers."<sup>60</sup> Indeed, the rising incidence of venereal disease in soldiers inhibited Denver's contribution to the war effort—as the military would consider soldiers with venereal disease unfit to fight—and provided the DMB with the motivation to police prostitution within and around Denver city limits.

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<sup>57</sup> Barron B. Beshoar, "U.S. Causes Denver Ban on Vice." *Rocky Mountain News*, June 07, 1941; Sam Lusky, "New Police Chief Promises Clean City: Denver Will Continue Ban on Vice." *Rocky Mountain News*, June 12, 1947.

<sup>58</sup> Barron B. Beshoar, "U.S. Causes Denver Ban on Vice." *Rocky Mountain News*, June 07, 1941

<sup>59</sup> Sam Lusky, "New Police Chief Promises Clean City: Denver Will Continue Ban on Vice." *Rocky Mountain News*, June 12, 1947.

<sup>60</sup> Barron B. Beshoar, "U.S. Causes Denver Ban on Vice." *Rocky Mountain News*, June 07, 1941

However, the decision to police prostitution vigorously was not unanimously agreed on by all of Denver's city officials. Some councilmen feared that a rigorous castigation of brothels and prostitution rings would cause the proprietors and patrons to simply go back underground, or worse, make prostitution a public display on the streets of Denver. An article in the *Rocky Mountain News* asserted, "[The proposed closing of prostitution halls] was countered with an assertion by councilmen that the closing order will merely drive such resorts into residence neighborhoods and some inmates onto the streets, where their arrests and subsequent publicity will give Denver a bad name."<sup>61</sup> In an effort to protect soldiers from the spread of venereal disease, the government unintentionally encouraged women and men to move vices to public venues away from areas controlled by the state. Denver had been free of streetwalkers for many years, according to the article, but businesses, civic members, and ministerial groups had agreed upon unlicensed supervised prostitution halls.<sup>62</sup> Denver civic groups and the police used supervised brothels as a containment method for other crimes. The police used brothel proprietors to keep a tight grip on other vices such as drunkenness and gambling. One councilman stated, "This sudden opening of official eyes to what has been known to all for years is extremely hypocritical, and in some other respects does not smell savory."<sup>63</sup> By shutting down controlled arenas of prostitution, which Denver councilmen obviously viewed as beneficial, city officials pushed prostitution into areas less easily controlled. The emergence of prostitution within public areas, such as parks, bathrooms, hotels, and street corners, would soon illuminate homosexual interactions occurring within these spaces.

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<sup>61</sup> "Mayor and Councilmen Row Over Vice Purge," *The Rocky Mountain News*, June 11, 1941.

<sup>62</sup> "Mayor and Councilmen Row Over Vice Purge," *The Rocky Mountain News*, June 11, 1941.

<sup>63</sup> "Mayor and Councilmen Row Over Vice Purge," *The Rocky Mountain News*, June 11, 1941.

Throughout the war, Denver continually monitored prostitution and venereal disease. In 1944, Captain John F. O'Donnell stated that Denver was a relatively clean city: "Well, believe it or not, prostitution is virtually nil...maybe it's partly because the business has been taken over by amateurs...but it isn't a problem."<sup>64</sup> Despite federal and local attempts to curb prostitution however, the DMB continued to regulate and monitor for venereal disease until the war's end. An article in the *Rocky Mountain News* stated, "It's better off as far as disease is concerned. We have a regular clinic in the police building every day except Sunday. This morning we gave nine examinations—eight girls and one man... We check information with the military and they check with us. Venereal disease hasn't been eliminated, but it's certainly under control."<sup>65</sup> As Thomas Noel notes, police and other government authorities ran "victory girls" and professional prostitutes out of town by 1943, and a base inspection in 1944 only resulted in ten known cases of venereal disease.<sup>66</sup> However, the DMB continually made arrests for prostitution and public acts of sexuality. Many of the soldiers began partaking in acts of solicitation as well. As one man remembers, "In the vicinity of Denver there is a military fort with a force of a few hundred men. Last summer a soldier from there propositioned me on the street in Denver."<sup>67</sup> State attempts at controlling prostitution only pushed professionals and amateurs back into areas consistent with an underground sexual subculture. The policing of prostitution created red-light districts and an enterprise run by both male and female amateurs.

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<sup>64</sup> Lee Casey, "Denver Moral Town, Says Expert on Vice." *Rocky Mountain News*, March 16, 1944.

<sup>65</sup> Lee Casey, "Denver Moral Town, Says Expert on Vice." *Rocky Mountain News*, March 16, 1944.

<sup>66</sup> Leonard et al, *Denver: Mining Camp to Metropolis*, 223.

<sup>67</sup> Jonathan Ned Katz, *Gay American History: Lesbians and Gay Men in the U.S.A.* (New York: Thomas Y. Crowell Company, 1976,) 50.



While the state curbed the prevalence of well-known brothels and prostitution rings, it continued to struggle with venereal disease throughout the 1940s. Prostitutes simply went underground and still engaged soldiers. The *Rocky Mountain News* reported in 1946, “Fines totaling more than \$1200 were assessed against 14 persons yesterday as a result of a Police Morals Squad raid against two alleged houses of prostitution. Four Lowry Field soldiers, found in one of the houses with two women, were among those fined by Police Judge Joseph D. Neff.”<sup>68</sup> Abiding by ordinances restricting prostitution within city limits, the raids demonstrate the difficulty of curtailing the prostitution industry. By the end of 1946, the Morals Squad believed it had cleared Denver of organized prostitution. Bernard Beckwith of the *Rocky Mountain News* reported, “Denver has been free of organized prostitution since before the start of the war. One of the biggest jobs of the bureau is to see that prostitutes—amateur or professional—are apprehended and given treatment.”<sup>69</sup> However, the incidence of venereal disease among soldiers and females demonstrates the continued presence of the prostitution industry within Denver. Prostitution no longer existed as a professional institution within brothels capable of police regulation, but transformed into a public vice on the streets of Denver.

While the police continued to apprehend and treat women for venereal disease, they overlooked the spaces in which women and men were engaging with soldiers. As the *Denver Post* reported, two soldiers on leave from naval duty picked up two women at a local bar. After buying them several drinks, as well as accompanying them to a hotel, the sailors told their friends about their experience. As the paper informs, “Later, after separating from the girls, the sailors visited another resort and related their experience to

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<sup>68</sup> “Disorderly House Raids Bring \$1200 Fines for 14.” *Rocky Mountain News*, June 12, 1946.

<sup>69</sup> Bernard Beckwith, “Police Bureau Keep Denver Morally Clean.” *The Rocky Mountain News*, November 4, 1946.

friends. The friends volunteered the disquieting information that the two girls were known carriers of VD and the sailors went forthwith to police.”<sup>70</sup> Highlighting that prostitution continued as an underground activity, these sailors simply interacted with cab drivers, bellboys, and friends of known women to partake in such illicit activities. As the *Post* reported, “The ban, effected by civilian and military enforcement agencies working in conjunction as a wartime security measure...swept organized vice, as such out of its accustomed haunts...[and] succeeded, as is invariably the case in underground traffics, in boosting prices from 200 to 500 percent.”<sup>71</sup> Attempts at publicly controlling prostitution pushed vices into public areas as part of an underground heterosexual subculture consistent with underground homosexual scenes. In another article, the *Rocky Mountain News* reported, “Another dubious group attracted by the loiterers [homosexuals] are seekers after ‘adventure.’ In the past, police say, a large proportion of this group was made up of military personnel stationed in the area.”<sup>72</sup> According to the *Rocky Mountain News*, as the DMB continued to regulate and remove prostitution from Denver, it pushed professionals and amateurs into public areas that queer culture used to establish liaisons and relationships for years. By reporting that many known partakers in homosexual liaisons were military personnel, local media slowly began to portray homosexual culture publicly and increase concern for the military.

The presence of nearby military bases continued to alter Denver’s demographics after the war. Many of the soldiers on Lowry and Buckley Air Force base remained after

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<sup>70</sup> Bernard Beckwith, “Organized Vice Goes Underground: City Ban Invoke in 1941 Only Partly Effective.” *The Denver Post*, May 29, 1947.

<sup>71</sup> Bernard Beckwith, “Organized Vice Goes Underground: City Ban Invoke in 1941 Only Partly Effective.” *The Denver Post*, May 29, 1947.

<sup>72</sup> Bernard Beckwith, “Violations of Moral Code Increase Following Wars, Economic Stress.” *The Denver Post*, May 31, 1949.

their discharge because they loved the scenery and cultural atmosphere of Denver. The qualities that seemed so attractive to many of Denver's inhabitants—"small town friendliness; clean air; mountain views; uncrowded streets, parks, and highland playgrounds"—became threatened by the explosion in population.<sup>73</sup> The exponential population growth did not necessarily yield a new attitude towards immorality. However, discussion of public displays of sexuality—including homosexuality—did become more frequent in the media. According to the *Denver Post*, "Whether the incidence of abnormal sex tendencies [homosexuality] is greater in the current postwar period or whether the general letdown in moral consciousness resulting from a 'hangover' from the war has brought them into the open in greater degree is a much controverted subject... Whatever the reason, it is apparent in Denver the situation is at an all-time high."<sup>74</sup> The war undoubtedly brought many homosexual men into contact with each other as it did across the United States. The military gave many men and women their first experience and introduction to homosexual culture, and in Denver, helped the community emerge through a continued policing of military personnel.<sup>75</sup>

The neighborhoods surrounding Capitol Hill, City Park, and Broadway became routine cruising grounds for homosexual and military culture in the late 1940s. One journalist writes, "Public parks adjacent to the down-town area have become rendezvous for increasing numbers of all the usual types of moral degenerate. The civic center, the capital grounds and the old court house square are the foremost examples of the rallying

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<sup>73</sup> Leonard et al, *Denver: Mining Camp to Metropolis*, 235.

<sup>74</sup> Bernard Beckwith, "Violations of Moral Code Increase Following Wars, Economic Stress." *The Denver Post*, May 21, 1949.

<sup>75</sup> Berube, *Coming Out Under Fire*, 6

places.”<sup>76</sup> The knowledge of the existence of homosexuals was nothing new as articles discussing homosexuals in heterosexual prostitution halls show that police knew of their existence. In Denver, the act of policing prostitution forced women to loiter and attract customers in the same arenas that homosexual culture used for years. One member of the community remembers, “Prostitution is not common in Denver; male prostitutes can sometimes be met in the Capital Gardens, but not a large number of them.”<sup>77</sup> Queer individuals used parks to arrange social interactions as part of an underground subculture. While the occurrence of public male prostitutes was not considerable, interaction between homosexual men and the formation of personal relationships was evident. The transfer of heterosexual prostitution into relatively similar areas awoke the public to the existence of a community that had been there all along.

By 1949, local media in Denver began attempting to define homosexual culture after a decade of reporting on heterosexual vice. Police officers with the DMB routinely patrolled Civic Center Park and the areas around the capital as the gay populace began to blatantly express their sexuality. The DMB focused its attention on young, well-dressed men, who would loiter and occasionally exude feminine characteristics while walking or speaking. As the *Denver Post* reported, “Usually, when questioned closely by detectives or when confronted with evidence of questionable advances, these loiterers will freely admit they are members of the ‘unmentionably minority’—the homosexually inclined.”<sup>78</sup> The increase in public displays of homosexual acts only grew because of the underground subculture the police created. Captain McCoy of the Vice Squad asserted, “[T]he red-

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<sup>76</sup> Bernard Beckwith, “Violations of Moral Code Increase Following Wars, Economic Stress.” *The Denver Post*, May 21, 1949.

<sup>77</sup> Katz, *Gay American History*, 50

<sup>78</sup> Bernard Beckwith, “Violations of Moral Code Increase Following Wars, Economic Stress.” *The Denver Post*, May 21, 1949.

light district set-up merely served to lower the moral tone of the city brought with it more degenerate sex problems.”<sup>79</sup> The vice squad and media slowly began to recognize homosexuality as a group, and people part of the sexual underground it unintentionally created in the post-war world. In their efforts to rid the city of vices, the DMB simply introduced Denver to its minority of queer individuals.

As gay culture slowly emerged as a public entity, the language used by local media and the law regarding homosexual acts began to change. The introduction of homosexuals as sexual deviates, and as an identity, portrayed an increasingly negative image of the homosexual minority to Denverites. In 1949, the city of Denver officially classified homosexuality as a minor sex offense, separating it from crimes of rape and assault and equating it with exhibitionism and child molestation instead.<sup>80</sup> The language and laws introduced in 1949 initiated the backlash Denver’s gay culture would face in the 1960s. The *Denver Post* reported, “Most psychiatrists agree...that the sex offender is generally a mentally ill person and needs hospital treatment. A proposed Colorado law designed to combat sex crimes by sending persons of ‘psychopathic personality’ to the State Hospital was drafted this week...”<sup>81</sup> As the city developed regulations to combat the public display of homosexuality, the information presented in the media confused the public due to its ambiguity in defining terms. Psychologists and legal experts agreed jail sentences and fines were archaic punishments for homosexuality, as homosexual personhood did not necessarily indicate a psychopathic personality.<sup>82</sup> However, the 1949 law equating homosexuality to child molesters increased public fears, as homosexuality

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<sup>79</sup> Leo Zuckerman, “Sex Crime Rate Low in Denver,” *The Rocky Mountain News*, December 4, 1949.

<sup>80</sup> Leo Zuckerman, “Sex Crime Rate Low in Denver,” *The Rocky Mountain News*, December 4, 1949.

<sup>81</sup> Leo Zuckerman, “Sex Crime Rate Low in Denver,” *The Rocky Mountain News*, December 4, 1949.

<sup>82</sup> Bernard Beckwith, “Violations of Moral Code Increase Following Wars, Economic Stress.” *The Denver Post*, May 31, 1949.

was now an identifiable person and largely grouped with all types of sex crimes. The *Denver Post* reported, “The conditions just described, although dangerous for the various reasons outlined, must not be confused in the public mind with the even more dangerous type of degenerate who preys on children.”<sup>83</sup> As policing of homosexuality began to evolve from homosexual acts, to homosexual personhood, the public had only a vague conception of gay culture. The emergence of language and law regarding homosexuality slowly escalated throughout the 1950s but the policing of public acts of sexuality beginning in the late 1940s signaled a shift from policing of homosexual acts to homosexual personhood.<sup>84</sup>

The visibility of Denver’s gay culture reached an “all-time high” by 1949.<sup>85</sup> While the first gay bar in Denver opened in 1939 and closed shortly after, in 1949 homosexuals began taking up residence in bars around Capitol Hill until heterosexual customers went elsewhere and the bars only had gay patrons. Men from Lowry Air Force Base would routinely patronize bars with blatant gay behavior—kissing, cuddling, and dancing with members of the same-sex. Many of them faced repeated arrest, but kept returning until heterosexual patrons avoided the bar entirely.<sup>86</sup> Captain William Sanders, Chief of the DMB in 1950 reported, “Denver—like any other metropolitan area—has homosexuals and always is going to have them....homosexuals will ‘infiltrate’ a tavern...Several will appear at a tavern and being good spenders the owner doesn’t mind.

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<sup>83</sup> Bernard Beckwith, “Violations of Moral Code Increase Following Wars, Economic Stress.” *The Denver Post*, May 31, 1949.

<sup>84</sup> While specific numbers are unknown as the Denver Police Department destroyed all records relating to homosexuality, vagrancy, and public indecency in the 1980s—according to a Denver Police Officer—increased media attention and newspaper documentation of arrests alludes to increased policing of the homosexual community in 1950s Denver.

<sup>85</sup> Bernard Beckwith, “Violations of Moral Code Increase Following Wars, Economic Stress.” *The Denver Post*, May 21, 1949.

<sup>86</sup> Noel, “Gay Bars,” 61.

But before he knows it homosexuals are his only patrons.”<sup>87</sup> As long as gay patrons kept their sexual activities to a minimum, bar owners routinely welcomed their patronage. But public displays of homosexuality—whether of affection or sexual attraction—routinely led bar owners to call the police and have them removed from the premises.<sup>88</sup>

The concern with homosexuality—and other sexual activities—erupted after WWII because of the rise in public displays of both heterosexual and homosexual encounters.<sup>89</sup> In Denver, homosexual men experienced relative anonymity in the years from 1940 to 1949 due to their invisibility and discreetness regarding sexual encounters. In the years, preceding WWII, newspapers and media attention did not mention homosexuality but rather, focused on the vices of the heterosexual population. The discussion of homosexual activities within Denver did not appear until the early 1950s. Homosexual scenes had not yet offended the morality of the heterosexual public in Denver. Rather the public displays and incidents of other sex crimes guided moralists, to eliminate vices in Denver. As sex crimes and the language regarding them developed, homosexuality slowly emerged as a public entity. Only after it became a public entity did police seek to entrap and eliminate homosexual personhood from Denver. As language and media changed, new definitions of homosexuality emerged in Denver and the public and the police marked homosexuals as outsiders to the moral code of the 1950s.

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<sup>87</sup> Noel, “Gay Bars,” 61.

<sup>88</sup> Noel, “Gay Bars,” 61.

<sup>89</sup> John D’ Emilio for example, *Sexual Politics, Sexual Communities*, discusses the emergence of the gay rights movement in years following WWII. Allan Berube, *Coming Out Under Fire*, also discusses the ways in which WWII impacted the queer community. Ron Howard specifically examines how public acts of heterosexuality contributed to the rise of homosexual policing; see “The Library, the Park, and the Pervert.”

