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The Homosexual as Problem Patron

In the library one night as I sitting the reading room surrounded by serene-masked people like relics from a distant world, a handsome youngman said hello to me. He sat at the same table. Noticing that he kept smiling and looking at me – at the same time that I felt his leg sliding against mine –

-- John Rechy, *City of Night*, 1963.¹

[Tearooms] may be located in any sort of public gathering place: Department stores, bus stations, libraries, hotels, YMCAs, or courthouses. In keeping with the drive-in craze of American society, however, the more popular facilities are those readily accessible to the roadways. The restrooms of public parks and beaches – and more recently the rest stops set a programmed intervals along superhighways – are no attracting the clientele that, in a more pedestrian age, frequented great buildings of the inner cities.

--Laud Humphreys. *Tearoom Trade: Impersonal Sex in Public Places*, 1970.

P***** Library. Cruisy toilet in the basement level.

...and for the library, well the basement bathroom is somewhat cruisy. You can leave messages with time and date there. The second floor bathroom can be somewhat cruisy.

In the men's restroom of the second floor in the Library Building, there are a couple of peep holes. I've gotten occasional action, but not too much. It's fun to watch the young studs, though!

Fort C*** Library. Cruisy toilet. "The toilets have a double door that's pretty noisy. Used to have a gloryhole but they covered it up. Best time is around noon - 1 p.m. Lots of hot, young GIs. This is an open post so anyone can be on the base.
--www.cruisingforsex.com, December 2000²

Libraries host a range of clientele, some of whom arrive without literary agendas.

Sexual Double Standards in Problem Patron Literature

To facilitate discussion of erotic activity in libraries, Bruce A. Shuman draws hypothetical scenarios of public sexual display in his 1999 American Library Association (ALA) publication on library security. "How should library staff and security personnel deal with egregious or criminal sexual behavior? After all, there is usually a delicate and

rather subjective line between what is actually criminal and what is merely offensive or in poor taste,” he writes to introduce his own opinions on the topic.³

“A young couple⁴ sits, side by side (fully clothed), in adjacent library chairs, necking furiously...oblivious to the stares, sniggers, and comments of those around them.” Though a colleague of mine quipped wistfully in response, “That should only happen to me,” Shuman calls this window-steaming scene an example of “inappropriate behavior” and “bad taste.” He recommends a “stern warning” for these presumably heterosexual love birds, guiding readers that this sort of sexual public display is “not normally punishable behavior or anything that warrants calling the cops.”⁵

Next, Shuman conjures a scenario in which “a female library patron reports that she has observed a man in the stacks, squatting down and pretending to consult books on low shelves, while actually, she believes, looking up the skirts of young schoolgirls.”⁶ Hyper-mindful of the slanderous implications of labeling a glance harmful or a gape solicitous, Shuman instructs, “Looking at other library patrons is no crime, even if it makes others uncomfortable. Even if a security guard sees a man looking up the girl’s skirts, he is taking a considerable legal risk should he detain him and accuse him of it.”⁷ Shuman further suggests that the girls in this case might well be asked to help prevent or respond to the situation themselves. “In one case a discussion of the young girls of what they were innocently inviting stopped the problem cold, at least for a while.”⁸

Hmmm. Compare the two examples above to Shuman’s advice regarding hypothetically grown-up men subject to solicitous glances and unwelcome stares from other men. Shuman sets the scene: “A male patron uses the library building to meet other males who may or may not be interested in his sexual passes.”⁹ In other words, let’s say a lone man stands around the library looking hunky and interested in sex with other men. Heaven forbid, Shuman’s cruiser’s “gaydar” glitches, and he winks at the wrong fella. In an initial spasm of good sense, Shuman suggests that library staff might legitimately ignore such a cruiser. But also Shuman suggests that libraries might just as legitimately prosecute a cruiser as not. “Recommendation: There are several choices: Ignore him? Evict him? Call the police? If such behavior is observed in public areas, guards may wish to speak to the man, warn him that the library is not a pickup bar and that he is under continual observation. Here, it’s *all right to attempt to be intimidating* without any suggestion of threat or violence. Should the offending patron attempt to conduct his erotic business in public rest rooms or appear to be forcing his attentions on others, however, *immediate eviction* is called for [emphasis added].”¹⁰

The male-male cruising scene solicits an austere and hardened response from this guru of vice. Shuman suggests that library staff might expect a girl to fend off a grown man’s

staring up their skirt's because it's not a crime just to look. But, with an extraordinary incongruous leap, Shuman calls for institutional protections for a grown heterosexual man unable to tolerate another man looking at him, cruising him. Now it's a crime just to look, time for library staff to launch a swift and stern intervention without consideration of legal infringement on the accused. Shuman treats the man-on-man glance as an offense more heinous and threatening than man-on-girl gawking.

