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Archives of “Sexual Deviance:” Recovering the Queer Prisoner

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Abstract: Queer federal prisoners are a population often inaccessible to queer memory due to the strong institutional barriers that separate these individuals from life outside of prison walls. This paper asks: how can we employ feminist methodologies in the recovery of queer voices from federal prison archives? By documenting perceived deviance and perversions, carceral institutions in the 1930s-1950s built a case to justify their use of discursive and physical violence against queer bodies. This paper argues that carceral archives serve as norming mechanisms, creating barriers between normal and abnormal, heterosexual and homosexual. To counter this norming, Ann Laura Stoler (2002) provides the framework for moving from “archive-as-source to archive-as-subject” which I build upon to consider “archive-as-kin,” a larger, genealogical project of locating queer ancestry through institutional archives. Drawing from queer oral history methods, this paper offers strategies for and adapting these methods into archival interviews; treating queer voices in the archive as recoverable and resisting the urge to consider them lost. Just as these institutional barriers were built by many hands, many hands—through interdisciplinary methodologies—are required to dismantle them. While federal prison archives are not explicitly queer, this paper argues that queer lives within them can be recovered in order to challenge the monolithic narrative of these archives, disrupting their heteronorming function.

Keywords: incarceration, archives, queer methodology, kinship, oral history, homosexuality, sodomy

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Introduction

In 2018 while conducting research in the archives of a federal prison, I came across an overflowing prisoner file for a man named Lawrence Daly.¹ Stuffed in the back of his file was a thin piece of brown paper with two ink footprints pressed onto it. His prisoner number was scrawled between the two footprints, which were smudged at the edges. Other documents in his file described his continual denial of guilt for his supposed crime of sodomy. Countless records showed his assertions that what he participated in was not a violent crime, and the subsequent punishments he endured for that “sullen evasiveness.”² After years of electroshock therapy and pleading his innocence, Daly attempted to escape from Alcatraz in 1944. His escape—following years of medical abuse and denying criminal involvement—led Daly to the moment when his feet were pressed first in ink and then to paper. This physical representation of his resistance was relegated to the back of his file, not quite belonging to any of the established categories that the prison created to catalogue an inmate’s time at the penitentiary.

At the time, I did not quite know what to make of the footprints. However, I felt their heaviness. I scanned the footprints, and when I compiled my archival findings in a binder, these footprints once again rested at the back of Daly’s file. Recognizing that my own recordkeeping mirrored that of the institution I was seeking to disrupt, I asked myself: How do I make sense of the moments of resistance that evade

traditional archival categorization? How do I decenter the institution to discover different stories? My first investment was a refusal to understand documents—like the footprints—as without context or belonging to the rest of the individual’s story. Why did Daly escape? What did it feel like for him to be apprehended? Researchers can pursue queer histories more creatively and comprehensively by refusing to believe that the answers to the questions we seek are impossible. Instead of viewing the archive as static and non-living, what if we followed the moments of liveliness (Cifor 2017)—like the intense curiosity of finding footprints in a file—to engage with the archive in a way that honors the individuals who are catalogued within it?³ In this article I propose a three-prong methodology for engaging with queer carceral archives such as these using a lens of queer kinship, a process of re-archiving, and the repurposing of queer oral history methodology for “archival interviews.”⁴

This article examines federal prison archives from the 1930s-1950s including: Chillicothe, Atlanta, Alcatraz, Lewisburg, Springfield, Philadelphia, Leavenworth, Terre Haute, and McNeil Island Federal Penitentiaries. The prisoner files are split into seven sections: Psychiatric Reports, Wardens Notes, Disciplinary Records, Medical Reports, Transfer Records, Admissions Documents, and Military Records. Prison officials filled these folders with “evidence” of “sexual psychopathy,” “sexual perversions,” and “homosexual tendencies.” By documenting perceived deviance and perversions, carceral institutions built a case to justify their use of discursive and physical violence against queer bodies. These institutional archives serve as norming mechanisms, creating barriers between normal and abnormal, heterosexual and homosexual.⁵ The recovery of queer voices in the archive thus requires a similar case-making; a meticulous exhumation of the moments of agency that slipped through the cracks of institutional archives, attempting a new, queer memory within federal prison archives. This practice of interviewing the subject in the archive feels less like an effort of documentation or analysis and more like a resuscitation.⁶ Documents—fragments of one’s life in a moment in time—were left to die, allowed to become static. How do we reckon with this death? Where can we locate queer voices within these fragments?