### *Coming of Gays: The Language of Normalcy*

Gay culture in Denver—like many queer scenes across the United States—began in 1950 as moral outsiders. Originally hidden beneath the government’s concern with heterosexual immorality, the systematic and consistent regulation of heterosexual vices illuminated the growing number of homosexual men and women living in Denver. Homosexual men continued to operate within public spaces as the DMB began policing all sexuality in Denver. Cruising grounds around Broadway and the Civic Center Park continued to be meeting places for both old and new members of the burgeoning culture. As heterosexual vices drew attention to the public exhibition of homosexuality within these areas, the general-public became increasingly aware of queer culture and its actions.

The experience of Denver’s gay culture would vacillate through the 1950s. In the early 1950s, increases in media attention would make homosexual acts a display and attempt to define the homosexual identity for Denver’s public. Complicated and ineffective definitions of the homosexual identity, helped create indifference for the homosexual community because the public did not understand the concept of homosexuality as an exhibitionist menace, and homosexual as a moral identity. Homosexuality continued to coexist with heterosexual vices, and conceal itself underneath the guise of other sexual immorality. The increased attention given to sexual crimes throughout the 1950s created a negative image of queer culture. Denver, through use of national and local means, intended to define homosexual personhood for the masses but created the moral problem it was seeking to eliminate. In order for Denver officials to police immorality, it defined homosexuality for the public and by doing so helped create the gay identity and the gay community. By the end of the 1950s, the



publicity of homosexuality, combined with increasing and unrelenting additions in sodomy and anti-gay laws culminated in a very public, and cohesive gay community fighting for normative recognition under the law.

Newspaper headlines began appearing in the early 1950s to describe homosexual culture as sexual deviants, sexual psychopaths, and perverts intending to create a hostile environment for the emerging minority. Homosexuality in the 1950s emerged as the antithesis to American normalcy. In the mid twentieth century, a binary conception of gender came to equate anything outside strict masculine and feminine roles as abnormal. As sociologist Jack Drescher states, “Rigid gender beliefs often flourish in fundamentalist, religious communities where any information or alternative explanations that might challenge implicit and explicit assumptions are unwelcome.”<sup>90</sup> Heteronormativity—the assertion heterosexuality and pro-creation sex is normal—created queer individuals as inherently abnormal in the post-war era.<sup>91</sup> The federal government used heteronormativity as a basis for “Cold War Diplomacy,” and the creation of homosexuals as security risks was founded in the government’s staple defense against communism—the nuclear family.<sup>92</sup> “Sexual deviants were so readily equated with security risks because they were so readily susceptible to seduction and blackmail,” as one historian notes.<sup>93</sup> In 1950, the U.S. Senate stated in its report, *Employment of Homosexuals and other Sex*

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<sup>90</sup> Jack Drescher, American Psychiatric Association, "Queer Diagnoses: Parallels and Contrasts in the History of Homosexuality, Gender Variance, and the *Diagnostic and Statistical Manual*." Last modified September 25, 2009.

<sup>91</sup> Heteronormativity is a belief that asserts that heterosexuality is the normal sexual orientation and any deviation from strict gender categories of man and woman—and any marital status besides those between opposite sexes—places you outside this norm. For a more detailed discussion and its implications within queer and feminist theory see: S Jackson, “Gender, Sexuality and Heterosexuality: The Complexity (and limits) of Heteronormativity,” *Feminist Theory*, 7 ( 1). Aug 12, 2009, pp. 105-121.

<sup>92</sup> For a more detailed discussion regarding the nuclear family and Cold War Diplomacy’s reliance of, see: Elaine Tyler May, *Homeward Bound: American Families in the Cold War Era*, (New York: Basic Books, 1988.)

<sup>93</sup> Stephen J. Whitfield, *The Culture of the Cold War*, (Baltimore, London: John Hopkins University Press, 1996,) 44.

*Perverts*, “It follows that if blackmailers can extort money from a homosexual under the threat of disclosure, espionage agents can use the same type of pressure to extort confidential information or other material they might be seeking.”<sup>94</sup> The federal government pursued homosexuals fervently in the 1950s because of their alternative sexual lifestyle, deviation from sexual conformity, and the supposed threat they posed to the American way of life.<sup>95</sup>

A reintroduction of masculine vigor and increased reliance on masculine and feminine gender roles became imperative in the 1950s. As one historian notes, “The apparent nexus between the communist menace, disease, and illicit sexuality was strengthened by the concerted drive after the Second World War to re-establish conventional definitions of masculinity and femininity especially the dominance of heterosexuality and what was to become known as the ‘nuclear family.’”<sup>96</sup> Nationally, the 1950s introduced new ideas of mass consumption and suburbaninity, which would continue economic growth, as well as keep the U.S. in its place as the dominant power in the western sphere.<sup>97</sup> However, these new requirements for normalcy feminized the American man. Mass culture had created passive consumers and stereotyped women as easily manipulated. As historian James Gilbert articulates, “the effects of conformity, suburban life, and mass culture were depicted as feminizing and debasing, and the

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<sup>94</sup> U.S. Senate, *Employment of Homosexuals and Other Sex Perverts in Government, Interim Report submitted to the Committee on Expenditures in the Executive Departments*. (Washington, DC, 1950), 5.

<sup>95</sup> Geoffrey S. Smith, "National Security and Personal Isolation: Sex, Gender, and Disease in the Cold-War United States," *The International History Review*, 14, no. 2 (1992): 307-337, 314; David K. Johnson, *The Lavender Scare: The Cold War Persecution of Gays and Lesbians in the Federal Government*, (Chicago: University of Chicago Press, 2004.)

<sup>96</sup> Smith, "National Security and Personal Isolation," 313

<sup>97</sup> For a more thorough discussion regarding mass consumption and its effects on masculinity, manhood, and American Cold War Politics see Kyle Cuordileone, *Manhood and American Political Culture in the Cold War*, (New York: Routledge, 2005); also see James Gilbert, *Men in the Middle: Searching for Masculinity in the 1950s*, (Chicago: University of Chicago Press, 2005.)

proposed solution often lay in the renewal of traditional masculine vigor and individualism.”<sup>98</sup> The fear of a destabilized country through upsetting heteronormative gender binaries helped exacerbate attitude toward homosexual culture as abnormal and frightening.

Nationally, sexuality created tensions in American domestic and foreign policy. The language of homosexuality encompassed more than sexual acts and identity in the 1950s as the U.S. government politicized gender and sexuality. The government introduced a new level of homophobia into mainstream culture through accusing political officials of being both security risks and communists, purging suspected homosexuals from government employment, and defining homosexuals as communists. The state related the mental and sexual health of the individual to that of the symbolic state body. The deviation of homosexual men from normative gender expression threatened the basis of American political culture. Sexual deviance from heteronormativity was destabilizing to an increasingly urbanized and industrial world, and the drive to control all forms of immorality functioned only as an example of the federal government’s use of heteronormativity to guide policies of the Cold War. Whether intentional or unintentional, the U.S. government was responsible for projecting the subversive image of homosexuals into the American mainstream in the 1950s, which introduced a new and irrational fear of the newly identifying homosexual people.<sup>99</sup>

Government reliance of strict gender binaries to dictate domestic and foreign policy created a juxtaposition of heterosexuality and homosexuality. The culture equated

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<sup>98</sup> James Gilbert, *Men in the Middle: Searching for Masculinity in the 1950s*, (Chicago, London: University of Chicago Press, 2005,) 4.

<sup>99</sup> Robert J. Corber, *Homosexuality in Cold War America*, (Durham, London: Duke University Press, 1997,) 11-12

heterosexuality with the good/moral and homosexuality with the bad/immoral, and permeated all localities across the United States including Denver. As Drescher concludes:

The good/bad binary is not confined to religion alone as the language of morality is inevitably found, for example, in theories about the ‘causes’ of homosexuality. For in the absence of certitude about homosexuality’s ‘etiology,’ binary gender beliefs and their associated moral underpinnings frequently play a role in theories about the causes and/or meanings of homosexuality. When one recognizes the narrative forms of these theories, some of the moral judgments and beliefs embedded in each of them become clearer.<sup>100</sup>

The relationship created between heterosexuality and homosexuality in the 1950s dictated the actions of the DMB, and subsequently, their treatment of gay culture. By the 1950s, law enforcements learned of homosexual culture unintentionally—“or by accident”—as they shed light on the existence of the people. The national delineation of moral/immoral, or normal/abnormal, elucidated why the DMB concerned itself with policing immorality in the first place. Denver began by policing vices based upon ideas of religious and moral law as the federal government dictated it. Religion and normative sexual practices constructed homosexuality as immoral and thus, needed removing from the American way of life. Denver’s reaction to the emerging homosexual minority was simply an example of federally constructed heteronormative policies.<sup>101</sup>

Military and local governments in large urban areas—such as those in New York and San Francisco—had begun creating anti-gay policies as early as World War I. As historian Margot Canaday writes, “[T]here was a policy against being a homosexual, and

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<sup>100</sup> Drescher, “Queer Diagnoses,” 431.

<sup>101</sup> For a more general and detailed discussion on construction of homosexual identity through the process of state building, see Margot Canaday, *The Straight State: Sexuality and Citizenship in the American Twentieth Century*, (Princeton: Princeton University Press, 2009.) Canaday argues that the federal government—due to an increasing awareness and visibility of homosexuality in the twentieth century—developed federal policy that would exclude homosexuals from immigration, welfare, and the military. Ultimately, such policies culminated in the restriction of specific rights that limited homosexuals from living as full citizens of the United States.

it was federal in nature. States and localities generally policed homosexual acts; sometimes the feds did as well. Yet in addition, it was the federal government that gradually developed tools to target homosexual personhood or status, the condition of being homosexual.”<sup>102</sup> The sudden visibility of the queer minority after WWII exacerbated legal tensions regarding homosexual personhood, which reached new levels in the 1950s. When anti-gay rhetoric began to permeate government documents as well as national and local media, it intended to curtail the emergence of the queer minority by using the general population to combat the recognition of homosexuality. By labeling queer men and women as abnormal, federal, and local authorities enlisted the help of the public to identify and report homosexual activity and exclude them from benefits of citizenship. The repression of sex and gender nonconformity in the 1950s increased as the state began to legally define homosexual personhood, and make homosexuality a publicly named minority.

As early as 1950, newspapers began publishing articles to inform Denverites of the growing number of sex crimes, as well as the difficulty of answering the question, what do we do with homosexual men? The overwhelming majority of newspaper headlines dedicated to the homosexuality between 1950 and 1953 discussed the need for definitions and recognition of the minority. Sam Lusky of the *Rocky Mountain News* and Bernard Beckwith of the *Denver Post* wrote many articles regarding homosexual culture and its impact on Denver. Lusky, one of the few writers for the *Rocky Mountain News* covered the majority of public relations stories in Denver. Lusky was born on February 27, 1923, in Memphis, Tennessee and graduated from the University of Denver in 1943. He majored in political science and minored in journalism. Lusky began writing at the

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<sup>102</sup> Canaday, *The Straight State*, 7.

*Rocky Mountain News* shortly thereafter and began his career as a quick-witted and sharp public relations correspondent.<sup>103</sup> Bernard “Beck” Beckwith wrote for *The Denver Post* and covered the Denver Judicial Courts, the DMB, and Denver Police Department as early as World War II. “Beck” vigilantly covered the problem of morality in Denver as it came to encompass everyday life for Denverites.<sup>104</sup>

Both local newspapers described homosexuality in a negative fashion in the 1950s, but many of the articles simply aimed to draw attention to sexual crimes, rather than encourage condemnation of gay culture. Many of the articles encouraged Denver’s community to recognize and acknowledge the existence of homosexuality, but focused more heavily on the presence of exhibitionists and incidence of molestation. An article by *The Rocky Mountain News* stated, “There are the homosexuals who frequent public parks and theaters at the lower end of the city...There are the quiet homosexuals who outwardly live moral, normal lives and ply their ‘habits’ in secret.”<sup>105</sup> Media attention on Denver’s homosexual scene in 1950 focused on the public display of homosexual acts rather than the identity of homosexual men. The equation of homosexuality and sex offenders followed the national trend of homosexuals as psychopathic offenders, and Denver newspapers attempted to separate out and draw distinction between sex offenders and the homosexual minority. By insinuating there was a difference between homosexual men who partake in cruising grounds around the capital, and those that do not, the

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<sup>103</sup> Tillie Fong, “Sam Lusky Left News to Make Mark as Public Relations Man.” *The Rocky Mountain News*, November 13, 1998.

<sup>104</sup> “Direct from Headquarters by Bernard “Beck” Beckwith: Watch Dogs “(The Denver Post newspaper clipping) University of Utah Photograph Archives 1952-1955 University of Utah - J. Willard Marriott Library. Accessed October 02, 2014.

<sup>105</sup> Sam Lusky, “Scavengers of Society: Perverts Find Loopholes in Law.” *The Rocky Mountain News*, November 9, 1950.

municipal government and the media helped illustrate the difference between sexual crimes and sexual identity.

Media inclusion of homosexuals under umbrella terms such as perverts, degenerates, sexual psychopaths, and deviants led to public suspicion. As one headline in the *Rocky Mountain News* highlighted, “Denver Civic Groups Awakening to Menace of the Sex Criminal.” The public display of homosexuality began to frighten the heterosexual population because the language dedicated to describing gay culture included sexual assault, molestation, and exhibitionism.<sup>106</sup> The language regarding homosexuality did not define the minority itself, but attempted to legally attribute their deviation from heteronormativity as a crime. However, by 1953, state and federal governments did begin to formally recognize homosexuality as distinctive from the category of sexual crimes. According to the United States Senate, “Even the terms ‘sex pervert’ and ‘homosexual’ are given different connotations by the medical and psychiatric experts.”<sup>107</sup> Within government documents and the media, state and local officials defined homosexuals as sexual perverts, sexual deviants, sexual psychopaths, and sexual inverts. Additionally, government documents increased confusion as one historian recognizes, “When not referred to directly as homosexuals or sex perverts, such persons were often called ‘moral weaklings,’ ‘sexual misfits,’ ‘moral risks,’ ‘misfits,’ ‘undesirables’ or persons with ‘unusual morals.’”<sup>108</sup> By 1953, state and local authorities slowly began to recognize homosexuality based upon identity, rather than sexual acts.

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<sup>106</sup> “Denver Civic Groups Awakening To Menace of the Sex Criminal.” *The Rocky Mountain News*, March 19, 1950.

<sup>107</sup> U.S. Senate, *Employment of Homosexuals and Other Sex Perverts in Government, Interim Report submitted to the Committee on Expenditures in the Executive Departments*. (Washington, DC, 1950), 2.

<sup>108</sup> David K. Johnson, *The Lavender Scare: The Persecution of Gays and Lesbians in the Federal Government*, (Chicago, London: University of Chicago Press, 2004,) 7.

The problem for the public was that homosexuality never presented itself so concretely, and then created dual images for public understanding—was homosexuality the sexual deviants who participated in sexual displays in parks, bathrooms, around Broadway and Civic Center Park? Or were homosexuals people capable of leading moral lives? Many homosexual men who cruised the capital for intimate relationships led upstanding moral lives, but chose to participate in gay culture in the only way many knew how—publicly.

Denver's queer culture changed in the 1950s. Homosexual men arranged meetings with each other in bars, parks, and bathrooms throughout the decade. But, as state and local officials began to define homosexuality based upon personhood, the state tried to create a moral problem out of the minority they helped illuminate. Before the media began to define homosexuality as two entities—public and private—the state could prosecute homosexuality as a sexual crime molestation, rape, assault, and exhibitionism. However, the state began to delineate homosexuality based upon personhood as Denver incorporated national language into its municipal laws. While Denver reporters often used negative language to describe homosexuality, their goal was to draw attention to the public display of sexuality, and report sexual crimes—not necessarily to condemn the homosexual person.<sup>109</sup> The increased media attention from local newspapers sought to define homosexuality for the masses, if only to officially recognize a supposed problem for Denver society.

### *Hidden Among Heterosexual Immorality*

Members of gay culture in Denver flew under the proverbial sexual radar. The Denver Morals Bureau, while faced with an increasing number of sexual crimes—and

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<sup>109</sup> Bernard Beckwith, "Stricter Laws Urged: Sex Offense Growing Denver Problem." *The Denver Post*, March 26, 1950



outrage from the heterosexual community that the bureau could not prevent them—continued to focus on heterosexual vices such as “stag shows,” pornography, and gambling. The *Rocky Mountain News* stated, “Denver is making ‘a rapid return to the bawdy, tawdry wild and tough era of its infamous youth...’ Rampant are prostitution, dope, strip teasers, juvenile vandalism, gambling and rolling of visiting cattlemen and oilmen. Plus a lot of sex.”<sup>110</sup> The assertion of Denver’s rampant immorality appeared in a magazine article written from Morals Bureau police records in 1953. Despite the state denying its accusations, Captain McCoy of the Morals Bureau allegedly signed off on the document for publication. The increase in heterosexual crimes and immoral vices continued to allow homosexuality to go unnoticed in lieu of heterosexual immorality. The influx in visitors to the Mile High City concerned police, as these individuals were the prime customers of illegal sexual activities.<sup>111</sup>

Heterosexual immorality continued to concern the growing number of Denver residents. Exotic shows and sexual novelty gifts encumbered visitors and residents alike. The Morals Bureau simply could not regulate the profitable business of sex. Sam Lusky of the *Rocky Mountain News* stated, “The business of stripping—exotic dancing, in the parlance of the trade—is a sizable one in Colorado and a money-making one.... How far the gals can ‘take it off’ in response to urgent pleas from the audience depend on what the mood of the local police happens to be at the time.”<sup>112</sup> Denver’s history as a transit center exacerbated the occurrence of exotic shows and sex stores because of social clubs and

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<sup>110</sup> “Writer’s Just Nuts, Police and Prosecutor Agree: Magazine Find Denver Full of Sin and Crime.” *The Rocky Mountain News*, July 21, 1953.

