XXI. LAW ENFORCEMENT

A. POLICE

Police surveillance of homosexuals—attested apparently for the first time in 18th-century France (see III.G)—has served to fuel animosity between police and gay people, aggravated in some instances by bigoted attitudes on the part of officers who believed that they had a moral obligation to punish "deviates" because society was failing to penalize them. Particular problems have been the aggressive activities of vice squads, and, especially in North America, police harassment of bars, ostensibly to enforce liquor laws (see XIV.D). Under these circumstances corruption was rife. In recent decades this confrontational relationship has begun to change thanks to better educated, more tolerant officers, the gradual dismantling of legal sanctions, and the admission of openly gay and lesbian officers to the force.

Studies by three Dutch police officers of gay-police relations and of gays and lesbians who are police officers in the Netherlands.


Personal record of an uphill struggle against discriminatory law enforcement in Long Beach, CA. See also Roy McCoy, Entrapment (Los Angeles: Argie Books, 1965; 160 pp.).

On Steve Horn of Mesa, AZ, who was dismissed, appealing the case without success to the U.S. Supreme Court.

4416. BUSH, LARRY. "Has the FBI Been in Your Closet?" Advocate, no. 346 (July 8, 1982), 16-20, 24.
The functioning at least since 1954 of a concerted nationwide surveillance and investigation program by the FBI into the lives of wealthy, prominent closeted homosexuals, as well as gay civil rights groups, was confirmed by senior FBI officials and substantiated by FBI documents acquired under the Freedom of Information Act.

4417. "Clandestine Police Surveillance of Public Toilet Booth Held to Be Unreasonable Search," Columbia Law Review, 63 (1963), 955-61. Clandestine surveillance of an enclosed public john booth—a common police practice during the period—was ruled unreasonable search if there is not probable cause to believe that a particular illegal act is being committed at the time. See also: Clare W. Kyler, "Camera Surveillance of Sex Deviates," Law and Order, 11 (1963), 16-18, 20; and William F. McKee, "Camera Surveillance of Sex Deviates: Evidentiary Problems," ibid., 12 (1964), 72-74.


4419. FARRELL, RONALD A. "Class Linkages of Legal Treatment of Homosexuals," Criminology, 9 (May 1971), 49-68. Analysis of court case records of 108 homosexual offenders shows that men from the lower class are disproportionately involved in such offenses, receiving harsher penalties as well.


4422. FREIBERG, PETER. "Policing Rest-Stop Sex," Advocate, no. 449 (June 24, 1986), 10-11, 22-23. On the the arrests of 41 Michigan men at their homes, after allegedly engaging in rest-stop sex.
Memos of the chief of the Amsterdam vice squad. See also his: Misdad in de hoofdstad (The Hague: Daamen, 1955; 192 pp.).

See pp. 60, 68, 107-08, 110 and 113-14 for police surveil-

lance of homosexuals. See also the English version: Prost-

titution under the Regulation System, French and English (London: Redway, 1884; 348 pp.).

4425. HONGISTO, RICHARD. "Why Are There No Gay Choir


San Francisco official explores police-management hom-

ophobia. See also: Pam David, and Lois Helmbold, "San

Francisco: Courts and Cops vs. Gays," Radical America, 12 (1979), 27-32; and Randy Shilts, "Police Come to Terms

with the Gay Community," Police Magazine, 3 (January


4426. JACOBS, HAROLD. "Decoy Enforcement of Homosexual


While the writer supports continuation of the practice, he concedes that it poses legal problems.

4427. KRAFUL, JAMES F. "The New Nazism," ONE Magazine,

11:5 (May 1963), 5-11.

Homophile writer's analysis of the links between street

crime, police repression, and the homosexual as scapegoat.

4428. KEPNER, JIM (ed.). Quotations from Chief Ed. Los


Collection of anti-gay comments by Chief Ed Davis of Los

Angeles, together with Kepner's commentary on police

activity during the period. Since retiring from the force Davis has entered the State Assembly, where he has

emerged as a friend of gay people.

4429. KIRKWOOD, JAMES, JR. American Grotesque. New


Revealing exposure of New Orleans District Attorney's

self-serving gay-hating in his futile attempt to prove that Clay Shaw led a conspiracy to kill President Kennedy.

4430. MASSA, ROBERT. "One of New York's Finest," Village


On the coming out of Sgt. Charles Cochrane, who says: "I

love being a cop and I love being gay and I'm not ashamed

of either." Subsequently, Cochrane and some associates

formed the Gay Officers' Action League (GOAL).

4431. PROTHERO, BARRY. "Police," Gay News (London),
no. 204 (November-December 1980), 12-13.
Shows continuing harassment and oppression of gay people
by the British police.

4432. ROSEN, STEVEN A. "Police Harassment of Homosexual
Women and Men in New York City, 1960-1980."
159-90.
Useful retrospective study, particularly for the crackdown
in the 1960s under Mayor Robert Wagner, Jr.

4433. SHERMAN, LAWRENCE W. Police Corruption. Garden
In this overview of a perennial problem, see pp. 8,
179-80, 313-14.

4434. TRESCKOW, HANS VON. Von Fürsten und anderen
Recollections of a Berlin police official concerning the
Krupp and Eulenburg scandals, and the situation of the
homosexual subculture in the Wilhelmine capital.

4435. WILSON, GEORGE P., et al. "State Intervention and
Victimless Crimes: A Study of Police Attitudes,"
Journal of Police Science and Administration, 13
(1985), 22-29.
Questionnaires completed by 88 officers show that the
majority did not consider vice a serious problem, saw no
public mandate to increase current surveillance pro-
cedures, and tended to believe that it is futile to
attempt to control victimless crimes.

B. PRISONS: MALE

Sodomy laws, primarily directed against male homosexuals,
have caused the incarceration of homosexuals as such. Yet
by far the greatest number of homosexual acts in prison-
are committed by those who have led predominately hetero-
sexual lives "outside" and who generally revert to this
behavior pattern on release. The male prison subculture
has preserved a premodern form in which the role of the
active partner (who usually continues to think of himself
as "straight") is sharply distinguished from that of the
passive one, who bears the full stigma attached to the
effeminate homosexual.

4436. ABBOTT, JACK HENRY. In the Belly of the Beast.
Reflections of a "Marxist-Leninist" convict who, in a
well-publicized case, having obtained his release in part
through the intervention of his admirer Norman Mailer,
then committed murder in New York.