By centering the voice of the subject in the archive—allowing that voice to lead the research process as opposed to the archival structure of the institution—the researcher can begin to ask questions of the subject.⁷ To center these voices in practice, this paper asks: how can we employ queer oral history methodologies for the recovery of queer voices in the carceral archive? Oral history has been so important to LGBT history because LGBT voices have historically been forced underground, typically out of fear of violence and incarceration. Interestingly, the lives of *incarcerated* queer people are *hyper-documented*, if only to tell the story of their “perversions.” Because of this intense documentation the state forces a monopoly over the histories of these individuals’ lives. If we view these archives in the spirit of and through the methods of oral history, we can sometimes parse out moments of prisoner desire and resistance that push back against the state’s criminalizing narrative. To attempt this, we must examine how we as historians view the subject in the archive.

Approaching the Queer Archive

When doing historical research, historians traditionally approach the archive as a static, non-living entity. Ann Laura Stoler’s (2002) concept of moving from archive-as-source to archive-as-subject makes strides to mitigate this static conception of the archive. Stoler argues that scholars should approach the archive as a site of knowledge production as opposed to a passive repository of past knowledges. In colonial archives, she argues, we must complicate our relationship with the archive to understand it as a site of state ethnography, not as a site of objective “truth.” While Stoler applies her analysis to the case of document

archives from the Dutch East Indies, we might consider how her concept of archive-as-subject might apply to archives of the carceral state, particularly archives of federal prisons.

Federal prison archives are structured to reinforce institutional control over prisoner populations through disciplinary record-keeping and meticulous family and personal histories that prison staff can mine for justification of capture and containment.⁸ Because of the structure of the carceral system wherein the courts decide the fate of individuals, prison archives tend not to cast doubt on the legitimacy of an individual's captivity. However, conversely, moments of intense *justification* for captivity are heavily recorded, particularly regarding prisoners presumed to be homosexual.⁹ For example, in a transfer document for a man named Henry Jones, the review board at Leavenworth Federal Penitentiary notes:

He was transferred [from Leavenworth] for the purpose of closer supervision on account of the nature of his crime. It was the opinion of the Classification Board at Leavenworth that this man had great homo-sexual tendencies and would be quite a problem unless he could be watched closely . . . This prisoner needs maximum custody because of his homo-sexual tendencies.¹⁰

Here, the charge of sodomy and "homo-sexual tendencies" observed by the board were used as justification for Jones' transfer to a harsher carceral atmosphere, despite Jones' continual pleas of innocence.¹¹

As a queer researcher, finding moments of queer experience in the carceral archive is often emotional. Prisoners—as individuals tucked away by the state—were not meant to be found and were not meant to experience the care of community. Locating these individuals feels like finding an ancestor in an old newspaper or seeing their face in a grainy photograph. The feeling of kinship among queer researchers and queer subjects in the archive is part of what makes queer histories so special; they are a labor of love and a process of reclamation.¹² However, finding queer experience in an institutional setting where one is forced to rely on state documentation presents a set of challenges. Queer theorist José Esteban Muñoz (2009) explains:

Queerness has an especially vexed relationship to evidence. Historically, evidence of queerness has been used to penalize and discipline queer desires, connections, and acts. When the historian of queer experience attempts to document a queer past, there is often a gatekeeper, representing a straight present, who will labor to invalidate the historical fact of queer lives—present, past, and future . . . (65)

In federal prison archives from interbellum and World War II-era United States, evidence is, as Muñoz suggests, used to discipline queer life; to criminalize and pathologize homosexual desire. Therefore, the "gatekeeper" is often the archive itself, as it encapsulates the criminalizing narrative of the state. Approaching the carceral, institutional archive in pursuit of queer histories requires an understanding of the extent to which the institution constructed the narratives within, and the nature of that construction. This paper, then, proposes strategies to access queer histories within the institution by centering the queer voices within the archive as opposed to solely "reading through" the institution.¹³ This process centers queer prisoners as "knowers" as opposed to the prison or the researcher.

What makes these projects "queer" is, as Amy Stone and Jaime Cantrell (2015) contend, is "the expansiveness of the concept of the archive" (11). Stone and Cantrell call for scholars to "engage with their affective experiences of being in the archive: how time moves differently within the archive, how the space and materiality of the archive require a deeply personal, embodied research" (11). Within carceral archives, this practice of embodied research is resisted from the structure of the files to the sterile, institutional environment of the National Archive research rooms.¹⁴ While the archives of federal prisons are meant to document the processes of dehumanization carried out by the prison, archival interviews deliver new possibilities of affective engagement with the queer subject. These interviews have the

potential to break down binaries of incarcerated/free, researcher/subject, and masculine/feminine by pursuing the nuances of agency, gender fluidity, and kinship.

Part of the challenge in dealing with the lives of incarcerated people in the archive is challenging our own internally held biases against people who have been considered “criminal” by the state. We know, however, that queer individuals in the United States have been subject to criminalization by the state and its institutions for the many crimes constructed to punish queerness. Holding these two understandings up to the light, we can begin to see past the need for subjects to be “redeemable,” and instead see them as individuals caught in the web of the carceral state. We believe today that we would not leave our queer family behind if they were incarcerated, and so must we also refuse to leave behind our queer ancestors in the archive.