<sup>111</sup> “Writer’s Just Nuts, Police and Prosecutor Agree: Magazine Find Denver Full of Sin and Crime.” *The Rocky Mountain News*, July 21, 1953.

<sup>112</sup> Sam Lusky, “Sex for Sale (First of Series) Stag Show Stripper get the Cash.” *The Rocky Mountain News*, September 17, 1950.

traveling businessmen. As prime buyers and attendees of stag shows, elite men in Denver intensified the escalating world of sex.<sup>113</sup> Another article in the *Rocky Mountain News* stated, “Playing cards, cigaret [*sic*] packages, pencils—all have been invaded by sex...The pirating here is terrific. Everybody’ steals from everybody else. The cuttings range all the way from the slightly salty-‘above the counter’ stuff—to the downright filthy, so filthy that most people flinch at hearing them...But there is ‘sex for sale’ in Denver, in many forms.”<sup>114</sup> The necessity to control the influx of sex in Denver paralleled an increase in the number of sexual crimes. The DMB sought to decrease the number of sexual crimes—rape, assault, molestation, and exhibitionism—by suffocating the sex trade. However, “[There are] probably more passion’s playthings, hard-boiled virgins, impatient lovers and desperate men’ loose today than ever before it you can believe the cover blurbs,” according to Lusky.<sup>115</sup> The increased risk of sexual crimes and blatant sexuality created a public scene of all forms of sexuality. The DMB may have considered homosexuality the lesser of two evils.

The close proximity of military bases to Denver continued to cause problems for the DMB. Military personnel continued to partake in activities in Denver in the 1950s and continued to bring to light homosexual activity. The *Rocky Mountain News* reported, “Seven youths, all soldiers, were arrested and hospitalized. Five had a venereal disease. They all went to Canon City Penitentiary—after one of them got insanely jealous of

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<sup>113</sup> Sam Lusky, “Sex for Sale (Second in a Series) Pornographic ‘Classics’ Cost the Customer Plenty.” *The Rocky Mountain News*, September 18, 1950.

<sup>114</sup> Sam Lusky, “Sex for Sale (Last of a Series) Playing Cards and Pencils ear Photos of Nude Girls Nowadays.” *The Rocky Mountain News*, September 19, 1950.

<sup>115</sup> Sam Lusky, “Sex for Sale (Second in a Series) Pornographic ‘Classics’ Cost the Customer Plenty.” *The Rocky Mountain News*, September 18, 1950.

another for stealing his 'boyfriend' and talked too much."<sup>116</sup> Military personnel continued to contribute to gay culture's public emergence throughout 1950s Denver and worsen legal problems for the homosexuals. Similar to situations in the 1940s, military and local police attempted to curb military personnel's participation in all forms of non-reproductive sexual acts to protect military contributions from Denver.

An increase in violent crimes paralleled increases in sex crimes in Denver. In 1951, a group of young men attacked, kidnapped, and robbed three young men who were present in a park after hours. According to the *Denver Post*, police rounded up the assailants based upon physical appearance and questioned them: "The victims of the attacks said at first they were unable to account for the brutal treatment they received. But when the young assailants were rounded up and arrested by police they told officers the 'victims' attempted to pick them up and that 'acts of perversion were discussed.'"<sup>117</sup> The assailants vented their anger by attacking the three young men, and robbing them, "well-knowing the chances of any complaints being made were almost nil."<sup>118</sup> However, homosexual men did file complaints with Denver Police and Denver Police followed through and arrested many men for attacking homosexual men and women. Many homosexual men would never consider going to the police regarding the attacks, but in 1951 the Denver Morals Bureau did not concern itself with regulating the homosexual person; they were merely concerned with the public display of sexuality.

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<sup>116</sup> Sam Lusky, "Scavengers of Society: Perverts Find Loopholes in Law." *Rocky Mountain News*, November 7, 1950.

<sup>117</sup> Bernard Beckwith, "Centuries-Old Morals Problem Hangs Over Denver Civic Center." *The Denver Post*, November 25, 1951.

<sup>118</sup> Bernard Beckwith, "Centuries-Old Morals Problem Hangs Over Denver Civic Center." *The Denver Post*, November 25, 1951.

The Denver Morals Bureau continued to patrol public venues in search of prostitution, pornographic shows, and other illicit activities. The battle to enforce sex offender laws began to grow as the media and police portrayed increasingly negative images of the homosexual person and equated them with rapists, exhibitionists, molesters, and communists. The *Denver Post* stated:

[T]oday his lurking presence is reckoned with more by Denver police than in any other period of police history, for his number is ever increasing... This hunted marauder is a prowler of many disguises. He may be a child molester, and there is no way of knowing by the cut of his jaw or the drape of his suit. He may be a pervert of his own sex. Or he may be an exhibitionist.<sup>119</sup>

Increases in violent crimes that accompanied sex crimes urged Denver officials to combat the growing problem of sexual deviance. By 1953, Denver officials would successfully create homosexuality as a moral problem, and associate it with a personal identity and pursue prosecution of sexual deviation. Homosexuality was no longer about the public display of sexuality; it became a moral imperative to protect Denver's public from the homosexual menace.

### ***Homosexuality and the Law***

Colorado established sodomy laws congruent with English common law with its establishment as a territory in 1853. In 1939, Colorado changed its sodomy laws to include fellatio, and changed the language to define these acts as “crimes against nature,” and covertly target non-reproductive sexual acts.<sup>120</sup> Between 1939 and 1963, laws pertaining to homosexual activity included all forms of non-reproductive sexual activity.

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<sup>119</sup> Bernard Beckwith, “Stricter Laws Urged: Sex Offense Growing Denver Problem.” *The Denver Post*, March 26, 1950

<sup>120</sup> Colorado Laws 1939, Law of April 3, 1939, ch. 97, [1939] p. 318

Between 1952 and 1953, new legal categories officially defined homosexuality. In 1952, the American Psychological Association published the first edition of the *Diagnostic and Statistical Manual* (DSM-I), which was a publication that listed “all the conditions psychiatrists then considered to be a mental disorder. [The] DSM-I classified ‘homosexuality’ as a ‘sociopathic personality disturbance,’” and identified it as a mental disorder capable of cure.<sup>121</sup> In 1953, Colorado enacted psychopathic offender laws that provided for indefinite institutionalization for committing sex crimes, effectively putting homosexuals in the same legal category as rapists and child molesters.<sup>122</sup> However, as early as 1950, psychiatrists and law officials began discussing how to legally deal with the homosexual menace in Denver. *The Rocky Mountain News* stated, “Now, a great number of psychiatrists agree with district attorneys and other law enforcement officers that many perverts and degenerates can’t be cured; that they must be put away so they won’t corrupt normal persons.”<sup>123</sup> While the introduction and solidification of psychopathic offender laws called for the incarceration of homosexual men and women, Denver officials never fully agreed upon the classification of homosexuals as mentally unstable, or that incarceration was an appropriate punishment. *The Rocky Mountain News* stated, “Many sexual deviates—members of society who have abnormal desires or prefer lovers of their own sex—fail to respond to treatment. They run afoul of the law time and again. That fact has caused a change in psychiatric thinking.”<sup>124</sup> Indeed, psychiatrists and sociologists routinely fought against lawyers, officers, and jurists because many

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<sup>121</sup> Drescher, “Queer Diagnoses,” 432.

<sup>122</sup> Colorado Laws 1953, Law of April 1, 1953, ch. 89, §§ 1-10, [1953] p. 249

<sup>123</sup> Sam Lusky, “Scavengers of Society: Many Perverts Cannot Be Cured.” *The Rocky Mountain News*, November 12, 1950.

<sup>124</sup> Sam Lusky, “Scavengers of Society: Many Perverts Cannot Be Cured.” *The Rocky Mountain News*, November 12, 1950.

community members in Denver did not fear homosexual men and women, and did not agree with the legal classification of homosexuals as criminals.<sup>125</sup>

Denver's legal officials never agreed on the treatment of homosexuals. While the state enacted psychopathic offender laws to define homosexuality as a crime, the treatment of homosexuals in Denver courts varied. An article in the *Rocky Mountain News* discussed District Judge Albert T. Frantz's criticism of the laws defining legal treatment of homosexuality as lagging behind contemporary science. The judge stated:

For years it has been a matter of scientific and clinical knowledge that a homosexual is the victim of a constitutional or psychological development which gives him a sexual orientation that is different from the established social pattern, but such knowledge has not changed the popular view, which is guided more by unreasoning emotion than by rational thinking...As usual, the law is lagging behind science in the treatment of homosexuals. It is hoped [this] case will awaken the legislative department of the state to the urgent need of some institution proper and adequate to take care of people suffering from sexual aberrations. But until that is done, the court's hands are tied and he must reluctantly impose upon you a punishment for being what you cannot help being.<sup>126</sup>

Under the 1953 psychopathic offender law, any homosexual man or woman who appeared in court legally had to submit to psychological testing before being able to be sentenced. As many judges noticed, placing homosexual men and women in exclusively male or female institutions only increased occurrences of homosexual behavior.<sup>127</sup> Indeed, the psychopathic offender law required homosexual men to submit for psychological assessment regarding their sexual identity, but their penalty was still associated with their sexual acts. While many attorneys and lawyers observed that religious and moral law governed the treatment of homosexuals in Denver, they routinely spoke out against Denver's lack of adequate understanding between homosexuality and homosexual acts.

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<sup>125</sup> Sam Lusky, "Scavengers of Society: Many Perverts Cannot Be Cured." *The Rocky Mountain News*, November 12, 1950.

<sup>126</sup> "Homosexuality Laws Criticized by Judge." *The Rocky Mountain News*, March 10, 1953.

<sup>127</sup> "Homosexuality Laws Criticized by Judge." *The Rocky Mountain News*, March 10, 1953.

In 1954, a man named Ray Hawkins appeared in Denver's court on charges of a "crime against nature," and in 1955, his attorneys appealed to the Colorado Supreme Court citing the 1953 psychopathic offender law as cause for dismissal. Ray Hawkins never received the mandatory psychological testing incriminating him as a homosexual. His attorney defended Hawkins against the Colorado Supreme Court using the psychopathic offender law as basis for the need to strike Hawkins sentence, because he was never examined by a psychiatrist. The court record reads as follows:

The second contention made by counsel for defendant is that, under chapter 39, article 19, '53 C.R.S., the trial court was required to order a complete psychiatric examination of defendant. The argument is wholly without merit. The statutory provision is to the effect that in the type of sex cases specifically mentioned, 'if the district court is of the opinion that any such person, if at large, constitutes a threat of bodily harm to members of the public, or is an habitual offender and mentally ill, the district court in lieu of the sentence now provided by law, for each such crime, may sentence such person to a state institution for an indeterminate term having a minimum of one day and a maximum of his natural life.' CRS '53, 39-19-1. The statute further provides, in substance, that if, in the discretion of the trial court, it is of the opinion that an offender falls within the class above described, the said sentence of one day to life shall not be entered until a complete psychiatric examination shall have been made of said defendant. The court has discretion to order such examination, or to impose the penalty as directed \*159 by the statute which defines the offense. The record in this case fails to disclose any abuse of this discretion and no error was committed in this connection.<sup>128</sup>

In 1955, Ray Hawkins filed a motion to vacate his sentence in the state penitentiary, strike his testimony from the record, and strike his plea of guilty and enter a plea of not guilty. The judge affirmed his sentence on the grounds that Hawkins entered a plea of guilty under the direction of a competent attorney and because Hawkins did in fact pose a threat to those around him sustained his internment. The case against Ray Hawkins demonstrates the state's inability to follow its own laws regarding homosexual behavior. The psychopathic offender laws created a way for the courts to effectively define

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<sup>128</sup> Hawkins v People, 281 P.2d 156 (Colorado 1955).

homosexual activity and to persecute homosexual personhood. However the court continued to impose harsh sentences for men partaking in public acts of sexuality if the court deemed them harmful to the public—or negative to the reputation of Denver. The case of *Hawkins vs. People* is a consistent example of Denver’s preoccupation with sexual morality and Denver’s reputation. Indeed, the introduction of the 1953 Psychopathic Offender Law did little to help Denver’s government understand or castigate gay culture. Local authorities primary concern continued to be that of Denver’s reputation, and homosexual acts in public places.

Between 1950 and 1953, news sources condemned the inability of the DMB to contain the public display of sexuality and the lack of legal action against them. Nine out of 18 articles published by the *Rocky Mountain News* and the *Denver Post*, criticized the DMB’s lack of efficiency in defining and regulating public acts of homosexuality. The *Rocky Mountain News* stated, “Many more Denverites than you realize are involved in corrupt sexual acts. But these violators can generally win in the courts because they employ skillful attorneys and because the evidence is so debatable.”<sup>129</sup> Because the evidence was usually circumstantial, defendants charged with immoral sex acts generally received more temperate punishments. The patrolling of Civic Center Park was one of the only methods to prohibit public acts of sexuality. The *Rocky Mountain News* stated, “Captain McCoy said it was impossible to keep all Denver’s sex deviates under surveillance, and the department is thus able to get only after a crime has been committed.”<sup>130</sup> The *Denver Post* also recognized the difficulty in patrolling public

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<sup>129</sup> Sam Lusky, “Scavengers of Society: Acts of Sexual Degeneracy Are Difficult to Prove in Court.” *The Denver Post*, November 10, 1950.

<sup>130</sup> “Denver Civic Groups Awakening To Menace of the Sex Criminal.” *The Rocky Mountain News*, March 19, 1950.



sexuality, “The department’s breakdown on the number of ‘exposure’ complaints showed they easily outnumber all other types of sex offenses. Along police row, the estimate is that for every actual molestation complaint, there are probably ten exposure charges.”<sup>131</sup> Colorado laws lacked efficient language to properly prosecute acts of immorality, and until 1953, legal officials routinely treated homosexuality as a lesser crime than that of rape, assault, or molestation.

Many of Denver’s gay scenes operated outside public spaces. The idea of the “take-over” movements within bars and restaurants continued into the 1950s, and many of the participants were women. “Men are not the only offenders,” stated the *Rocky Mountain News*, “There was a West Denver tavern, for example, where almost everyone present was female. The girls wore slacks and boyish bobs, danced with each other and shunned the company of men.”<sup>132</sup> Many tavern owners accepted the patronage as a paying customer is a paying customer, but when heteronormative customers became angry, they would typically call upon the police to run gay patrons off. The *Rocky Mountain News* told the story of such a couple:

A man and his wife stopped in for a drink after a show. They didn’t know the reputation of the place. The man left his wife alone at the table for minute, and she was approached by one of the slack-clad women. ‘How’s about a dance, honey?’ The wife was asked. She replied rather angrily that she wasn’t interested. The slack clad one, ‘Why did you come to a place like this, then?’ INFURIATED [sic] by normalcy, she moved away.<sup>133</sup>

Homosexual men and women began to move their relationships and sexuality into semi-private spaces—bars. Take-over movements were common in the 1940s because no

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<sup>131</sup> Bernard Beckwith, “Stricter Laws Urged: Sex Offense Growing Denver Problem.” *The Denver Post*, March 26, 1950

<sup>132</sup> Sam Lusky, “Scavengers of Society: Acts of Sexual Degeneracy Are Difficult to Prove in Court.” *The Denver Post*, November 10, 1950.

<sup>133</sup> Sam Lusky, “Scavengers of Society: Acts of Sexual Degeneracy Are Difficult to Prove in Court.” *The Denver Post*, November 10, 1950.

exclusively gay tavern operated. Or rather, no gay bar operated openly or knowingly to the public. By the 1950s, the reaction to public displays of sexuality prompted many queer individuals to move sexuality away from outdoor cruising areas where police harassment and entrapment were common, and into spaces where bar owners could offer them some resemblance of a refuge. In doing so, homosexuality slowly began to move away from public acts of indecency, and moved toward a moral minority.

Throughout the 1950s, the public exhibition of sexuality dictated the treatment and defining of homosexuality. Sodomy laws, psychopathic offender laws, and the language of homosexuality all revolved around public acts of sexuality rather than personhood. In this context, public immorality concerned the Morals Bureau more than the acts themselves. So long as queer culture acted with discretion, it could fly under the proverbial sexual radar, and avoid any interaction with legal officials. By the end of the 1950s, however, Denver would begin to understand the difference between homosexual personhood and homosexual acts, and intensify their policing of the gay minority regardless of private or public relations.

### *The End of Invisibility*

Homosexual culture in Denver began to function as a cohesive and public minority by the end of the 1950s. Despite arrests since WWII, homosexual men were able to navigate public spaces in a manner that did not draw attention during the latter half of the decade. Upper and middle class men began to move sexual relationships to spaces that were queer/gay only, and out of the public eye. However, it was the language

describing homosexual as communists, perverts, psychopaths, degenerates, sex offenders, and deviants that helped create the basis of Denver’s queer community.

While larger urban areas hosted scores of homosexual men and women—such as those in San Francisco, Los Angeles, New York, and Chicago—Denver functioned as the organizing point for group activity for all of Colorado and the west.<sup>134</sup> As Alfred Kinsey noted, “The specific data on the particular rural and urban groups which...suggest that there is something in city life which encourages the development of the homosexual. But the distinctive thing about homosexuality in the city is the development of a more or less organized group activity which is unknown in any rural area.”<sup>135</sup> The increase in number of automobiles reshaped the way Denver functioned as they made and promoted social and physical mobility.<sup>136</sup> The initiation of the interstate system in Colorado created opportunities for homosexual men in rural areas to travel and partake in a burgeoning homosexual scene located in the state’s capital. However, it was the escalation of negative publicity throughout the 1950s that created the need for the 1959 Mattachine Society Convention located in Denver.

