



American LGBTQ+ liberation from day 1 to Stonewall.

Written & produced by Devlyn Camp

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[queerserial@gmail.com](mailto:queerserial@gmail.com)

Season 2, Episode 5A: “To Be Accused Is To Be Guilty”

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The original Mattachine Society jester logo is courtesy of ONE Archives at the USC Libraries.

This transcript includes text from real homophile-era publications, letters, organizational documents, et cetera. These texts contain **identifying terms** that may now be out of date.

AUDIO: footsteps, someone entering an office and closing the door, taking a seat.

CIVIL SERVICE INVESTIGATOR: Information has come to the attention of the US Civil Service Commission that you are a homosexual. What comment, if any, do you care to make?

FRANK KAMENY: What's the information?

CSC: We aren't able to share that information.

FRANK KAMENY: Well, I can't give you an intelligent answer if you can't tell me, and in any case I don't think it's any of the government's business.

CSC: When did you most recently have sexual intercourse?

FRANK KAMENY: Is that the business of the American government?

CSC: Was it of a homosexual nature? What kind of homosexual activities do you take part in, Mr. Kameny?

FRANK KAMENY: I don't have to answer these questions. These matters are a citizen's own business, and are not the proper concern of the CSC or the U.S. government.

HOST: **December 10, 1957.** The Army Map Service dismisses **Frank Kameny**.

CSC: Falsifying a federal application form.

HOST: He had listed his arrest in the East Bay bus terminal as "disorderly conduct" instead of "lewd and indecent acts." His record had been expunged. He'd satisfied parole, had the verdict officially changed to 'not guilty: complaint dismissed.' Had Frank never listed the charge on his application at all, maybe he wouldn't be getting fired now for being a homosexual.

The next day, December 11, 1957. Frank files appeals with the Civil Service Commission and Army Map Service. This firing can only be temporary. Russia has just launched Sputnik into space and the U.S. is desperate for more astronomers, and Frank is one of only a few hundred. But his appeals are promptly turned down.

Two weeks later. He meets with the Army Map Service to explain his application and offer a complete written version of his appeal.

FRANK KAMENY: My failure to list more complete information is only the result of what I assumed, honestly, to be the title of the charge. It is a long-established, deeply rooted American tradition that a man is innocent until proven guilty, and not vice versa. This means that the full burden and onus of proof of guilty lie with the accusers; not the burden of proof of innocence

with the accused. I don't have to prove myself innocent; you have to prove me guilty. I do not have to prove my moral conduct; you have to prove my alleged immoral conduct. It is not enough for you to merely accuse me of misconduct, and ask me to prove my innocence... This is the way things are done in the USSR. This is not the American way! To assist you in evaluating the trustworthiness of my sworn statement in denial of charge brought against me, I have included three character statements, including one from the noted psychiatrist Dr. Benjamin Karpman. I have lived an honorable life and I am ashamed of nothing and there is much of which I am proud.

AUDIO: typewriter

COLONEL: Your answer has failed to show that you were unaware of the charge. That you did know of this charge is proved by the fact that you appealed to the Municipal Court to set aside the plea or verdict of guilty. This proves that you were found guilty of the charge, even though the court set aside the conviction verdict after completion of your six (6) months' probation, you were convicted of the charge as entered. Your firing is considered justifiable to better promote the efficiency of the Federal service. No action will be taken to reinstate you to your former position.

HOST: Frank applies for other astronomy jobs. They're only available with universities and places with government contracts. With every background check, the employer finds this brief work with the United States government and his dismissal. Better not hire this untrustworthy homosexual. Frank Kameny is a victim of the Lavender Scare. His savings running out, his lawyer waiting for payment, Frank gets out his typewriter.

AUDIO: typewriter

FRANK KAMENY: Dear Senator...  
Dear Civil Service Committee...  
Dear Congressman...  
Chief Justice Earl Warren and Associate Justices...  
Dear President Eisenhower...