Archives of Sexual Deviance: Sodomy, Sexual Psychopathy, and Sexual Perversion

Queer histories of the 1930s-1950s often focus on events such as the “Lavender Scare” and raids of queer bars, emphasizing a collective history of struggle and persecution for queer communities. The fierce identification that queer communities often have with their past—as evidenced through the prominence of works such as that of Leslie Feinberg in queer culture—is limited to a past that is “known.”¹⁵ Queer federal prisoners are a population often inaccessible to queer memory due to the strong institutional barriers that separate these individuals from life outside of prison walls. The process by which queer individuals are captured by the state matters in understanding the layers of criminalizing and pathologizing documentation within the archive. Each layer—criminalization, capture, and containment—shows the state’s investment in telling a story of homosexual men as deviant. Knowing this process can help us to better understand the experiences of the prisoners and what dynamics they were up against in their encounters with the state.

Men perceived to be homosexual in the United States during the interbellum and World War II-eras were arrested for a myriad of reasons such as public indecency, cross-dressing, postal crimes, and sodomy.¹⁶ While sodomy was one of several charges used to criminalize homosexual men, it was overrepresented as a charge in the federal inmate population due to its association with violence. As in the case of Thomas Cunningham, who was under constant monitoring for his “aggressive homosexual tendencies” in each federal institution he was transferred to (notably Chillicothe, Atlanta, Terre Haute, Springfield, and Alcatraz), federal sodomy prisoners were often subject to increased carceral surveillance because of the supposed connection between homosexual mindset and violent physicality. The crime of sodomy was often accompanied by a ten-year sentence, which—particularly for men who were charged with sodomy while in the military—landed an individual in a federal prison. These sentences were often extended if individuals were not properly “reformed.”¹⁷

To supplement sodomy laws, many states passed “Psychopathic Offenders” laws beginning in the 1930s.¹⁸ These laws “made an effort to protect the public from sexual psychopaths (persons with criminal propensities to the commission of sex offenses) by authorizing their commitment to mental institutions” (Sutherland 1950, 543). These laws were upheld through seven assumptions: that women and children were in danger; that sex crimes were committed by “degenerates” and “sex killers;” that sexual psychopaths had no control over their sexual impulses; that a sexual psychopath could be identified before committing a crime; that the catch and release system with “sex perverts” was not working; that they should be segregated until cured; and lastly, that their diagnosis should come from psychiatrists only (Sutherland 1950, 534). In California, laws before 1939 allowed the government to “prohibit and restrict any sexual activity,” and [deem] that “any act . . . which openly outrages public decency would be

punished.”¹⁹ Sexual Psychopathy—while technically applying to an array of committers of sex offenses—was considered to be almost synonymous with homosexuality. Therefore, if a man was considered to be homosexual, he might therefore be considered a “sexual psychopath” (Leon 2011). This is reflected in the carceral archive wherein often the only “evidence” for a sexual psychopathy diagnosis was an individual’s presumed homosexuality.

When individuals were formally accused of sodomy the process of building their carceral archival story began. Documents were filed, and the narrative of one’s proximity to the “homosexual sex pervert” trope was initiated. If an individual was found guilty of sodomy and sentenced to federal prison time, psychiatrists and prison officials conducted thorough family histories, behavioral assessments, and recorded general impressions of the inmate. These family histories and sexual histories were fundamental to establishing the identity of the inmate who the state aimed to “reform.”²⁰ As Harry Oosterhuis (1997) notes in *Science and Homosexualities*, “because sexuality played a core part in the narration of self, and because perverse desire was linked to individual identity, it was burdened with significance” (83). Carceral “reform” for sodomy inmates involved a process wherein prison administrators built a case within the archive to prove the existence of a “homosexual mindset.”²¹ To the state, homosexual men were deviants, fit to be treated as less than human through carceral “reform.” Our relationship to the subject in the archive—through kinship—can help to counter this dehumanization.

Archive-As-Kin

Because these histories are saturated by the state’s criminalizing narratives, it is important to be intentional in locating the queer subject in the archive and in establishing a mode of engagement with them. Moving from Ann Laura Stoler’s (2002) conception of “archive-as-subject” I consider the possibility of “archive-as-kin” as a mode of engagement that can allow the researcher to recover the queer subject from their institutional prison.”²²

In formulating this intimacy and kinship with the queer subject in the archive, Ann Cvetkovich (2003) considers an “archive of feelings” that is unable to be institutionalized, and that requires a certain type of “intimacy with the creators of the materials” (Kumbier 2004, 16) in order to be recovered. When working in the archives of federal prisons, however, the ordinary objects or “ephemeral materials” that Alana Kumbier and Cvetkovich consider are fewer and further between.²³ In the carceral archive, these ephemeral materials were anticipated and eliminated by those who kept them.²⁴ In prisoner files of federal sodomy inmates, documents fall under only a few categories: psychiatric and medical reports, wardens notes, disciplinary records, transfer and admissions documents, and military records.²⁵ The documents in carceral archives were meticulously designed to strip away individuality and to instead craft a narrative that reinforced the state’s right and ability to maintain an individuals’ capture. In lieu of these “ephemeral materials,” we must find creative ways to approach the archive that humanizes the subject in order to catch glimpses of intimacy left behind in their files.