The Denver Chapter of the Mattachine Society—a gay advocate group fighting for equal treatment under the law—began in 1957. The 1959 Mattachine Convention gathered homosexual men and women—as well as heterosexual allies—from around the country to discuss the treatment of homosexuality in the United States.<sup>137</sup> One of the major reasons the society held the convention was to discuss the language of

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<sup>134</sup> Noel, “Gay Bars,” 1978.

<sup>135</sup> Kinsey et al, *Sexual Behavior in the Human Male*, 455-457.

<sup>136</sup> Noel et al, *Denver: Mining Camp to Metropolis*, 225.

<sup>137</sup> See introduction for specific details regarding convention.

homosexuality specific to Denver, and new psychiatric trends emerging to discuss homosexual personhood.<sup>138</sup>

The mission of the Mattachine society was to promote a positive and moral image of the homosexual minority and to fight police entrapment—a practice used little by the Morals Bureau until 1960. The foundations of the Mattachine Society helped organize upper and middle-class white men in Denver around common goals thus precipitating a gay community. Harold L. Call, a San Franciscan explained to the *Denver Post* about the Mattachine Society's history and purpose:

The society...started in Los Angeles as a citizens committee seeking to outlaw entrapment. 'The society recognizes the fact that the law must protect the young. Anyone belonging to the society, or attending its meeting, must be 21 years old. We also hold the view that the law must prohibit sex acts in public, must prevent the spread of disease and prohibit the use of force...But the mutually agreeable association of two individuals in private life should be their own affair, so long as they respect the rights of others.'<sup>139</sup>

Denver's Chapter of the Mattachine society focused on the principle reason for discrimination in the Mile High Society—public acts of sexuality. While many members of the homosexual minority in Denver led upstanding lives, it was the belief of many that public acts of indecency only exacerbated negative attitudes towards the gay community and hampered their acceptance from the state. Call continued:

Most homosexuals are not insane, stupid, willfully perverted, unnatural or socially incompetent as is often believed...the fact is that most homosexuals can and do lead useful and productive lives. Many of them are among our most respected and successful citizens. But homosexuals as such have only limited social and civil rights. In fact, our whole society is organized to keep them, in many respects, more completely oppressed than are various racial and religious minorities. This is why a group of responsible, socially conscious citizens, including many who are not themselves homosexual has formed the Mattachine Society. Its purpose is to encourage medical and social research pertaining to socio-sexual behavior and to publish the results of such research.<sup>140</sup>

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<sup>138</sup> "6<sup>th</sup> Annual Session: Group to Discuss Homosexual Needs," *The Denver Post*, September 4, 1959.

<sup>139</sup> "Meeting in Denver: Society Probes Problem of Perversion," *The Denver Post*, September 5, 1959.

<sup>140</sup> "Meeting in Denver: Society Probes Problem of Perversion," *The Denver Post*, September 5, 1959.

The introduction of the Mattachine Society to the heterosexual public of Denver hoped to calm fears that homosexual men were indecent, lustful, and immoral. Society members hoped to curtail a growing animosity towards the community by identifying themselves as separate from heterosexual immorality, as well as communism, perversion, and molestation. Indeed, the meeting of the Mattachine convention in Denver helped focus the public's attention on the idea that private sexual acts among consenting adults were just that, private.<sup>141</sup>

The convention marks a definitive point for Denver's homosexual community. Its occurrence marks two critical points for Denver's queer culture. While its event illustrates limited acceptance from the heterosexual community—due to the amount of attention the convention received from newspapers and the lack of arrests of many well-known homosexual men and women—the convention indicates the earliest formation of an actual gay community in Denver. Members of the Mattachine Society and the Daughters of Bilitis (a national lesbian organization) and local medical, religious, and psychological authorities all congregated at the Albany Hotel to discuss homosexual culture for the first time in Denver. The convention was one of the most public acknowledgements of homosexuality to date. Newspaper headlines and the DMB arrests of homosexual men and women throughout the 1950s only briefly described homosexuality as a personhood, and focus overwhelmingly on negative connotations of homosexuals relating to public displays of sexuality and sexual crimes. Indeed, the convention and gathering of so many homosexual persons brought forth hundreds of homosexual persons—many living normative moral lives and not partaking in public acts of sexuality—to the forefront of the public minds. No longer was the homosexual

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<sup>141</sup> Howard, "Notes on the Convention," 1.

community hiding beneath heterosexual immorality. They had become a full-fledged public group of people fighting for recognition from the state.

Throughout the 1950s, Denver residents created a moral/immoral binary regarding all forms of sexuality. While federal policy furthered attention of the homosexual minority by equating them to communists, security risks, perverts, people with unusual morals, the increase in sex crimes, pornography, and stag shows in Denver, all resulted in the labeling of homosexuality as outside the bounds of propriety. But it was always the public act of homosexuality that invited legal prosecution. The public exposure of a homosexual personhood, by the Mattachine Society and eventually local media, rather than just homosexual acts, ignited public debate in the 1960s. Members of the homosexual community would form relationships, open up exclusively and public gay bars, apply for marriage licenses, all in an attempt for legal recognition from the state of Colorado.

### CHAPTER III

#### SEXUAL PRIVATIZATION: THE POLITICS OF MORAL RESPECTABILITY

It seemed like a normal interaction, as two men casually talking on the sidewalk would not usually draw the attention of bystanders. The first man, slender with blonde hair, boyish face, and a flair for modern fashion, discussed the weather with the second man, a tall brooding individual with dark eyes, and a secret. The two men exchanged words, nothing more than a simple discussion of the possible storm. As the conversation turned to more intimate matters, policemen suddenly appeared from nowhere and arrested the young blonde for attempting to solicit a homosexual encounter with the dark mysterious man—another policeman.<sup>142</sup> In the years following World War II, “plain-clothes” police officers routinely sought to entrap homosexual men across the country. The fear of homosexuality as a threat to heteronormativity and the nuclear family, and subsequently a threat to national security, stoked public fear and rage towards to the minority of homosexuals.

New regulations and concern with immorality in Denver named homosexuality as a cause for concern after 1959. A *Denver Post* editorial apologized for bringing up the subject, but reported “‘the extent of homosexual activity in Denver’ made it necessary to alert the citizenry.”<sup>143</sup> Homosexuality was disquieting to the police force in the 1960s. The public display of sexuality—discovered through policing of heterosexual immorality—codified homosexuality as immoral, unnatural, and an affront to the heterosexual public in Denver. While scenes of police entrapment were common for

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<sup>142</sup> Noel, “Gay Bars,” 62.

<sup>143</sup> Noel, “Gay Bars,” 62.

homosexual individuals in the mid twentieth century, so long as Denver's queer community was discreet, members faced relatively little harassment until the 1960s.

Public displays of sexuality, specifically sexual acts, within public spheres caused homosexuals to emerge as a full minority and community after 1959. The evolving negative language towards homosexuality, and increases in policing, helped Denver's queer community find a rallying point. The backlash that the Denver community began to experience during the late 1950s and 1960s encouraged the privatization of sexual acts and sexuality. In an attempt to privatize their sexuality, the queer community began to progress into a culture that relegated itself to "gay-only" establishments and social interaction in personal homes. The gathering of large numbers of homosexual men and women at the Mattachine Society Convention, revealed Denver's heterosexual members to the growing number of homosexuals within Denver city limits. By 1960, members of the homosexual minority began to privatize their sexuality to avoid persecution and harassment from the DMB.

Following the Mattachine convention, the homosexual community in Denver erupted as a fully formed minority demanding equal treatment under the law. Members of the community confronted the general populace with psychological and legal arguments that homosexual men and women were not abhorrent, abnormal, or appalling, but a moral minority of individuals worthy of recognition. As Harold Call—member of the Denver Mattachine Society stated, "The society recognizes the fact...that the law must prohibit sex acts in public...But the mutually agreeable association of two individuals in private life should be their own affair so long as they respect the rights of others."<sup>144</sup> While it would take several more years until popular media began to portray the homosexual

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<sup>144</sup> "Meeting in Denver: Society Probes Problem of Perversion," *The Denver Post*, September 5, 1959.



community as a minority, members of the Denver Mattachine Chapter began to speak out against negative connotations of homosexuality in an attempt to normalize it for the general public.

Denver's national reputation required the control of immorality in the 1960s. While the DMB ardently regulated venereal disease, they were never capable of ridding Denver of its rough and tawdry reputation. The Vice Bureau believed prostitution was the main perpetrator in the carrier of venereal disease, but by the 1960s, federal warnings began to include gay men and women in descriptions of VD.<sup>145</sup> The District of Columbia Public Health Department began issuing warnings regarding venereal disease that included homosexuals. “[H]omosexuality has become recognized as a major problem in the control of the disease’ . . . In Denver, VD contacts are not broken down into heterosexual-homosexual categories, but the 50 percent figure seems high,”<sup>146</sup> according to the *Denver Post*. “Venereal disease, like homosexuality, is something nice people seldom care to talk about. When the two are connected, they become a doubly touchy topic.”<sup>147</sup> Indeed, the Vice Bureau and Denver officials became increasingly concerned with homosexuality because of the connection to venereal disease and the secretive manner in which homosexuals operated. Dr. Sam Johnson—Denver director of public health and preventative medicine—stated, “we’re sure the number of homosexual contacts growing, because we pretty much follow the national pattern. Homosexuals are so secretive that it’s extremely difficult to obtain from them information about the other

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<sup>145</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

<sup>146</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

<sup>147</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

men with whom they've had relations; they don't want to get anyone else in trouble, especially in view of the stigma attached to homosexuality."<sup>148</sup> Although not directly correlated, the prevalence of venereal disease continued to alert the Vice Bureau to homosexuality in Denver. By the 1960s, homosexual immorality became the primary focus of the Vice Bureau and its regulation. While heterosexual immorality continued to be a problem, the Bureau set out to stigmatize and control the gay community zealously despite their pending retreat into private spaces.

Denver's new anti-gay regulations stimulated action within the gay community. The process of moving homosexuality from public to private spaces helped the community with identity and community formation. The increase in gay bars assisted in giving immoral sexual acts between men, a moral front in Colorado. While the bars operated as a public space for gay people, they created privacy for sexual relationships. Harassment for kissing or cuddling in public would receive less attention in spaces that were knowingly and strictly gay-only. Additionally, if heterosexual patrons happened upon gay establishments, they often received harassment from gay men resulting in their departure from the premises.<sup>149</sup> Gay bars fostered a more cohesive identity throughout the state, and gave activism a beachhead for legal and religious reform. The anti-gay laws in the 1950s and 1960s planted the early roots of activism within Denver's gay bars, and by the 1970s, Denver made far-reaching efforts for equality.<sup>150</sup>

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<sup>148</sup> Bob Whearley, "'Militant Minority' Poses Serious Problem for Society,' *The Denver Post*, February 14, 1965.

<sup>149</sup> Christopher Lowen Agee, *The Streets of San Francisco: Policing and the Creation of a Cosmopolitan Liberal Politics, 1950-1972*, (Chicago: University of Chicago Press, 2014,) 76-77; Noel, "Gay Bars," 1978, 66-67.

<sup>150</sup> Noel, "Gay Bars," 1978.

Homophile groups, such as the Mattachine Society, gained notoriety in the 1960s as they used interest-group politics to advocate for sexual equality.<sup>151</sup> By promoting a moral and sexually restrained image of the homosexual man, homophile activist groups sought to educate the public, and distance definitions of homosexuals from medical and psychological discourse.<sup>152</sup> As historian Elizabeth Armstrong notes, “Homophile organizing in the 1950s and 1960s began the process of transforming homosexual identity from a private group consciousness into a public collective identity. It established the legitimacy of creating public organizations of homosexuals and the notion that homosexuals were a group deserving rights that could be won by engaging in interest group politics.”<sup>153</sup> Notably, gay bars functioned as one of the few relatively stable environments in which middle and lower-class individuals could participate in these types of political gatherings.

At the same time, definitions of homosexual personhood began to appear in local media. The *Denver Post* asked, “What is homosexuality? By definition, it is erotic desire for one of the same sex. But it is more, much more. It is a police problem and a moral question.”<sup>154</sup> Morality represented the basis for anti-homosexual mentality. Denver officials and the Vice Bureau policed homosexual establishments established upon religious based laws governed by the idea of hegemonic morality. The battle of the “Politics of Moral Respectability” began in Denver in 1959. As groups such as the Mattachine Society gained notability, they began to battle morality as a justification for

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<sup>151</sup> Elizabeth Armstrong, *Forging Gay Identities: Organizing Sexuality in San Francisco, 1950-1994*, (Chicago: University of Chicago Press, 2002.)

<sup>152</sup> Christopher Lowen Agee, *The Streets of San Francisco*, 74-75; Elizabeth Armstrong, *Forging Gay Identities: Organizing Sexuality in San Francisco, 1950-1994*, (Chicago: University of Chicago Press, 2002,) 1;

<sup>153</sup> Elizabeth Armstrong, *Forging Gay Identities*, 3.

<sup>154</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

excluding homosexuals from society. Middle and upper class white men would advocate for the movement of sexuality to private spaces so the public would disconnect homosexuality with perversion and associate it with normal and moral relationships between consenting adults. By the end of the 1960s, anti-gay laws would come into question by both legal and religious officials. The privatizing of sexual acts—moving them away from outdoor spaces—took away the methods in which law enforcement agents could successfully arrest homosexual men, thus calling into question the entire foundation of anti-homosexual stigma in Denver. The Denver YMCA quickly became one of the first areas of conflict.

### *The Denver YMCA*

As the municipal government continued to police immorality throughout the city, homosexuals moved from openly public to semi-private places. Gay bars began to open to an exclusively gay clientele and the Young Men's Christian Association (YMCA)—a space which routinely fostered homosexual relations—continued to be a customary space for homosexuality in Denver. Terry Mangan—a journalist and gay man—interviewed a man by the name of A.J.R. born April 24, 1945. "R" lived in Colorado Springs but would frequent Denver to experience gay culture. He moved to Denver in 1969, when he was 24 years old after he graduated from Colorado College. Mangan wrote, "Three years ago 'R' first went to the central YMCA in Denver. He had heard vaguely of sex there. In the third floor men's restroom, he found a hole cut between the last two toilet stalls. Since that time he has made it a practice to frequent this restroom."<sup>155</sup> The occurrence of

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<sup>155</sup> A.J.R., interview by Terry Mangan, Denver, CO, 1971, Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

homosexual activity within the Y was of common knowledge for many members of Denver's gay community—and the operators of the facility. Rollen N. Brouard, an ex-marine from Chicago, “was sent...to take over as executive secretary of the YMCA's main Denver Branch, he was given a double-barreled assignment: —Put the Y on a sound financial footing. —‘Get rid of the queers.’”<sup>156</sup> Homosexual men soon faced increased animosity when visiting the Denver YMCA because of the number of men using it as a liaison for social and sexual interaction in the 1960s.<sup>157</sup>

Denver continued to be a prominent stop for transients in the post war world. Many homosexual men came to Denver from surrounding rural communities. To authorities at the YMCA, transients were problematic and unwelcome. As historian Margot Canaday notes, “[T]he transient in particular was associated with the distinctive sexual subculture of hoboes and bums in which homosexuality featured prominently.”<sup>158</sup> Throughout the depression, WWII, and the 1950s, the sexual subculture of transients contained notable homosexual undertones, which exacerbated public scenes of sexuality. Denver's YMCA eventually ousted all transients. Brouard stated, “‘Our residence hall has an average of 200 guests a night,’ he said. ‘At one time, we were moving out four or five men a week. It's tapered off now to two or three, usually its transients who are killing us. We've got a list of 35 or 40 guys to whom we won't rent rooms because of what we know about them.’”<sup>159</sup> But Denver continued to be a gathering point for gay men throughout the west. Traveling to larger urban areas on the west coast, animosity towards

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<sup>156</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>157</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>158</sup> Canaday, *The Straight State*, 92.

<sup>159</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

the transient community began in at the YMCA in Denver. Indeed, gay men throughout surrounding areas knew that if they were looking for a homosexual encounter, it began at the Denver Y.

The operators of the YMCA were aware of the extent of homosexual socialization at the association. “Much of the problem at the [Denver] Y centered around activity in the two dormitories, one with 8 beds, the other with 10...” according to Brouard. Continuing, “[He] decided to bunk in the dorms for a few weeks, posing as a resident, to see first-hand what was happening. He saw, and he took swift action. He closed both dorms. Today, the beds in them are rented only to servicemen on leave and to members of supervised groups such as touring athletic teams...that didn’t solve the problem.”<sup>160</sup> In an attempt to reduce the occurrence of homosexual activity in the Y, the executive secretary endeavored to avoid having homosexual men stay in the rooms with soldiers and teams. However, military personnel continually partook in homosexual activity both on and off military bases. YMCA authorities also welded bathrooms shut after complaints of homosexual activities. According to the *Post*, “Brouard...closed the restroom in the youth section—a trouble spot here just as it was in the Washington Y—and converted it into a laundry facility.”<sup>161</sup> However, the bathroom only stayed closed for a short amount of time and its regular occupants resumed using the bathroom as a meeting place for sexual relations.<sup>162</sup> “R” first began to venture into the bathroom at the age of 21. He stated “He has seen fellatio, sodomy, analingus, as well as group sex in the

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<sup>160</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>161</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>162</sup> A.J.R., interview by Terry Mangan, Denver, CO, 1971, Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

YMCA men's room; as many as five men at a time engaged in mutual sex. The usual age is 25 to 35 but some much older men attend. Very few men under 20 seem to know about this place.”<sup>163</sup> The use of semi-private spaces such as rooms and restrooms at the Y indicate a movement out of public spaces such as Civic Center Park, and Capitol Hill. However, according to some gay men, the thrill of public sex continually persuaded gay men and others to further their sexual liaisons in the public eye.