If Shuman expects a girl to fend for herself, certainly he might expect an adult male to negotiate an unwelcome gaze from another male. Grown men can and must bear some minimal burden of sexual unease without crying out for institutional or state intervention regarding every sidelong glance. Any nonphysical act of solicitation, if not embraced as a compliment, offers a blessed opportunity for any man to transcend his own sexual fear by feeling, for just one glorious teachable moment, what it is like to be on the receiving end of an unanticipated sexual invitation. Females consistently deal with this and worse from gawking, stalking heterosexual men. If women all of a sudden united to ask library staff to respond to every unwanted male-on-female stare or solicitation cast in a library setting, staff would accomplish little else in the way of public service. Females deal with unwanted male glances all the time. Society trains women and girls to call for intervention only in extreme situations. Men should learn the same lesson. Librarian hearts need not bleed for the grown male "victims" of anyone's raised eyebrows.

Crime? And Punishment

According to Shuman, same sex "erotic business," even if hidden from view, is cause for immediate eviction. Remember, the heterosexuals conducting "erotic business" in the adjacent library lobby chairs merit only a stern talking-to (only if they continue to misbehave after a tongue lashing should they be banished). Shuman further recommends that a heterosexual couple engaged in consensual sex in an unlocked conference room be chased out of the building, interrupted by throat clearing, lectured, or detained for police¹¹ -- quite a range of options. Shuman suggests that heterosexual "miscreants" are to desist in thinking their actions a joke, but there is substantial jocularly in the tone of his text. Shuman does not recommend the same set of punishments for discovered heterosexual acts - no intimidation, no threatened surveillance, no lecture about the library not being a singles bar. Do you see the double standard at play? Librarians will tolerate heterosexual solicitation and public displays of affection but will freak out at the discovery or complaint of same sex solicitation and consensual liaisons.

Like ALA 1986 security meister John Morris who, quoting Edward Delph, recommends same sex cruisers be subject to a traumatic, "humiliating interrogation and browbeating in

a formal setting,”¹² Shuman calls for library guards to intimidate same sex cruisers.¹³ Delph calls for this ordeal to be “tempered with kindness;” Shuman cautions that his intimidation is to be executed with no “suggestion or threat of violence.” But how, I wonder, might any authority accomplish intimidation or traumatic humiliation without some threat of physical contact or restraint? Most reasonable patrons would opt to leave the premises rather than endure such a fiasco. This trajectory of ALA-sponsored advice about same sex cruisers is discriminatory, uninformed, and abusive.

Gay Panic

The suggestion that male-male solicitation warrants intimidation or trauma at the hands of library staff contains the same homophobic seed as the roundly criticized “gay panic” defense invoked in the trial of Matthew Shepard’s killers. The “gay panic” defense was most famously deployed as an attempt to justify Aaron McKinney’s murderous response to Shepard’s alleged sexual come on. The defense framed a violent reaction within a normative psychological response. It intended to ameliorate punishment for violent crime by characterizing McKinney’s response as a justifiable, understandable phenomenon, particularly given his “confusing” history of childhood sex with a “neighborhood bully” and later sexual experience with “a cousin.”¹⁴

Imagine the impossibility of a similar “heterosexual panic” defense mirroring a “gay panic” defense – lesbians, say, making a “het panic” defense for offing rogues and gentlemen who make unwanted advances. (Imaginary lesbian: “But, Your Honor, he asked me to *dance*, and *ick*, it just set me off!”) Imagine the outcry if an ALA publication advised library staff to intimidate, humiliate, interrogate, browbeat, or traumatize happy heterosexuals cruising for dates in library facilities. Somehow, though, the equally offensive and bizarre homosexist line of advice about punishing same-sex cruisers continues to be merrily produced and presented as common sense, even by progressive library institutions embracing “diversity” and individual liberty. It is time to stop the madness.

Sex in Public Places

Laud Humphreys’ classic sociological study *Tearoom Trade: Impersonal Sex in Public Places*, suggested that happily or not, being propositioned against one’s will or recruited into a homosexual encounter in public places is an unlikely occurrence.¹⁵ Cruising is ritualized, with codes of behavior and participation that establish zones of privacy within public space and screen out the uninitiated and unsuspecting.¹⁶ Frederick Desroches’

1990 study of Canadian police cases indicated that contrary to the myth of the homosexual or cruiser as predator, interactions between men in tearooms are not coercive, but consensual. They are not known to involve youths or children.¹⁷

Humphreys reported that 54% of the men frequenting tearooms were married and living with their wives, contrary to the assumption popular among library vice men that tearooms are largely populated by self-identified gay men.¹⁸ Desroches' update reported that 58% of those arrested in his sample were married. "These men do not seek homosexual contact as such, do not involve themselves in the gay community, and hide their deviance from family and others," he explains.¹⁹ An unpublished 1992 report by the Los Angeles Gay and Lesbian Police Advisory Task Force estimated that the majority of men arrested in Griffith Park for "lewd conduct" were married, and Clive Moore's 1995 Australian study reported that the majority of cruisers Down Under are heterosexual, too.²⁰ Men of all genders and sexualities cruise. A whole lot of cruiser are apparently straight, upstanding, All-American boys. The lines dividing gay, bisexual, and straight identities among same sex cruisers are not particularly well correlated with their sexual behavior.

"Gaydar" is the popular name for sexual software operable even by self-identified heterosexual men in search of sex with other men. Like most human perception systems, it can glitch when encountering fields of deception and misrepresentation. Two killers lured college student Matthew Shepard into a truck outside a bar in Laramie, Wyoming in 1997.²¹ It is reasonable to suspect that suggestions regarding sexual exchange were extended, entertained, or affirmed among these men. At some point, tragically, Shepard was deceived, misled, or betrayed. He paid for his desire with his life – or something else entirely was going on.

Cracking Down of Public Sex

In June 1985, Kenneth Zeller, a Toronto public school librarian, was killed by a gang of youths stalking a area of High Park where cruisers hung out.²² Where are the vice cops and the vigilant citizens protecting Kenneth Zeller and Matthew Shepard from the likes of their killers? Pat Califia puts it this way, "Society will not tolerate the possibility that a straight man might be propositioned if he walks past a group of gay men on his way to use a public john. Yet society will tolerate the possibility that a gay man could be beaten or murdered if he walks past a group of heterosexuals."²³

90 Men Seized in Boston Library for Solicitation as Homosexuals
Boston. March 24. Undercover policemen have arrested 90 men who allegedly solicited homosexual in the Boston Public Library. The library asked police to

crack down after it was swamped by complaints from men who said they had been approached by homosexuals. In 10 days, the police arrested a college professor, company executives, school teachers, students and doctoral candidates. Most were charged with open and gross lewdness, but a few were also accused of prostitution. The solicitation occurred in the men's room in the basement of the library's \$23 million, five-year-old addition in Copley Square. "We had a tremendous number of complaints from our users," said John J. Doherty, the assistant director. "After a barrage of telephone calls to the director, the trustees said 'Let's get this situation cleaned up.'"

--*New York Times*, 24 March 1978²⁴

Despite the 1978 *New York Times* report from administrators that Boston Public Library was swamped with complaints from adult men²⁵ offensively approached by homosexuals, there is little evidence of that phenomenon in sociological studies of tearooms. Cruisers carve out privacy for sex within public spaces – behind stall doors, in locked rooms, in parked cars – well out of view by folks in the main reading room. Sex happens in sequestered niches where there is a reasonable expectation of privacy and where detection is not easy – behind a barrier, in an out-of-the-way, unlit, low-traffic place. When a non-participant enters the area, action stops until they leave.²⁶

Yet, there are many common sense things a cruiser can do not only to improve your odds of getting d***, but also to reduce the risks of arrest and of endangering a cruise spot by getting unwanted notice from non-cruisers.