Many men did not consider the hostility enjoyable or thrilling. The apprehension many men felt regarding incrimination as gay resulted in overly careful practices to protect their identities and lives. One professor remembers, “Four years ago there was an engineering student here who was carrying on with boys in the YMCA building; he was arrested and taken to the police station, where he killed himself with a revolver. He was the son of [another] professor.”<sup>164</sup> The fear and stigma that many men expected following an arrest led many to take drastic action. “[Another man] went to the central YMCA five times before he figured out how to achieve the desired result. His fear of being caught was so great that he was extremely careful,”<sup>165</sup> remembers Mangan. The Denver Morals Bureau confined militancy and regulation to the executive secretary of the Denver “Y.” Many gay men believed they would find more tolerance—or less regulation—within a semi-private institution because the police would not arrest without cause. The *Denver Post* explained, “Brousard is not happy about the cooperation he has had from the vice bureau. He complains the police ‘won’t do anything unless they’ve got a signed complaint. Maybe this is right, but it makes it tough when you’re trying to control a

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<sup>163</sup> A.J.R., interview by Terry Mangan, Denver, CO, 1971, Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

<sup>164</sup> Katz, *Gay American History*, 51.

<sup>165</sup> A.J.R., interview by Terry Mangan, Denver, CO, 1971, Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

situation like this.”<sup>166</sup> Moreover, Brouard was in charge of all regulation and punishment within the “Y.” He stated, “‘The Police Vice Bureau told me when I came here that there was only one way to solve the problem,’ Brouard said. ‘They told me I had to be a b----. Well, this is distasteful to me. Getting rough with these homosexuals is like pushing around a little kid. But sometimes I had to physically throw them out.’”<sup>167</sup> The use of the “Y” as a socialization area decreased throughout the 1960s but never stopped completely. Homosexual men would become increasingly careful regarding their actions. Some began employing someone to stand by the door while sexual relations took place, or they would also make sure to open doors in a certain way to make noises to alert occupants someone was entering.<sup>168</sup> When the executive secretary in 1965 attempted to “get rid of the queers,” it only invited backlash and outspoken opposition.

Perspectives on sex in semi-private or public spaces differed within the gay community. While writing a newspaper article regarding homosexual activity, Denver Post Staff Writer Bob Whearley interviewed several gay men. A graduate student at the University of Colorado indicated, “‘I’m not the way I am by choice, but what am I supposed to do about it—shoot myself? I’ve never been in trouble in my life, and, I assure you, I don’t go around looking for it. I’d be afraid to even go into the Y here. I might give myself away, not intentionally, but one little incident could ruin my whole

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<sup>166</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>167</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>168</sup> A.J.R., interview by Terry Mangan, Denver, CO, 1971, Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.



future.”<sup>169</sup> Due to increasing violence associated with public sex, many gay men began to shelve the thrill of public sex because of the stigma attached to homosexuality.

The decrease in number of homosexual men partaking in public sex acts reduced drastically in the 1960s. Much of this has to do with increased policing by the DMB, but also class stratification. Presumably, the majority of gay men who continued to use public areas for sexual encounters were apart of lower classes. As sexual privatization progressed, the majority of men capable of using semi-private or private spaces for social interactions would be of the middle and upper classes.<sup>170</sup> Members of the Mattachine Society—an activist group requiring membership fees—and other gay activist groups would necessitate money to either rent spaces for sexual encounters, or have enough wealth they could afford their own home. Meetings for the Mattachine Society would generally be held in the private homes for members. On more than one occasion, 216 West Madison Street in the affluent Cherry Creek neighborhood hosted members of Denver’s Mattachine Chapter.<sup>171</sup> Homosexual men capable of affording rooms without other tenants, or who could afford a private home, would undoubtedly be apart of a wealthier class of individuals. As stigma and policing increased, the threat of public shame encouraged those who could afford too, to move their sexuality away from public areas.

The slightest incrimination of being gay in the 1950s and 1960s could devastate a man’s life. However, some men used the opportunity to explain to the public their feelings about the treatment of homosexuality in Denver. “That teacher your guy at the

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<sup>169</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>170</sup> For a more detailed discussion of class and its implications on queer culture, see: Charles Kaiser, *The Gay Metropolis: The Landmark History of Gay Life in America*, (New York: Grove Press, 2007.)

<sup>171</sup> Rolland Howard, “One.” *Denver Area Newsletter*, 3, no. 10 (1959): 1.

Y mentioned: He probably wasn't a homosexual at all, but some kind of nut exhibitionist,' one man, a department store clerk, complained. 'That's the trouble; people like to blame every sex crime in the book on homosexuals. When a child gets molested or a woman gets raped, it's always a homosexual who did it.'"<sup>172</sup>

The use of the word homosexual to indicate the presence of any kind of sex crime did not diminish in the 1960s. Popular media portrayed homosexuals as sex offenders, degenerates, deviates, molesters, rapists, and exhibitionists. The level of verbal animosity present within the law invited contempt and stigma for being gay, according to the *Denver Post*. "One homosexual told The Post he thinks that the law, by its strong denunciation of homosexual acts, perpetuates public scorn for inverts and perhaps even encourages hoodlums to prey on lone men they see in such places as Denver's Civic Center. 'Public cruising can be dangerous,' one homosexual admits. 'This is why you see so many fellows patronizing the gay bars. They're safe there.'"<sup>173</sup> The privatization of sexuality for Denver's gay community came as disdain, stigma, and hostility increased in the 1960s. The population's reaction to public exhibitions of sexuality encouraged gay men and women to create spaces specifically for themselves. Indeed, increased attention to their cruising areas helped fostered the creation of "gay-only" establishments in downtown Denver.

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<sup>172</sup> Bob Whearley, "Homosexuals in Denver: Tough Stands Aids 'Y' In Solving Problems," *The Denver Post*, February 15, 1965.

<sup>173</sup> Bob Whearley, "Homosexuals in Denver: Tough Stands Aids 'Y' In Solving Problems," *The Denver Post*, February 15, 1965.

### ***“Gay Only:” Opposition and Community Formation through Gay Bars***

Gay only establishments became a safe haven for Denver’s gay community. They offered private areas for gay men and women to interact without the apprehension that public cruising brought. The majority of gay bars in the 1960s remained discreet. They would rarely put signs up, and only homosexuals who knew of their existence would recognize the inconspicuous signage. The majority of policing gay bars was only by happenstance when the DMB would stumble upon the bar or heterosexual patrons would inadvertently stop in for a drink.<sup>174</sup> The creation of gay only establishments served multiple purposes for Denver’s burgeoning community. It privatized homosexuality—removing displays of sexuality from public visibility—and served as the beachhead for early activism. The gay bar was more than just a bar for many men and women in the homosexual community. While it served its purpose for lighthearted interaction filled with gaiety, it also helped moralize the homosexual community by promoting a middle-class and sexually restrained identity.

By 1965, eight known bars catered to the homosexual community. As *The Denver Post* detailed, “A few years ago, Denver had two taverns that had reputations as ‘gay bars,’ or homosexual hangouts. Today it has eight. Six of the eight are on the off-limits list of the Armed Forces Disciplinary Control Board: Military police check them regularly to make sure there are no GIs among the patrons.”<sup>175</sup> The DMB regulated the homosexual community less when they were discreet, and operated behind the curtains of “gay-only” establishments. The rise in gay bars reflects larger changing patterns about gay socialization. As more gay men and women identified as homosexual, they

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<sup>174</sup> Noel, “Gay Bars,” 67.

<sup>175</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safer in ‘Gay Bars,’” *The Denver Post*, February 16, 1965.

continually preferred to operate within bars that allowed them to meet other homosexuals without fear of reproach from the heterosexual public.<sup>176</sup> However, Denver's gay community moved the display of homosexuality into safer spaces to assist in the formation of a moral community through interest-group politics.

Gay only establishments help foster community and identity formation for all gay men throughout the state. John Francis Hunter—a travel journalist and gay man—contended:

The chief reason for the phenomenon of gay bars is that under the old order, with almost universal pariahdom for the homosexual, anonymity was obligatory and hiding part of the lifestyle....Bars provided the only premises for lighthearted or heavy hearted socializing, not just pick-up points....[They] were the information centers where the ganglia of the gay grapevine intersected. A newly emerging gay learned the patois, became familiar with the opportunities as well as the risks concomitant with being a social renegade, a sexual exception, a freak and a loner. He discovered, often to his utter amazement, that there was a place for him.<sup>177</sup>

While the Mattachine Society would hold meetings outside gay bars, in rented, or privately owned spaces, the society would disseminate information throughout gay bars to invite, inform, and recruit new members. Subsequently, the rise in exclusive gay bars functioned as information centers of gay culture within Denver. Gay men and women from all over Colorado—including Colorado Springs, Boulder, Fort Collins, and Greeley—would give many individuals the opportunity to meet others like themselves, and participate in homophile activist groups. *The Denver Post* reported, “No one knows for sure how many homosexuals there are in the Denver area, but national estimates range as high as 10 percent of the adult population—with the heaviest concentration in

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<sup>176</sup> Chauncey, *Gay New York*, 358-359. Agee, *The Streets of San Francisco*, 75.

<sup>177</sup> John F. Hunter, *The Gay Insider, U.S.A.* (New York: Stonehill, 1972) quoted in Thomas Noel, “Gay Bars and the Emergence of the Denver Homosexual Community,” 1978.

major metropolitan areas, such as the Mile High City.”<sup>178</sup> But, Denver brought gay men from rural areas from all over the west. Mangan wrote, “When ‘R’ was 21 years old he would occasionally come from Colorado Springs to Denver to attend gay bars. At the time the theater bar was still open.”<sup>179</sup> Denver gay bars helped younger men form safety zones to explore their sexuality. In a 1965 editorial, *The Denver Post* recounted:

A former premedical student in Boulder wrote to the Post: ‘...I don’t know why I am a homosexual or how I became one. I do know that it is the last thing that I as a man would ever want. Yet the impulses are there, and they are very strong. There is no escape from them, no escape from myself...Perhaps this is why I go to the various ‘gay’ bars of Denver. It is hard to explain the comfort and relief I feel by becoming with people of my own kind. I guess it is the only time when I can really relax and be myself.’<sup>180</sup>

Denver’s central location in the state made it increasingly easy to travel to and from Denver to experience homosexual culture and the 8 known gay bars, for the first time. Denver’s gay bars would prove to be a base for homosexuals, offering them the opportunity to learn about Denver’s gay community, activism, and interact socially without castigation from the police or heterosexual public.

By the mid 1965s, the conversation around homosexuality and gay bars changed. Denver’s local media began presenting all known gay establishments to the local public. In a 1965 editorial, *The Denver Post* reported the location and type of bars known to be a refuge for gay men and women: “A few years ago, there were two Denver bars with reputations as homosexual hangouts, or ‘queer joints.’ Today, there are at least eight, most of them within a few blocks of Civic Center—itsself a favorite trysting place for deviates. The eight bars are the city’s focal points of overt homosexuality—where the

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<sup>178</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

<sup>179</sup> A.J.R., (Member of Denver's Gay Community), interview by Terry Mangan, Undated Interview. Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

<sup>180</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” February 19, 1965.

boys dance with boys, the girls neck with girls, and where, as the clocks tick inevitably toward 2 a.m. closing, roving young men on the make try desperately for a last-minute pickup.”<sup>181</sup> According to Bob Whearley, the increasing number of homosexual establishments and blatant growth of the community brought public discussions of homosexuality from the individual to the community level. Whearley, a determined and advantageous staff writer was born on September 8, 1928 in Indianapolis. Whearley later earned his degree in English and a masters degree in Spanish Literature from the University of Colorado at Boulder.<sup>182</sup> Whearley routinely presented legal assessments of the queer community, helping the public understand why police considered homosexuality a problem, and the public should too.<sup>183</sup> The editorial commented on the known gay bars in Denver and included the types of “clientele” each bar catered too. *The Denver Post* stated, “ One of the most popular is the Court Jester Restaurant & Lounge, 1617 Court Place. The Court Jester attracts a younger, better-dressed clientele than most of the other gay bars.”<sup>184</sup> In this context, Whearley’s editorial informs the heterosexual public which gay bars are off limits to military personnel, which bars are strictly homosexual, and which bars concerned citizens should avoid. The commentary focused more extensively on homosexual establishments and the clientele they serve within the gay community, rather than their political purpose. While Whearley overwhelmingly focuses on continuing to portray homosexuality as a public concern, and the military’s involvement in regulating G.I. attendance, he also discusses attacks on gay men in public

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<sup>181</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

<sup>182</sup> Virginia Culver, “Real Tenacious Reporter Kept City, State in his Sights, *The Denver Post*, September 5, 2007.

<sup>183</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” February 19, 1965.

<sup>184</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” February 16, 1965.

cruising areas, and differences between different types of bars catering to homosexual subcultures. By 1965, local media began to recognize homosexuals in Denver as part of a distinct minority.

The sharpening of boundaries between homosexual and heterosexual bars in the 1960s left many gay men reluctant to attend anything besides “gay-only” bars. One man recalled, “He would be sure ‘to get in trouble’ if he patronized other bars with his boyfriend. ‘Say you slip and help your lover on with his coat, or show some sign of affection that would be a giveaway, you’re almost certain to offend some ‘straight’ person,’ he said. ‘The whole evening ends up a big scene. What good does that do anybody?’”<sup>185</sup> The rise in exclusively homosexual establishments helped create a safe zone for social interaction. “‘Public cruising can be dangerous,’ one homosexual told the *Post*. ‘This is why you see so many fellows patronizing the gay bars. They’re safe there. They’re among their own kind.’”<sup>186</sup> By gathering around social environments where gay men need not worry about offending straight patrons, they could openly express ideas and attitudes regarding anti-homosexual rhetoric in Colorado.<sup>187</sup> The dangers posed by cruising in public areas—and the energy spent to hide their sexual identity—unintentionally helped create a unified community based in private gay bars away from the public eye.

Denver officials faced a similar conundrum in the 1960s regarding homosexuality as they did in the 1940s regarding prostitution. Would closing gay bars in Denver create a bigger problem for the city? Many city officials felt gay bars served a viable purpose for the city, since they created a place to contain and regulate the public display of

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<sup>185</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” February 19, 1965.

<sup>186</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” February 16, 1965.

<sup>187</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” February 16, 1965.

homosexuality. *The Denver Post* reported, “Moreover, there is considerable cogency in the argument that homosexual activity could not be as easily observed or contained by the police if the homosexual hangouts were closed down, and that if the bars were closed the homosexual would be reduced to carrying on their activities more openly in the public parks and public streets.”<sup>188</sup> If the city shut down known gay bars it would only re-invent the public display of homosexual acts for the general populace. Unknown to city officials, homosexual’s frequent attendance of gay bars actually helped the city’s reputation. The community focused on privatizing their sexuality to neutralize anti-homosexual laws based on morality. In a 1965 editorial, *The Denver Post* reported the focus of morality was always Denver’s reputation, “The city can—and must—make certain that the Denver homosexual community is contained and restricted, that Denver does not become known as a haven for homosexuals.”<sup>189</sup> In this context, Denver officials began a campaign of social stigmatization based upon sodomy laws under the guise of lewd, indecent, and lascivious conduct.

Conflicting opinions on lewd and indecent acts plagued Denver officials by the mid 1960s. Press coverage reported on arrests that officers accomplished—all for public displays outside gay bars. In one incident, “The Front Door is dimly lighted, and boasts two juke boxes—one in the main bar, and one in a side room where the boys dance with boys. On Nov. 5, 1964, two young men were arrested after vice squad officers saw them kissing each other there.”<sup>190</sup> The Vice Bureau began to regulate homosexuality based upon lewd behavior in conjunction with Denver city ordinance. However, Denver officials considered certain behavior acceptable if only for entertainment value. In one

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<sup>188</sup> “Homosexuals in Denver,” *The Denver Post*, February 25, 1965.

<sup>189</sup> “Homosexuals in Denver,” *The Denver Post*, February 25, 1965.

<sup>190</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” February 16, 1965.



*Denver Post* editorial, a downstairs gay bar at 1219 Lawrence St. known as the Red Roach was a common spot for tourists. *The Post* reported, “The bar still is in operation, but the big business is being done at an upstairs showroom known as ‘The Gilded Cage,’ which features female impersonators. This has become popular with night-clubbing ‘tourists.’”<sup>191</sup> Contentious arrests by the Vice Bureau upset gay activists. The Denver Morals Bureau allowed female impersonators as a tourist attraction, but *The Denver Post* also reported, “Six men were arrested at the Cherry Creek Tavern on Halloween night on charges of parading around in women’s clothing—in violation of a Denver city ordinance.”<sup>192</sup> The Vice Bureau could not articulate a law that distinguished lewd behavior from artistic entertainment. On one occasion, the city of Denver revoked the liquor license of the Red Roach because it considered two males dancing together indecent behavior. *The Denver Post* recorded:

The downstairs bar figured in a notable liquor license hearing two years ago, John M. Schooley, the manager of safety, suspended the license for five days on the grounds: ‘...It was established that the place of business has a reputation as an establishment to which both male and female homosexuals resort and where males are, and have been, permitted to dance together...I submit that it is not natural for two males to dance together unless they are entertaining and engaged in an artistic dance and that the mere sight of males dancing otherwise together would be offensive to the sense of the average citizen.’<sup>193</sup>

At a time when the Vice Bureau began making arrests for lewd behavior, they simultaneously allowed some “indecent” behavior for entertainment value. In a process known as ‘slumming,’ many middle-class heterosexuals saw female impersonators for their entertainment value and did not immediately suspect that they were homosexual, or

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<sup>191</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” *The Denver Post*, February 16, 1965.