www.cruisingforsex.com, December 2000²⁷

Despite efforts to sequester, camouflaged cruising spots can be detected sometimes by non-participants, piquing prurient and repressive interests of non-participating observers. I know of no documented accounts involving unsuspecting heterosexual men, children, or families finding themselves the sexual targets of tearoom cruisers. (Families generally do not recreate in public men's rooms.) Rarely are crackdowns and surveillance of cruising areas prompted by casual sightings of actual sexual activity. It is rather that certain citizens or police object to the *idea* of men publicly soliciting sex with other men – in the park, at the mall, or in the library. They see evidence of the action and figure that the action is going on there *somewhere they can't see*, that it is bad, and that it must be stopped, its participants punished.

And oh, the ends to which police will go to put an end to it. So impossible is it for most non-participants to witness tearoom sex that police must deceive and entrap participants in order to arrest them for "public" sex. Police must artificially insert themselves into a private act, in other words, in order to make it "public," witnessed by an uninvited, deceiving third party. Police enter tearooms as decoys, displaying the consensual codes of sexual behavior, exhibiting themselves as tearoom participants. When the plainclothes (or

dolled up) cops either successfully solicit sex or accept a solicitation, WHAM BAM on go the cuffs.

The 103 men arrested and charged with felonies over a two-week period at the Boston Public Library in 1978 were entrapped by plainclothes police officers posing as men interested in sexual conversation or acts. Undercover cops in sting operations must encourage and even engage in the behavior they are allegedly attempting to punish and eradicate. Police entrapment is deceptive, aggressive, and often targeted at a perceived class or type of library patron. This “gay profiling,” if you will, is as discriminatory and inappropriate as “racial profiling.”²⁸ Boston’s *Gay Community News* reported a particularly egregious example of gay profiling in the April 1978 Boston Public Library arrests. “Kevin Jones (not a real name)...was in the library for a concert and had to use the bathroom. The same young man [plainclothes officer] approached him, asked if he was interested in “fooling around,” and gestured for him to come closer. Kevin said that he wasn’t interested. “But aren’t you gay?” the young man asked. “Yes, but I’m not interested,” Kevin answered.” You’re under arrest.” The charge was open and gross lewdness [a felony at the time].²⁹

Sometimes instead of passing as cruisers to make a bust, police enact extraordinary surveillance techniques – planting hidden video cameras and microphones, positioning themselves behind wall or ceiling vents, employing long range night spy scopes. All this is to catch and document sexual activity that no other uninterested citizen, using everyday sensory techniques, could possibly detect. This was how the police entrapped 20 men in September 1953 in the Atlanta Public Library, at the request of library officials: vice squad members staked out a restroom behind a one-way mirror.³⁰ Surveillance techniques vary, but the extreme measures employed to police “public” sex contradicts the notion that sex performed outside the home offends an unsuspecting, non-invasive, non-prurient public. Citizens offended by public sex usually have to exert themselves to find it. Public sex is generally uninteresting and unnoticeable to those without a mission to shut it down.

Privacy in Public Places

The most common way institutions and police attempt to deter sex in public spaces is to eradicate zones of privacy established there. Librarians and police remove bathroom doors and barriers, flood areas with light, and increase patrols to make the space less private and more exposed to public or third party scrutiny. This razing of private space is itself hostile to the maintenance of sexual privacy by forcing private sexual behavior into exposed public space. Librarians also force the public exposure of private acts by scrutinizing access to men’s rooms, say, by doling out a single restroom key often

chained to a bulky, conspicuous piece of institutional refuse. One library I worked at handed out a men's room key with a paddle-ball paddle chained to it. We make the whole process of going to the men's room very public, artificially public. Why?

Americans obsess about sex with increasing, gratuitous zeal – a modern manifestation of traditional prudishness.³¹ Visibility politics, the out-of-the-closet ethic born with the Gay Liberation Movement of the early 1970s, works to increase public awareness of non-normative sexual identities and behaviors. The Gay Rights Movement's right-to-privacy politics often run in counterpoint to Gay Lib's visibility politics. The right-to-privacy ethic attempts (without much success) to keep consensual sexuality unregulated within private spheres, while conceding and even advocating for state regulation of consensual sexuality in public and commercial settings. At the same time, a small, zealous, sex-aware, sex-obsessed and largely right wing constituency conflate and confuse privately conducted sex in public spaces with public exposure and sexual public display. Sustained by a larger, indifferent majority, these anti-sex zealots prompt the guardians of public space (here, librarians and police) to monitor and eradicate zones of privacy within public places. The zealots have rarely witnessed the sexual acts to which they object. Their assumption that it exists, and the articulation of this assumption to authorities in the form of a complaint or a fear is generally all it takes to spark a cruising crack down in public spaces.

Sexual Identity vs. Sexual Behavior

Rather than fritter away time and money probing library space to expose consenting sexual behavior of any sort, librarians will do better to re-focus library safety policies regarding sexual activity. To do this, librarians must examine and revise core assumptions about the methods and meanings of identities and gender expressions vis-à-vis their public sexual behavior. A public sexual identity (gay, lesbian, bisexual, transsexual, straight), does not translate into public or private performance of any particular sexual act. Too often non-hetero identities are at once sensationalized and stigmatized, with the result that all staff eyes train on the Queer who walks in merely to browse the cook books. Consider these statements describing a library patron from a 1988 publication:³²

He *did* make a ridiculous sight, this large man mimicking the voice and movements of a woman. Some staff believed he was a male prostitute, but he never acted such overtly in the library.

At the very least, obvious transvestites such as N.D. are nuisances in the library. They distract genuine patrons by calling attention to themselves, and they create disturbances over which bathroom to use.

When the police were called, they warned library employees that the subject was believed to have AIDS.

The problems with this characterization are legion. Primary among them are the assumptions that “obvious transvestites” are inherently absurd, unreal, bothersome, and distracting for others. It assumes that “obvious” transgender folk are likely to seek sex for money and have AIDS, and because of their abnormality, they inherently create a stir among readers for which they are to blame. This piece composed during the mid-1980s reflects the particular AIDS panic of its day. Sadly, many of these hateful, dubious, and repulsive assumptions endure.

Here is a more equitable example of ALA-sponsored advice about library security, shifting focus from suspect classes or types of patrons to behaviors exhibited by any type of patron:

People who cause problems in our facility come from every imaginable social group. What we need to do...is to focus on the behavior. You're also protecting yourself against legal action that way... If you look at a group as the problem... you may be accused of discriminating. As long as you've decided that a certain type of behavior isn't appropriate in your facility and you treat everyone who exhibits that behavior equally, you're going to be legally on fair ground, ethically, on fair ground and you're going to be able to maintain a reasonable standard of behavior in your facility.

--Rachel MacLachlan, Director of Security, San Francisco Public Library, 1994.³³

What Librarians are Supposed to Do...

Librarians, and police in service of them, must be concerned with keeping libraries clean, safe, and well-organized. We are obliged to create and maintain an environment where employees treat all patrons with respect for privacy, dignity, and agency. This requires particular attention for the safety of gay, lesbian, bisexual, and transgender patrons and other marginalized populations. Sexually identified people are likely to suffer from excessive social and institutional surveillance and suspicion; librarians must guard against and seek to correct that. Under no circumstances should library security staff detain, humiliate, browbeat, or otherwise harass any library patron accused of issuing an isolated, harmless signal or glance to another patron. No consensual sex act, conducted with a reasonable expectation of privacy sequestered in a public place, need be cause for arrest, detention, public exposure, humiliation, or tongue-lashing. Librarians should

respond to complaints sexually offended men using the standards applied to complaints from sexually offended women. We must understand that private, consensual, sexual acts can and do occur in public places – all the time – whether we approve or not. We must recognize the inevitable, largely happy truth that libraries host a range of public and covert sexual encounters. We can make sure our library collections and programs serve to educate a sexually curious and sexually active user populations. We must align library “problem patron” policies with our goals to provide equal treatment and meaningful service for all library patrons.

¹ John Rechy, *City of Night*. New York: Grove Press, 1963. p. 60

² www.cruisingforsex.com was recently ranked in the top 1.2% of all Web sites for traffic by webmostlinked.com with over 1,500,000 visitors monthly according to Web Trends. Reprinted with expressed permission from www.cruisingforsex.com.