<sup>192</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” *The Denver Post*, February 16, 1965.

<sup>193</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” *The Denver Post*, February 16, 1965.

condemn them for their gender deviation. So long as female impersonation was on stage, and contained within the bounds of the theatre, the Vice Bureau and public would allow it.<sup>194</sup>

Despite their unwelcome and fervent condemnation, Denver police often voiced an opinion that homosexuality was not the only problem; the perpetrators who preyed on homosexuals also posed a significant danger to the Denver public. “[Bob] found that homosexuals cause a continuing police problem, not only because they consort together but also because they are favorite targets toughs and hoodlums,”<sup>195</sup> according to an article in *The Denver Post*. Many young men would prey on gay men in public cruising areas and parks. Many dubious men would entice gay men with the possibility of sexual interactions before assaulting and robbing them. The Denver Police never concerned themselves with the perpetrators attacking homosexuals unless the gay men attacked, lodged a formal complaint—a process that many never did in fear of incriminating themselves as gay. *The Denver Post* detailed, “Winter and summer, Civic Center is a favorite hunting grounds [sic] for homosexuals. It is also a favorite hunting grounds [sic] for the hoodlums who prey on homosexuals, for the muggers who lead on the inverts, then work them over and relieve them of their billfolds. Understandably, these incidents frequently are not reported. The homosexual would prefer to have nothing to do with the police.”<sup>196</sup> Perhaps what is most telling is the attitude towards the hoodlums who preyed on homosexual men. Many police officers felt that by segregating the homosexual community into gay bars, they assisted the police making it easier to keep an eye on for

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<sup>194</sup> For a more detailed discussion please see: Chauncey, *Gay New York*, 1990; and Faderman et al, *Gay L.A.* 2006.

<sup>195</sup> “Homosexuals in Denver,” *The Denver Post*, February 25, 1965.

<sup>196</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” *The Denver Post*, February 16, 1965.

misbehavior. *The Denver Post* reported, “Some policemen feel that these bars actually serve the public welfare by isolating homosexuals and keeping them out of other public places. Also, recent court decisions raise serious doubts about whether the sight of two men kissing or dancing together actually constitutes a lewd act.”<sup>197</sup> In an effort to create stigma of the homosexual community, the Vice Bureau and local press utilized the gay bar to protect the community from the dangers of public cruising areas. Indeed, the acceptance of gay bars by local police while seemingly detrimental actually helped create a safer area for homosexuals. While many enjoyed the thrill of public sex, the gay bar functioned to help protect homosexual men from stigmatization within public spaces, and from harassment by both the Denver Vice Bureau and criminals.

### ***The Roots of Activism in Denver: Legal and Religious Reform***

Denver’s upper and middle-class homosexual community attempted to privatize its sexuality in the 1960s. The formation of “gay-only” establishments or gay bars helped contain homosexuality within the city. The gay bars within Denver not only helped privatize homosexuality, but also helped community formation through religious and legal reformation. Many gay bars served as a foundation for civil rights grievances, as the bars routinely lead the fight against public complaints regarding the homosexual community.<sup>198</sup> In Denver, the gay bar not only served as a privatizing factor for sexual acts between members of the homosexual community, but they also served as a basis to fight inequality, sodomy laws, and police harassment.

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<sup>197</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” *The Denver Post*, February 19, 1965.

<sup>198</sup> Noel, “Gay Bars,” 66.

Colorado's sodomy laws remained unchanged in the 1960s. The Colorado revised statutes prohibited the "infamous crime against nature" but more so, the solicitation of any non-reproductive sexual acts. The statutes stated, "The *solicitation* of any unnatural carnal copulation shall subject the offender to confinement in the county jail for not less than thirty days nor more than two years."<sup>199</sup> State law continued to give police the ability to arrest gay men even on the suspicion of solicitation when in public areas or outside the bounds of gay establishments.

Stanley Norman—a construction worker and gay man—remembers one Saturday afternoon visiting Colorado Springs. He met a young fellow stationed at Camp Carson who struck up a conversation regarding bars where "interesting people" tend to group. Stanley Norman did not look extraordinary, he stated, "I was dressed in Levi's, a T-shirt, and boots, clothes I regularly wear to my construction job," but on this particular occasion, he apparently looked conspicuous to both this young fellow and the police.<sup>200</sup> Stanley and the man from Camp Carson planned to attend a bar on Platte and Broadway, but they never made it there. The man attempted to solicit Stanley by physical action, asking if Stanley had a place to go or a car. Stanley resisted, but told the man he was staying at the "Y." The man then revealed himself as Military Police from Camp Carson. Stanley had done nothing illegal, but his conversation was enough to involve him with the police. "On what charges are you taking me to jail?" Stanley asked calmly. The MP responded, "I don't have very much on right now, but when we get to jail we will have plenty on you. You see, everything you have said has been recorded on this recorder I

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<sup>199</sup> Colorado Laws 1963, §§ 40-2-31, [1963]: 357.

<sup>200</sup> Stanley Norman, "Trapped," *One Magazine: The Homophile Viewpoint*, 1960, 14.

have on my arm.”<sup>201</sup> Stanley committed no crime, but the MP tried to blackmail him for acts of solicitation. Stanley could pay him an unknown sum of money or be taken to jail. Stanley chose jail. However, Stanley Norman never spent any time in jail as the police department never sent a squad car. Stanley left the scene terrified, but two days later, had the same MP arrested for attempted entrapment. Stanley visited the Colorado Springs Police Captain and told him his story. Two plainclothes police officers accompanied Stanley to six different “interesting” bars, and arrested the MP for attempting to blackmail other unsuspecting gay men.<sup>202</sup>

Stanley Norman’s experience is uncommon. Anti-homosexuality and sodomy laws gave police free reign to question and arrest many members of the community without cause. While this process of police entrapment was controversial, many members of the community did not have the knowledge to contest, or pursue legal action against the state. *The Denver Post* reported, “The law’s relation to unnatural sex acts are only part of the police problem. Because of the sense of guilt felt by many, if not by most, homosexuals, they have been made the victim of blackmail and robbery attempts that often go unreported. The federal government, especially the military, considers the homosexual a security risk inclined to betray his country rather than have his shame exposed.”<sup>203</sup> The movement of homosexuality from the public to the private was one way in which the community fought back against state constructed anti-homosexual mentality.

The privatization of homosexuality by moving sexual acts into semi-public spaces was a way to present the homosexual community as moral. Denver’s gay community

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<sup>201</sup> Stanley Norman, “Trapped,” *One Magazine: The Homophile Viewpoint*, 1960, 14.

<sup>202</sup> Stanley Norman, “Trapped,” *One Magazine: The Homophile Viewpoint*, 1960, 14-16.

<sup>203</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” *The Denver Post*, February 19, 1965.

needed to bring the public's understanding of homosexuality away from the public display of sex, and let them understand that companionship between same-sex couples was no different from heterosexual companionship. Carl Harding—member of the Denver Mattachine Society—interviewed with Bob Whearley of the *Denver Post* in order to explain legal definitions of homosexuality and the detrimental effect the public has on the gay community. *The Denver Post* reported, “Carl B. Harding is a rebel. Armed with little more than his own convictions, he has set out to fight what he calls ‘The Great Sexual Revolution.’ His goal: To win public acceptance of homosexuality as an honorable way of life and love.”<sup>204</sup> Members of Denver's gay community sought to change the perception of homosexuality within the city limits. Their goal was to change public opinion by breaking down stereotypes. In 1965, there were an estimated 12 million homosexuals in the United States, and not nearly all 12 million were arrested for sexual acts in public, according to one gay man. He told *The Denver Post*, “Now this would lead one to believe that many homosexuals lead quiet, gainful, unassuming lives and contribute to society just like everyone else. As a matter of fact, this is true in the vast majority of cases.’ But the public does not see ‘the vast majority of cases.’”<sup>205</sup> In the 1960s, homophile activists attempted to shape community organization around the privatization of the sexual acts. The movement of homosexuality from the public cruising grounds to gay bars and the home, acted as an example of interest-group politics within Denver Colorado. Harding stated, “When homosexuality is explained to people in terms of love, they can understand it...there has to be more than a carnal relationship between homosexuals. There is a need to be loved, just as there is in what you'd consider a normal

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<sup>204</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

<sup>205</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” *The Denver Post*, February 19, 1965.

heterosexual relationship.”<sup>206</sup> Groups such as the Mattachine Society led the battle against moral respectability. They would routinely include stories of police entrapment, harassment, and illegal searches in their monthly newsletters to help encourage all members of the queer community to present a public image of a sexually restrained homosexual minority.

Activism in the 1960s could only function if homosexuals unified as a minority. Denver’s gay men—specifically those within the Mattachine Society—began to equate the struggles of the homosexual community to those of ethnic minorities. Carl Harding declared, “Homosexuals are treated like negroes in the Deep South. And, like Negroes and Jews and other minority groups, we’re thought of in terms of the stereotype. We’ve got to change public thinking.”<sup>207</sup> Denver’s gay bars functioned to act against the repressive and negative ideas regarding sexuality. Carl Harding argued, by moving homosexuality into gay bars, it was the first step to inform the queer community that the public display of sexuality was the most detrimental characteristic of Denver’s gay culture. “Homosexuals need a recreation center of their own,” he said “This would alleviate the public cruising that gives all of us a black eye. These meeting places should be wholesome—where they can meet people and dance together if they want. What they do when they get home is their own business.”<sup>208</sup> Denver’s gay activists sought to remove the tarnishing reputation of public sexuality and promiscuity by moving homosexuality into semi-private spaces. However, many members of the community did not want to participate in presenting a sexually restrained image of homosexual culture.

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<sup>206</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

<sup>207</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

<sup>208</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

Many men, continued to use public cruising grounds for sexual relations.<sup>209</sup> One gay man reported, “that he hates to adjourn to a room in the ‘Y’ for sex as the danger is half of the fun!”<sup>210</sup> Homophile activism grew slowly in the 1960s because gay culture was split regarding their sexual freedom. The *Denver Post* reported, “Some researchers have suggested homosexuals are more promiscuous than heterosexuals. Harding doesn’t think this is necessarily true, but he admits ‘many homosexuals practice sexual freedom.’ And he believes those who are indiscreet about it...are the victims of ‘repressive laws.’”<sup>211</sup> Many individuals continued to use public cruising grounds, which created a two-fold problem for Denver’s homophile activists. By continuing the use of public cruising and well-known pick up spots, the individuals who did not care to be identified with the movement out of fear of exposure, continued to draw negative attention to them, and present an effeminate and negative presentation of homosexual culture to the average person.<sup>212</sup> The division between those identified with homophile activist groups, and those participating in public cruising would delay the cohesion of Denver’s queer culture.

Homophile activists employed other local authorities to promote positive images of gay culture. Denver’s gay community had support from many religious officials, attorneys, and judges in the early 1960s to fight sexual inequality. *The Denver Post* reported, “For several years, homosexuals have been organizing to fight what they consider discrimination. (‘Frankly,’ says one member of the Mattachine Society, ‘we’re next on the civil rights agenda.’) [Homosexuals] have received some degree of support

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<sup>209</sup> Bob Whearley, “Homosexuals in Denver: Clientele Feels Safe in ‘Gay Bars,’” *The Denver Post*, February 16, 1965.

<sup>210</sup> A.J.R., interview by Terry Mangan, Denver, CO, 1971, Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

<sup>211</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

<sup>212</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.



from attorneys, who argue that homosexual practices are a moral question that should not fall within the province of the law.”<sup>213</sup> Since WWII, Denver police sought to regulate the public display of sexuality because homosexuality was a moral issue. The good/bad dichotomy established in the 1950s, attempted to delineate how Denver could safely justify arresting homosexual men and women on acts of indecency. In the 1960s, Denver’s activists sought to change Colorado sodomy laws to exclude activities that happened in private between two consenting adults. As *The Post* reported, “Under the laws of Colorado, it is police business if they engage in a sex act—even behind the drawn shades and locked doors of a private home.”<sup>214</sup> The regulation of homosexuality became a two-part issue. While the DMB continued to contain the public display of sexuality—in parks and public bathrooms—they needed a way to justify the outlawing of homosexuality between consenting adults in private. *The Denver Post* reported, “This is one of the unrealities of law enforcement. Without actually observing the act, or without a complaint, the police don’t have a case. The police would need a court order to enter the homes, or to even eaves-drop on what was happening inside....And this raises the questions that is being heard more and more frequently as the homosexuals marshal their forces: Should the laws be changed?”<sup>215</sup> Indeed, Denver activists caught the Denver Police Force in a duplicitous situation. The Morals Bureau had based their regulation of homosexuality on homosexual acts in public as harmful to the moral face of Denver, but in the 1960s, many activists advocated to move these acts into semi-private or private spaces to prohibit the Morals Bureau’s regulation of their lifestyle.

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<sup>213</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” *The Denver Post*, February 19, 1965.

<sup>214</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

<sup>215</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

In the 1960s, ninety-eight percent of the country outlawed even private sexual acts between members of the same sex.<sup>216</sup> As the *Denver Post* reported to its readers, “It isn’t against the law to be a homosexual. It is against the law in all but one of the 50 states—Illinois—to engage in homosexual acts, which are variously described in the statutes themselves as ‘infamous,’ ‘abominable,’ and ‘detestable.’”<sup>217</sup> Despite the growing number of activists and activism for Denver’s gay community, acceptance of the community was not immediate. While many attorneys and psychologists advocated that homosexuality was just another way of life, animosity escalated between the community and municipal authorities. Denver Mayor Thomas G. Currigan for example, refused to discuss any sort of changes to the municipal code and in 1965 ignored pleas from Denver’s homosexual community to enact current legal and psychological views on homosexuality in Denver’s law books. Mayor Currigan stated:

I have taken an oath to uphold the constitution and the laws of the United States and the State of Colorado and the charter and ordinances of the City and County of Denver. That includes upholding the law against homosexuality, which is in violation of natural law, as well as the man-made regulations controlling it. If and when legislation is passed changing society’s official position toward homosexuality, I will review my stand on the matter. Until that happens, however, I will not discuss or debate this question with anyone.<sup>218</sup>

Legal definitions of homosexual actions continued to be based on what Denver’s Mayor defined as “natural law.” *The Denver Post* reported, “Directly or indirectly, homosexuality affects every citizen. For one thing, homosexuality in Denver is a police problem, and police problems are—or should be—a public concern. Rightly or wrongly, the Legislature long ago decreed homosexual acts felonies, punishable by sentences of 1 to 14 years in the State Penitentiary. The law was passed in the name of the people, and

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<sup>216</sup> Bob Whearley, “Way of Life, Love-Rebel Fights for Honorable,” *The Denver Post*, February 17, 1965.

<sup>217</sup> Bob Whearley, “Homosexuals in Denver: Tough Stands Aids ‘Y’ In Solving Problems,” *The Denver Post*, February 15, 1965.

<sup>218</sup> Noel, *Gay Bars*, 65.

its enforcement is carried out in the name of the people.”<sup>219</sup> Local authorities continued to discuss and regulate homosexuality in a negative manner despite the growing number of outspoken activists. According to Dr. Samuel B. Hadden, Associate Professor of Psychiatry at the University of Pennsylvania School of Medicine, “[H]omosexual groups ‘resent every suggestion that homosexuals are sick.’ Further, Dr. Hadden said, these groups are waging campaigns to make homosexuality a ‘socially acceptable’ pattern of behavior.”<sup>220</sup> Medical and psychological definitions began changing on a national level. Rather than reflect these shifting stances on homosexual personhood, Denver officials remained obstinate and continued policing homosexuality based upon moral law.

In this context, advocates for the homosexual community examined why Denver officials were reluctant to evaluate law based on modern psychological and medicine inquiry. One Denver attorney stated:

The fierce, irrational condemnation of the homosexual by the public, is attributable in part to the latent homosexuality in every member of society... The most stable person may be able to regard deviants with tolerance in a live-and-let-live policy, but most men may find the thought of effeminacy in other males unsettling the more so in a culture like the United States, where the male deprived of a patriarchal position, is highly sensitive about his maleness.”<sup>221</sup>

Many advocates for Denver’s gay community believed Denver officials were uncomfortable with sexual deviation. As national trends of heteronormativity continued into the 1960s, a male’s deviation from a strict patriarchal position as the breadwinner was considered detrimental to the health of the nation. Local authorities continued to disregard pleas from the gay community as well as gay advocates regarding moral law in

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<sup>219</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” *The Denver Post*, February 19, 1965.

<sup>220</sup> Bob Whearley, “Homosexuals in Denver: Minority on Increase Affects all Citizens,” *The Denver Post*, February 19, 1965.

<sup>221</sup> John Kokish, “No Crime in Private, Brief Contends: Colo. Homosexuality Law Challenged,” *The Denver Post*, October 8, 1967

Denver. Regardless of national changes to the conversation of homosexuality, the basis of law in Denver constituted religious and moral thought.

Denver used morality to function as the guiding factor in its anti-homosexual policies throughout the Cold War Period. However, in 1963, ecclesiastical authorities began to reconsider the moral code on a global scale. Ideas regarding sexuality changed in the 1960s, and what religious sects once considered natural or unnatural no longer seemed applicable. Canon D. A. Rhymes of London stated:

[T]raditional moral code implied that sex is unavoidably tainted... 'Nor does Christ ever suggest that sexuality as such is undesirable or that marriage is only possible occasion of any expression of physical relationship.' Canon Rhymes said it had been argued that morality should be based on natural law... 'but what is natural and what is unnatural? Much of the prejudice against homosexuality is on the ground that it is unnatural—but unnatural for whom? Certainly not for the homosexual himself. It is very doubtful whether nature offers any guidance on morality.' The moral law against extramarital sex and homosexuality Rhymes went on, 'does not concern itself with the needs of the individual in the lights of all the circumstances of environment, nature and heredity.' Rhymes said the moral code of today is being ignored because it is already outdated.<sup>222</sup>

Denver officials used religion and morality to justify the mistreatment of homosexuals.

However, church authorities in Denver began to change their minds regarding gay men and women. The Rev. Taylor McConnell, program director for the Rocky Mountain Methodist Conference stated, "The fruits, the queens and the fairies are a very small and very obvious group. The majority of homosexuals are decent, respected businessmen, farmers, housewives and people like that."<sup>223</sup> Religion attempted to change public perception of homosexuals and feature homosexuality more prominently in public discussion. In an attempt to confront the growing number of homosexual men and women in Denver, many of whom were religious and decent church members, church authorities

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<sup>222</sup> "English Pastor Blasts Taboos Against Sex," *The Rocky Mountain News*, March 11, 1963.

<sup>223</sup> Bob Whearley, "'Militant Minority' Poses Serious Problem for Society," *The Denver Post*, February 14, 1965.

argued that anyone could be gay and society's non-acceptance of the stereotypes only exacerbated the hate towards the more common and increasing number of moral homosexual men. According to *The Denver Post*, the Rev. Harvey Hollis—secretary of the Denver Council of Churches—“looks upon homosexuality as ‘a real hot potato for the churches, but one that we’ve got to do something about.’ He believes Denver is fast becoming a center for homosexuals who are being forced out of other communities. These people, plus the city’s already high percentage of unmarried young adults...comprise a group that the churches have had a difficult time reaching.”<sup>224</sup> The mistreatment of gay men and women in smaller rural communities forced many to leave their homes and head to urbanized communities in the west. In this context, the mistreatment of homosexuals seemed unchristian to many religious officials. In an effort to expand their reach to unmarried people, religious voices began to treat gay men and women with respect because of state constructed harassment. Indeed, ecclesiastical voices began to affirm that not all homosexual peoples were indecent or an affront to the heterosexual public. The number of accepting church voices was small, but their participation in community discussions in a positive way would have an affirmative impact on religious and moral law in Denver. While some of the most virulent condemnation of homosexuality came from fundamentalist churches, beginning to change the way religious entities viewed homosexuality would help make progressive changes in the next decade.

By the end of the 1960s, attorneys began to fight for homosexual rights on the basis of privacy. *The Denver Post* asked, “Should homosexual acts between consenting

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<sup>224</sup> Bob Whearley, “‘Militant Minority’ Poses Serious Problem for Society,’ *The Denver Post*, February 14, 1965.

adults in private by punished as a crime?” In 1967, Norton Frickey—a Denver based attorney—filed a charge against the Denver District Court that the Colorado Statute against homosexuality was unconstitutional and constituted cruel and unusual punishment towards homosexual men and women. In his brief, “Frickey contends the Colorado law violates the eighth Amendment of the U.S. Constitution...[he] filed in support of a motion to dismiss a morals charge against one of his clients, a Denver professional man.”<sup>225</sup> Frickey filed the brief on the decision of the U.S. Supreme Court in *Johnson vs. California* (1962) in which the court declared that punishment for the status of being an addict is unconstitutional. *The Denver Post* reported, “Frickey says, ‘being a homosexual’ is analogous to ‘being an addict’...In fact, he argued, an addict—in most cases—voluntarily takes the first step that leads to his addiction. A homosexual, on the other hand, is an innocent product of biological and psychological abnormalities over which he has no control.”<sup>226</sup> According to *The Denver Post*, “‘Furthermore’ the brief states, ‘that homosexual’s manifestation of his status causes no one harm, if the acts are conducted in private with a consenting adult...It is certainly less offensive than the drunk who staggers along a public sidewalk.’”<sup>227</sup> Indeed, attorneys and gay activists began to challenge Denver’s anti-homosexual laws by the 1960s based on public indecency. The encouragement of early homophile activists to move sexual acts into private spaces would help discredit anti-gay laws. As Frickey points out, “both the American Law Institute in its Model Penal Code and the Wolfendon Committee in England have

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<sup>225</sup> John Kokish, “No Crime in Private, Brief Contends: Colo. Homosexuality Law Challenged,” *The Denver Post*, October 8, 1967

<sup>226</sup> John Kokish, “No Crime in Private, Brief Contends: Colo. Homosexuality Law Challenged,” *The Denver Post*, October 8, 1967

<sup>227</sup> John Kokish, “No Crime in Private, Brief Contends: Colo. Homosexuality Law Challenged,” *The Denver Post*, October 8, 1967

recommended excluding homosexual acts in private between consenting adults from the criminal statutes.... Even the Church of England, the brief states, has concluded that ‘although homosexual acts are sins in the eyes of the church, they aren’t necessarily crimes to be punished by the state.’”<sup>228</sup> While the sodomy statute in Colorado remained on the books until 1975, the motion of an attorney in 1967 to dismiss a morals charge shows the progressiveness of some Denverites to change local law. Denver routinely policed the public act of homosexuality, but the desire to continue policing private acts between adults was unnecessary. Privacy statutes became a global discussion by the late 1960s. Denver authorities reluctance to decrease their efforts to control sexual acts in private, would invite increasing criticism from Denver’s gay community and their advocates.

The privatization of sexuality was necessary for Denver’s gay community to gain access to the political machine. Homophile activist groups such as the Mattachine Society—which disbanded in Denver in 1962—helped create the basis for queer politics in Denver. Like many queer cultures across the United States, privatizing sexuality and presenting a morally restrained image of homosexual men, allowed gay men and women to disseminate information and participate in interest-group politics. Throughout the 1940s, 1950s, and 1960s, the public display of homosexual acts tarnished the reputation of the gay minority. The public continuously only saw negative aspects—arrests and sexual affronts—which hindered the progression of understanding homosexuality as a socially acceptable and normal pattern of behavior. In the 1960s, gay advocates helped community and identity formation by advocating the movement of homosexual acts into

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<sup>228</sup> John Kokish, “No Crime in Private, Brief Contends: Colo. Homosexuality Law Challenged,” *The Denver Post*, October 8, 1967

a privatized sector thus decreasing the DMB's ability to entrap and harass gay men. While activism clearly existed as early as 1957 with the creation of the Mattachine Society, gay advocates used the gay bar as the forefront of a gay rights movement in Denver's history. Gay only establishments helped privatized sexuality for those individuals who chose to use them, which brought a moral face to homosexuality, and allowed legal and ecclesiastical authorities to transform their way of thinking. As these authorities changed their mindset, the entire basis for Colorado's anti-gay policies—morality—would be an unacceptable barrier to sexual equality for Denver's gay community. By the 1970s, homophile activism would transform into gay liberation where a gay *identity*, and the majority if not all of gay Denverites would agree upon a gay rights agenda.<sup>229</sup>

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<sup>229</sup> Armstrong, *Forging Gay Identities*, 2002. 2.



## *Epilogue*

### *“Queen City Takes on New Meaning”<sup>230</sup>*

On Friday June 27, 1969, two detectives entered the Stonewall Inn—a gay bar in Greenwich Village in New York City—to raid the bar, arrests its patrons, and shut the bar down. Normally, those in the bar would panic, scatter, and attempt to evade arrest. However, the gay population responded differently that night: as the police began to arrest members of the community and haul them off, gay men and women began jeering and taunting the police. A riot ensued. The Stonewall Riot sparked a nationwide gay liberation movement. According to historian John D’Emilio, “Gay liberation used the demonstrations of the New Left as recruiting grounds and appropriated the tactics of confrontational politics for its own ends. The ideas that suffused youth protest found their way into gay liberation, where they were modified and adapted to describe the oppression of homosexuals and lesbians.”<sup>231</sup> The liberation movement sparked by the Stonewall riot rallied gay men and women across the country to fight systemic oppression by the state. The Denver Gay Coalition “traced its roots to New York, where the first Gay Coalition was formed in 1969 in the aftermath of the Stonewall riot.”<sup>232</sup> As gay communities across the U.S. united against repression, Denver focused on the unlawful attempts at entrapment and harassment, as well as the laws that singled out homosexual men and women for discrimination within the state. Gathering around the idea of a cohesive minority allowed Denver gays to become increasingly confrontational and fight Denver’s anti-gay laws.

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<sup>230</sup> Mike Burke, “The Rocky Mountain Gay Rush,” *Rocky Mountain Magazine*, July 1979.

<sup>231</sup> D’Emilio, *Sexual Politics, Sexual Communities*, 233.

<sup>232</sup> Noel, “Gay Bars,” 63.

The 1970s marked a period of resistance for Denver's gay community. The increasing number of homosexual men and women in Denver after WWII began to identify and act within the queer community.<sup>233</sup> As the number of men and women who openly identified as homosexual increased in the 1970s, discrimination from municipal and law authorities proliferated simultaneously. Gay populations across the country experienced tremendous animosity as fears of communism and sexual deviance made homosexuality the antithesis to American normalcy throughout the post war world. By the 1970s, homosexual men and women began to unify and identify as part of a larger queer minority. The context of the sexual revolution widened the possibilities for normative sexualities and identity expression. Throughout the 1960s and 1970s, the New Left widened conceptions of extramarital sex, privacy, contraception, and homosexuality for the general public. The gains made by early homophile activism, would not have sustained itself in the 1970s without the decline as the New Left as it allowed for identity politics to finally merge. As Elizabeth Armstrong notes, "By defining the primary goal of gay politics as the expansion of the range of ways to express gay identity, the gay movement was able to balance interest group and identity politics."<sup>234</sup> In Denver, homophile activists comprised of middle and upper class white men, strived to present a morally and sexually restrained version of the homosexual person in the 1960s. In contrast, not all gay Denverites agreed to present this façade, and continued to participate in public acts of sexuality. The gains of the gay liberation movement helped solidify gay identity that encompassed more than the strict moralist. Other members of the community that considered sexual acts in public as normal, were finally able to participate in politics

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<sup>233</sup> Phillip A. Nash, "Haven for Gays," *The Rocky Mountain News*, Editorial, June 13, 1978, p.43

<sup>234</sup> Armstrong, *Forging Gay Identities*, 3.

and further the gay rights agenda; expressing the identity and presenting gay culture in the manner they considered normal.<sup>235</sup>

Denver's gay community, like the gay community nationally, became increasingly confrontational in the 1970s. For the first time, the homosexual population of Denver began turning out in force to attend City Council hearings protesting mistreatment and police harassment and getting involved to fight discrimination against Denver's gay populace.<sup>236</sup> Throughout the decade, police increased surveillance and entrapment methods to facilitate division among the queer minority. Local authorities valued the reputation of Denver above all else. Increased attention to homosexuality intended to push the queer community out of Denver so that Denver did not become known as a haven for homosexuals.

The process of stigmatization begun in the late 1960s to discredit the queer movement increased in the 1970s. The police continued efforts to solicit homosexual men in bars and in parks, and even went so far as to lead them into conversation, which could result in their arrest. As historian Thomas Noel suggested, "Not only suggesting lewd acts to vice squad members, but dancing with and kissing another gay could lead to arrest...No complaint was made by the bar owner, employees, or customers."<sup>237</sup> The fervor which the Morals Bureau—renamed the Vice Bureau—sought to entrap homosexual men and women resulted in the increased militancy and outspoken opposition. A 1973 study by the Denver Gay Coalition stated, "all of the arrests made of homosexuals during the first three months of the year were made for soliciting, not for

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<sup>235</sup> Halperin, *What Do Gay Men Want*, 2-3

<sup>236</sup> Andy Rogers, "Gays Crowd Council Chambers: Homosexuals Protest Criminal-Code Draft, *The Denver Post*, October 24, 1973; "How to Dump McNichols, Exercise your political muscle," Private Flyer, undated; Noel, "Gay Bars," 63.

<sup>237</sup> Noel, "Gay Bars," 62.

homosexual acts...99.1% of homosexual arrests stem from conversations with vice bureau officials and not from citizen complaints.”<sup>238</sup> Decreased numbers of complaints from citizens resulted in increased police attention acting on the will of a conservative state seeking to exclude and eliminate homosexuality from the Denver region. The public display of homosexuality continued to be the foremost setback to Denver’s gay community. While many homosexual men and women moved their relationships into private or semi-private spaces, the Denver Vice Bureau routinely used even the remote chance of public sex as justification for their questionable treatment of the community. The Vice Bureau treated the homosexual minority with complete disdain and policed their actions based upon preconceived notions of morality. During the 1950s and 1960s, the Bureau relied on citizen complaint to help facilitate a negative response to the community. By the 1970s, decreased citizen complaints resulted in increased episodes of entrapment, and police harassment.

The Denver Vice Bureau amplified its regulation of homosexuality in the 1970s. In the late 1960s, the Vice Bureau began a process of stigmatization meant to weaken the queer minority’s argument and battle for civil rights, and by the 1970s created new methods for policing public sexuality. “A good part of the general vice duties is devoted to ‘homosexual surveillance,’ a recognized police term for the undercover assignment of discovering homosexuals who allegedly violate Section 823.5-1 of the Revised Municipal Code—the City’s much-debated ‘lewd act’ and prostitution ordinance,”<sup>239</sup> according to one editorial. The revision of Colorado criminal code in 1971 allegedly removed sodomy

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<sup>238</sup> Andy Rogers, “Gays Crowd Council Chambers: Homosexuals Protest Criminal-Code Draft, *The Denver Post*, October 24, 1973

<sup>239</sup> Cecil Jones, “Denver police vs. homosexuals: a confrontation,” *The Rocky Mountain News*, April 23, 1973.

from Colorado statutes via legislative repeal. According to contemporary sources, Senate Bill 262 removed from the Colorado Statutes but replaced the language of “crimes against nature,” with contemporary language of “deviate sexual intercourse,” which continued to outlaw sodomy and homosexual relationships.<sup>240</sup> The enactment of Senate Bill 262—effective July 1, 1972—re-codified sodomy as illegal and allowed the Vice Bureau to entrap homosexual men on charges of indecency, deviate sexual intercourse, prostitution, and lewd or obscene behavior. By 1974, the language of deviate sexual intercourse successfully operated within the Colorado Revised Statutes as well as Denver criminal law.

Denver municipal codes of 1974 focused primarily on the solicitation of sexual intercourse. In congruence with definitions from the State of Colorado, municipal code 802.8 stated, “Any person, either male or female, who performs, offers, or agrees to perform any act of sexual intercourse, or any act of deviate sexual intercourse, with any person not the spouse of such person, in exchange for money or other thing of value, commits prostitution.”<sup>241</sup> Denver’s municipal ordinances outlawed any sexual relationship outside the bonds of marriage including adultery, prostitution, and pre-marital sex. Ordinance 802.14 defined homosexuality as deviate sexual intercourse—allowing for the Vice Bureau’s continued prosecution of sodomy laws despite the removal of an official sodomy law from the Colorado statutes.

Contemporary research regarding sodomy laws in Colorado states that voters repealed sodomy laws by popular vote in 1972 but this was not the case.<sup>242</sup> Instead, the

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<sup>240</sup> Colorado Revised Statutes, Public Law 18-3-304, *U.S. Statutes at Large* 8 (1973): 306.

<sup>241</sup> City and County of Denver, *Revised Municipal Ordinances* (Denver, 1974.) Ordinance 802.8

<sup>242</sup> These widely used sources show Colorado repealed its sodomy law in 1971/1972: "United States Sodomy Laws." United States Sodomy Laws. <http://www.sodomy.org/laws/> (accessed May 26, 2014);

state re-enacted the sodomy laws in the revised statutes but with different language and a different numbering system. In the 1973 Colorado Revised Statutes, the same “deviate sexual intercourse” language that appears in Senate Bill 262 from 1971 at §40-3-405 actually moved to the Colorado Revised Statutes §18-3-405. The language of “deviate sexual intercourse” actually appeared in two separate locations in the 1971 and 1973 session laws. The state legislature passed the language of the new criminal code in 1971, and placed the language within the criminal code for 1973 expecting a re-codification of the law. However, “deviate sexual intercourse” never actually appeared in the statutes at §40-3-405 because by 1973 it was already located within the criminal code as §18-3-405.<sup>243</sup> The use of sexual deviate intercourse within the Colorado Revised Statutes allowed the Vice Bureau to continually arrest homosexual men and women on charges associated with their sexual practices. Members of the Vice Bureau persisted in their arrests of gay men well into the late 1970s. Despite outspoken activists fighting the hypocritical actions of the Bureau, it was not until 1975 that homosexuals in Colorado could safely partake in even private sexual relationships.

The revisions to Denver’s municipal law reflected less on anti-homosexual clauses and more on the methods used by the Vice Bureau. Homosexuals and community advocates began making routine appearances in city council meetings to protest re-codification of criminal codes that would make private conversations between adults illegal. *The Denver Post* reported, “While many of the 30 persons—including a number

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"The History of Sodomy Laws in the United States - Colorado." The History of Sodomy Laws in the United States - Colorado. <http://www.glapn.org/sodomylaws/sensibilities/colorado.htm> (accessed May 26, 2014); "Colorado Sodomy Law." Human Rights Campaign. <http://www.hrc.org/laws-and-legislation/entry/colorado-sodomy-law> (accessed May 26, 2014.)

<sup>243</sup> Colorado Revised Statutes, Public Law 18-3-305, *U.S. Statutes at Large* 8 (1973): 306; Colorado Revised Statutes, Public Law 40-3-305, *U.S. Statutes at Large* 8 (1971).

of attorneys, clergy, and mental health professionals—who spoke against the statute revisions said the measure was unconstitutional, part of the attack was addressed at the police department’s method of enforcement of the ordinance.”<sup>244</sup> The increasing vigor with which the Vice Bureau solicited and entrapped homosexual men caused activists to become increasingly confrontational. “Jerry Gerash, an attorney representing the Denver Gay Coalition, a homosexual group, said the proposed ordinance revision would make ‘private conversations with sexual connotations illegal’ in Denver,”<sup>245</sup> reported one *Denver Post* article. The gay community fought against regulations that continually considered even private homosexual relationships a public matter.