³ Bruce A. Shuman. *Library Security and Safety Handbook: Prevention, Policies, and Procedures*. Chicago: American Library Association, 1999. p. 90.

⁴ With gender and sexuality unspecified in this instance, one assumes this is an opposite sex couple.

⁵ Shuman, p. 90.

⁶ Ibid.

⁷ Ibid.

⁸ Ibid.

⁹ Shuman, p. 91.

¹⁰ Ibid.

¹¹ Ibid.

¹² “Use the occasion of detecting persons in overt homosexual activity to spread the word about the library’s hostility to this abuse of the facility. This is done through a humiliating interrogation and browbeating in a formal setting, like a security office. The interrogation is traumatic, purposefully, but tempered with kindness. No arrest is made. The process is intended to get the word out to the homosexual community that the library is determined to deny them the use and abuse of the building for assignations and casual homosexual liaisons.” Edward W. Delph. 1980. “Preventing Public Sex in Library Settings,” *Library and Archival Security* 3 (2): 17-26 quoted in John Morris, *The Library Disaster Preparedness Handbook*. Chicago: American Library Association, 1986, p. 12.

¹³ Shuman, p. 91.

¹⁴ Connolly, Catherine. “Matthew’s Murderers’ Defense.” *The Gay & Lesbian Review Worldwide* 8(1):22-26.

¹⁵ Humphreys, Laud. 1975. *Tearoom Trade: Impersonal Sex in Public Places*. Enlarged ed. (1st ed., 1970). Hawthorne, NY: Aldine de Gruyter. A “tearoom” is slang for a same-sex cruising area.

¹⁶ Humphreys, p. 47. Rule #3, Never force your intentions on anyone.

Humphreys, p. 102. All indications of this investigation are that recruitment in to homosexual activity is a rare phenomenon.

¹⁷ Desroches, Frederick J. 1990. “Tearoom Trade: A Research Update.” *Qualitative Sociology* 13(1):39-61.

¹⁸ Humphreys, p. 105

¹⁹ Desroches, p. 47.

²⁰ Nardi, Peter M. “Reclaiming the Importance of Laud Humphreys’ Tearoom Trade: Impersonal Sex in Public Places.” In *Public Sex/Gay Space*. 1999. New York: Columbia University Press. 23-27. (p. 26).

²¹ Humphreys defined “trade” in various ways, e.g. “men who make themselves available for acts of fellatio but who, regarding themselves as “straight,” refuse to reciprocate in the sexual act.” p. 108. Pittsburgh, PA: Cleis Press, 1994.

²² “5 Young Toronto Killers of Homosexual Librarian Released on Day Parole.” *Toronto Star*. 8 July 1988, p. A3.

²³ Califia, Pat. *Public Sex* (1982). In *Public Sex: The Culture of Radical Sex*. Pittsburgh, PA: Cleis Press, 1994. p. 77-8.

²⁴ *New York Times*, 24 March 1978.

²⁵ The Times here assumes all cruisers preying homosexuals and all complainants set upon heterosexuals.

²⁶ Humphreys, p. 79.

²⁷ Asterisks added. Reprinted with expressed permission of www.cruisingforsex.com.

²⁸ The police practice of questioning and harassing people with non-white racial and ethnic characteristics more frequently than those with white characteristics.

²⁹ Bill, David. "Boston Public Library Continues Crackdown." *Gay Community News*. 1 April 1978, p.1.

³⁰ Howard, John. "The Library, the Park, and the Pervert: Public Space and Homosexual Encounter in Post-World War II Atlanta." *Radical History Review* 62(1995):166-87.

³¹ see Kyle, Garland Richard. 1992. "Public Sex, Public Morality." *The Journal of Sex Research*. 29(2): 291-3.

³² Salter, Charles A. and Jeffrey L. Salter, eds. *On the Frontlines: Coping with the Library's Problem Patrons*. Englewood, CO: Libraries Unlimited, 1988. p. 60 - 2

³³ Rachel MacLachlan, Director of Security, San Francisco Public Library. *Be Prepared: Security and Your Library*. American Library Association. Video. Library Video Network, producer. 1994. 35 minutes.