The Vice Bureau refused to relegate itself to defeat. Large turnouts of gay men and women at city council meetings fought the injustice provoked by the Vice Bureau. According to Thomas Noel, “In city council hearings, Gay Coalition attorneys maintained that ‘officers sometimes engaged homosexuals in leading conversation for fifteen minutes before the homosexual offered to perform a lewd act.’”<sup>246</sup> In an effort to invalidate municipal ordinances aimed specifically at the gay community, attorneys and activists demonstrated the methods of entrapment the Vice Bureau employed. Plain-clothes police officers would lead homosexual men into situations that trapped them. One breaking point was the use of the “Johnny Cash Special” by the Denver Vice Bureau. The Johnny Cash Special was a bus loaned to various police departments across the country—based in New York—to entice and entrap homosexual men with the intention of sexual acts. According to a 1973 Gay Coalition memorandum, “The bus was driven on

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<sup>244</sup> Andy Rogers, “Gays Crowd Council Chambers: Homosexuals Protest Criminal-Code Draft,” *The Denver Post*, October 24, 1973.

<sup>245</sup> Andy Rogers, “Gays Crowd Council Chambers: Homosexuals Protest Criminal-Code Draft,” *The Denver Post*, October 24, 1973.

<sup>246</sup> Noel, “Gay Bars,” 62.

the Capital grounds and in Cheesman Park, two well-known 'gay' meeting places. The driver would invite a man to board the bus and promote a conversation, which would end in a mutual agreement to commit a sexual act. The bus was then driven a short distance and parked at which time vice squad officers (who had concealed themselves in the rear of the bus) would come forward and arrest the passenger."<sup>247</sup> Methods of entrapment by the Vice Bureau contradicted the very basis of their law. The Vice Bureau solicited the homosexual man into a situation with the promise of sex, thereby invoking the same ordinance they intended to police. Denver's gay activists spoke out against police harassment so heavily in the 1970s that Gay Coalition lawyers actually made successful gains in 1974. Denver Gay Coalition lawyers, the Denver police chief, and Denver city "signed a statement before a Denver district court judge which specified 'that homosexuals shall not be singled out for prosecution for conduct which would not constitute an offense if engaged in by members of the opposite sex... That conduct such as kissing, hugging, dancing, holding hands between members of the same sex shall not be deemed the basis for an arrest,'" according to Thomas Noel.<sup>248</sup> In this context, the loosening of sexual restrictions allowed Denver's gay community to begin functioning in a more openly way. The roots of homophile activism requiring the presentation of a moral gay man no longer seemed required.

Local media also began to speak out in defense of the gay community.

Throughout the post war decades, local media coverage provided a relatively negative connotation to the homosexual community. Local sources such as *The Denver Post* and *The Rocky Mountain News* began offering editorials, commentary, and headlines

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<sup>247</sup> Cordell Boyce and Terry Mangan, memorandum to City of Denver Representatives, February 12, 1973. Gay Coalition of Denver Collection (MSS #1151), Colorado Historical Society, Denver, Colorado.

<sup>248</sup> Noel, "Gay Bars," 64.



dedicated to defending the legitimacy of the homosexual community. In one 1973 editorial, journalist Cecil Jones warns about police entrapment and explains in detail the process by which police and the courts treated gay men and women with questionable evidence. He stated, “[S]hould a well-barbered young man attempt to engage you in conversation, it would be advisable to shun his overtures and do nothing exceptional. An indiscretion could lead to arrest on three city ordinances that may well be unconstitutional, and the arrest could proceed from methods which, according to a number of attorneys, often pass beyond legitimate use of police power to entrapment.”<sup>249</sup> In this context, the increase in positive media attention reflects changing attitudes toward homosexuals. Indeed, articles in the 1950s described centers of homosexual activity and how Denver residents should avoid them. In contrast, as the 1970s progressed, the local media’s attention was on describing how the police mistreat homosexuals and how law enforcement agents routinely use questionable evidence shows the change in popular attitude towards Denver’s gay community.

Tolerance and discrimination fluctuated in Denver in the 1970s. While some judges, attorneys, and religious officials condoned homosexuality—and fought for sexual justice—the majority of the town’s conservatives fought against homosexual acceptance on a national level. Denver authorities continued to use morality as a basis for discrimination, despite growing resentment from religious officials of using biblical scripture out of context. One professor stated, “To parade Bible texts with the assumption that they answer the question is to ignore the depth of the Biblical message and how it

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<sup>249</sup> Cecil Jones, “Denver police vs. homosexuals: a confrontation,” *The Rocky Mountain News*, April 23, 1973.

relates to our contemporary responsibility.”<sup>250</sup> Religious values began to change in the 1970s. National denominations began to evaluate their treatment of homosexuality.<sup>251</sup> The increased attention and changes that ecclesiastical entities began to accept homosexuality discredited Denver’s municipal authority use of morality and religion as basis for discrimination and exclusion.

Reverend Troy Perry—a licensed Baptist minister—came out of the closet and declared is homosexuality in 1964. He wrote “his autobiography called ‘The Lord Is My Shepherd and He Knows I’m Gay,’ and set about founding the Universal Fellowship of Metropolitan Community Churches (MCC) specifically to meet the needs of gay men and women.”<sup>252</sup> Homosexual ministers opened many MCC across the United States. Ordained ministers who openly declared their homosexuality—and ordained by other entities—left their prior lives behind to oppose the “passive exclusion” that so many ecclesiastical authorities used against the gay community. Reverend Charlie Arehart moved from Missouri to become pastor at the MCC of the Rockies in Denver in 1977.<sup>253</sup> The MCC operated as a place of safety and assurance for many members of the gay community. As Rev John Hose stated, “we are disenfranchised people in the eyes of the establishment church. Of all the people who need assurance that they are God’s children, it is members of the gay community who are made to feel as pariahs in society.”<sup>254</sup> Ministers that operated MCC across the country did so to rectify a division between the homosexual community and religion. Rev Perry said, “The church was necessary because I found as a

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<sup>250</sup> Virginia Culver, Presbyterian Professor for Gay Ordination, *The Denver Post*, February 24, 1978.

<sup>251</sup> Kenneth A. Briggs, “Presbyterian Panel Asks Gay Ordination Plan,” *The Denver Post*, January 27, 1978; Peter Jaffe, “Gay issues leaves presbytery split,” *The Rocky Mountain News*, April 5, 1978.

<sup>252</sup> Sue Lindsay Roll, “MCC meets needs of gay men, women,” *The Rocky Mountain News*, March 2, 1977.

<sup>253</sup> Sue Lindsay Roll, “MCC meets needs of gay men, women,” *The Rocky Mountain News*, March 2, 1977.

<sup>254</sup> Sue Lindsay Roll, “MCC meets needs of gay men, women,” *The Rocky Mountain News*, March 2, 1977.

gay person that you couldn't be gay and Christian too.'"<sup>255</sup> The MCC of the Rockies, based upon principles of inclusion and equality, continued to help the development of the gay community as a moral entity. By the late 1970s, religious affiliates began to help fight discrimination based upon religion, morality, and biblical scripture. In one 1978 editorial, the *Rocky Mountain News* featured commentary from The MCC of the Rockies, it stated:

The Metropolitan Community Church of the Rockies is a Christian Church, composed of homosexual and heterosexual Christians, who welcome all people, regardless of race, sex, affectional [*sic*] or sexual preference, economic status, or previous denominational affiliation.... We are an ecumenical Christian Church which loves all people, AND REFUSES TO JUDGE anyone. We deplore the hate campaign led by 'self-entitled' Christian peoples. Under the guise of a 'return to morality and decency,' they twist and pervert Biblical Scriptures, and encourage you to oppress gay people.... We remind these people that American citizens, gay and non-gay alike, are guaranteed the freedoms declared in the Bill of Rights. United we of M.C.C. of the Rockies oppose bigotry, whether it be directed at 'Blacks,' 'Catholics,' 'Chicanos,' 'Gays,' 'Jews,' 'Women,' or other minority groups. As tax-paying citizens of Denver, we are proud that OUR city is NOT known for discrimination.<sup>256</sup>

The MCC of the Rockies used Denver's reputation as inclusive and welcoming town to fight discrimination for all minorities. As Denver officials continued to place the reputation of Denver as a primary concern, civil rights activists used the accepting nature of Denver—which municipal authorities created—to promote the tolerant treatment homosexual men and women deserved. Indeed, theological entities began to employ tactics to promote tolerance and acceptance, the state designed to control and conceal homosexuality, to actually increase the awareness and normalization of the queer minority.

Many Coloradoans would continue to exhibit a progressive attitude towards queer culture into the late twentieth century. In 1973, Colorado Rep. Charles J. Demoulin

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<sup>255</sup> Sue Lindsay Roll, "MCC meets needs of gay men, women," *The Rocky Mountain News*, March 2, 1977.

<sup>256</sup> "We Are Happy... That God Loves Homosexuals," *The Rocky Mountain News*, June 18, 1978.

passed a custody bill that prohibited courts from denying custody of a child based upon sexual identity. “Demoulin said it wouldn’t prohibit a judge from considering a parent’s homosexuality as one of several factors affecting a child’s best interest.’ But homosexuality by itself couldn’t be ‘determinative.’”<sup>257</sup> Demoulin’s bill was one of the first four introducing anti-discrimination on the basis of sexual orientation. In 1975, Boulder County Clerk Clela Rorex issued a marriage license for two gay men from Colorado Springs. “The county clerk said she issued the license after the Boulder district attorney’s office said no state law prevented persons of the same sex from being married,” according to an article in *The Denver Post*.<sup>258</sup> While the state revoked the license shortly after, the fact that the county clerk and Boulder district attorney issued the license further illustrates at least one persons’ progressive attitude towards the queer community.

The 1970s marked a period of progression for Denver’s gay community. Following 1973, Denver’s gay community became increasingly public regarding gay culture as many businesses opened and marketed themselves as pro-gay establishments.<sup>259</sup> “By the mid-1970s there were three gay churches, a gay motorcycle club, a gay theater, a gay coffee house, several gay bath houses, gay apartment houses, publications, and other facilitates, as well as fourteen bars,” according to Thomas Noel.<sup>260</sup> In 1974, Denver’s gay community held its first pride parade, openly in Cheesman Park. Members of the community, and heterosexual allies, gathered for volleyball, baseball, picnics, and other lawn games.<sup>261</sup> The transformation of homophile activism to gay

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<sup>257</sup> “Gay parents’ custody bill offered,” *The Rocky Mountain News*, February 26, 1973.

<sup>258</sup> “License Issued in Boulder For 2 Men to Be Married,” *The Denver Post*, March 27, 1975.

<sup>259</sup> *Rhinoceros*, volume 1, no. 6 (April 1975)

<sup>260</sup> Noel, “Gay Bars,” 65.

<sup>261</sup> Bob Eweges, “Anti-Hostility Effort: ‘Gay Pride Week’ Focuses on Equality,” *The Denver Post*, March 19, 1974.

liberation made considerable advancements for Denver's gay minority possible. The cohesion of a political rights agenda based upon identity, finally allowed for national gay rights progression. Denver's queer community stopped dividing itself between those who presented an image of sexual restraint, and those who practiced their sexuality openly. Amidst national conversations regarding changing attitudes about sexuality, religion, and morality, Denver slowly became the liberal and tolerant haven it never wanted to be for queer populations.<sup>262</sup> As Sergeant B.J. O'Donnell observed, "I think [straight] people are being more liberal. They're accepting other people's lifestyles."<sup>263</sup>

### *Conclusion*

Denver's gay culture has a long and rich history. Beginning within groups of cowboys, miners, and the army, individuals partaking in same-sex sexual acts formed the earliest remnants of a queer minority within Colorado territory. World War II—as with many queer communities throughout the United States—proved to be a catalyst for the small group of individuals within the Mile High City. Increased policing of vices awakened the police and public to a growing number of homosexual men and women making Denver their home.

The formation of the homosexual identity catalyzed the gay community during the post war world. As the federal government, state, and public increased policing of sexual abnormality and sexual deviance, gay people began to see themselves as part of a larger minority facing similar injustices despite regional and geographic differences. As

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<sup>262</sup> For information on national religion conversation affecting Denver, see: Virginia Culver, "Episcopalians Condemn 'Sin' of Homosexuality," *The Denver Post*, November 11, 1977; Kenneth A. Briggs, "Presbyterian Panel Asks Gay Ordination Plan," *The Denver Post*, January 27, 1978; and Peter Jaffe, "Gay issues leaves presbytery split," *The Rocky Mountain News*, April 5, 1978.

<sup>263</sup> Noel, "Gay Bars," 65.

the state attempted to curb the visibility of homosexuality and sexual deviance, it created a minority capable of rebelling against sexual injustices and increased their visibility and identity recognition well into the twenty-first century. The Stonewall Riot in 1969 proved to be the catalyst for a Gay Liberation movement across the entire United States.

Denver's Gay Coalition formed from the roots of the movement in New York to combat anti-gay laws in Colorado. In this context, the Stonewall riot helped facilitate a national and very public gay liberation movement, but Denver—as many other communities—began the fight for equality long before the riot in Greenwich Village.

The movement in Denver is a tale of communities, which never truly unite. Early homophile activism advocated based on morality, and truly was for the gains of white homosexual—usually upper and middle class—men. These early movements left out many other voices in this narrative including lower class gay men, men of color, and women. In the 1970s, the gay liberation movement sought to incorporate the majority of these groups by basing the gay rights agenda on the gay identity. Homophile activism really advocated based on sexual acts, as their premise was to distance homosexuality from sexual acts. Within the context of the sexual revolution, early homophile activism based on morality no longer mattered. Advocating for an image of a sexually restrained homosexual decreased as sexuality became increasingly public, and free love became more prominent. Homophile arguments separating homosexual acts from homosexual status collapsed as the sexual revolution embraced all sexual scenes and acts as part of homosexual culture. Denver's queer community used a cultural-institutional approach to attempt to combine the voices of members of the queer community left out of the early movements. According to Elizabeth Armstrong, cultural-institutional approaches

“included gay rights organizations, but it also included lesbian quilters, the freedom day parades, and lesbian/gay newspaper. It was simultaneously culture, political, and organizational.”<sup>264</sup> While arguments of morality were crucial to early formations of homosexual culture in Denver, within the context of the sexual revolution and the gay liberation movement, the politics of moral respectability diminished. Indeed, the combining of cultural and political agendas helped Denver’s gay community to take the voices of many individuals and advocate against anti-homosexual rhetoric that would advance the lives of many queer individuals, rather than just men.<sup>265</sup> Gay establishments would present and disseminate information for all different varieties of queer individuals furthering acceptance of a unified queer minority embracing all aspects of their sexuality.<sup>266</sup>

Denver’s gay community continued to flourish into the 1980s, 1990s, and the twenty-first century. Homosexual men and women in the Mile High City would express their sexual identity with pride beginning in the 1970s. While Denver celebrated its official “Pride” celebration in 1974, for the next thirty years it would draw over 200,000 participants, observers, friends, and family of the gay community and would be ranked as one of the top ten pride celebrations in the United States.<sup>267</sup> The story of the Gay Coalition of Denver, the Gay Task Force, the Lesbian Task Force, would continue to

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<sup>264</sup> Armstrong, *Forging Gay Identities*, 13.

<sup>265</sup> Women and lesbian movements often distanced themselves from homophile activism because they did not strive for the same political gains. Early lesbian activists such as the Daughters of Bilitis, the Lesbian and Task Force, and others like them did not participate in partisan politics with homophile activism until the transformation of the gay liberation movement. For a more detailed discussion see: Marcia M. Gallo, *Different Daughters: A History of the Daughters of Bilitis and the Rise of the Lesbian Rights Movement*, (Berkeley: Seal Press, 2007)

<sup>266</sup> Bob Eweges, “Anti-Hostility Effort: ‘Gay Pride Week’ Focuses on Equality,” *The Denver Post*, March 19, 1974.

<sup>267</sup> Matt Kailey, *Focus on the Fabulous*, (Boulder: Johnson Books, 2007,) 19; for a more detailed discussion of the celebration see: Aaron B. Marcus, “Pridefest: a history of Denver's gay pride celebration,” *Colorado Heritage* May/June 2013 (pp. 26-35)

fight for sexual equality. Denver continually operated as a center for gay life—not only within Colorado—but also within the west. As Phillip Nash—Coordinator for the Gay Community Center of Colorado—stated, “Denver is no more a ‘haven’ for homosexuals than it is a ‘haven for homophobes. It is to this city’s credit that our citizenry is wide in its diversity and that we can all live together in an atmosphere of mutual tolerance, if not acceptance.”<sup>268</sup> While it was certainly not a haven for homosexual men and women, the attitudes of Denver citizens indeed created a relatively liberal space for many queer individuals in the west. The history of Denver’s gay community shows that often in rural communities, a bigger urban environment frequently provides the opportunity for sexual freedom, and the experience gay men and women need to know they are part of a larger community, and deserve sexual equality. Gay Denverites attempted to steer the conversation of homosexuality away from negative connotations associated with degenerative sex, but progressions of the gay liberation movement helped unify Denver’s gay community and combine the political aspirations of gay liberation, with emerging notions of sexual freedom. By engaging with diverse citizens of Denver, the gay community began to truly make Denver, the Queens City of the Plains.

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<sup>268</sup> Phillip A. Nash, “‘Haven’ for gays?” *The Rocky Mountain News*, June 13, 1978.



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