Developing this kinship is not something that one can manufacture. Kinship involves an “affective longing” (Eng 2010, 188) towards a past that could have very well been your own. The methods I describe in this paper are built upon moments of intimacy that reach towards you as much as you reach towards them. Kevin P. Murphy et al. (2016) describe this nature of queer oral histories, writing that “what is distinctive in queer oral history is the discussion of nonnormative sexuality and the particular kinds of disclosures it evokes between a narrator and researcher who share same sex desire” (13). We can expand this definition away from solely same sex desire and understand that the intimate disclosures between subject and researcher are built upon an array of nonnormative relationships with gender and sexual non-

normativity.²⁶ Resisting a monolithic experience of gender and sexuality also resists the institutional archive's dichotomizing, criminalizing narrative of those within it. The archive treats the subject as non-human—as documents, as papers—as though people left behind in the archive are not as complicated and multitudinous as people alive today. An approach of kinship and affective longing is a way of “remembering differently” (Eng 2010, 188), and refusing institutional narratives of sexual deviance. A kinship relationship to the subject holds their humanity up as a light to navigate through the carceral archive.

The archive is its own prison—it maintains discipline and order; it requires a strict vetting process to access and visit its inhabitants; it controls the narrative of the individuals inside; it claims ownership of the years held within it.²⁷ Jarett M. Drake (2019) explains that “Prisons aim to prevent the cultivation of existing family bonds while circumscribing the creation of new ones. In sum, prisons accomplish this by dramatically reducing the ability of families to remain in contact with incarcerated loved ones.” This function of the prison exists in the archive, as well. When considering queer families, whose kinship ties are not always recognized by the state, queer individuals are not afforded the same ease by which heterosexual, traditional ancestry projects are facilitated in the archive.²⁸ Queer prisoners are not meant to “belong” to any family except for their legal families whose histories are scoured to find evidence of the inmate's perversion.²⁹ By developing kinship relationships with queer subjects, we can build a resistance to this traditional nuclear “family fetish” by recognizing chosen family and queer ancestry within the archive.³⁰

However, we do not want to lean into these same family dynamics that proved ripe for exploitation by the state. Judith Butler writes, “When or how do new kinship systems mine older nuclear-family arrangements and when or how do they radically recontextualize them in a way that constitutes a rethinking of kinship” (as quoted in Nelson 2015, 14). In our research methods, our queer kinship can be one that seeks liberation for the subject where other familial relationships might seek silence.³¹ When conducting archival interviews through the lens of queer kinship, we might ask: How do we honor our kin? Like an ancestor who we may have never met but whose existence and resistance made ours possible. A first step to engaging with our incarcerated kin is to disrupt and challenge the authority of the archive through the process of re-archiving.

Re-Archiving

The initial process of re-archiving is what makes archival interviews possible. These interviews emphasize kinship with the subject for researchers for whom the subjects of research may very well be queer ancestors. These interviews first require developing a level of comfort in rearranging and “re-archiving” files in order to parse out the voice of the individual within the archive.³² Re-archiving involves the practice of removing materials—to the best of one's ability—from the context of the institutional archive. This process can look like taking photographs, scans, and/or notes from the institutional archive and re-cataloguing files in a fashion conducive to re-arrangement. The ability to rearrange and “play” with files is a conscious resistance to the institutional archive which requires order and stoicism. When a researcher is able to move a medical report next to a handwritten note, new contexts may emerge.

For example, a 1936 note written by a man named Alan Powell to the Deputy Warden of Alcatraz reads:

I got a blood test by Dr. Greenburg and it came back negative. I also took a Spinal Test and on August 3 1936 the Spinal Test came back Negative, now I have taken 52 shots of Salvarsan and 56 hip shots of Besmerk and now I am taking shots for no reason whatsoever [...] will you please look into this matter?³³

Also in the back of Powell's file is a formal request form from Powell to meet with the Chief Medical Officer, however this form is from November 30, 1934, a few years prior. The note reads: "Sir I wish to be granted an interview. Regarding the shots of Besmerk and Salvarsan you told me that was 12 of each to a course. I have taken 12 of each."³⁴ The official recommended action and comment of the hospital reads: "None. This is a mental case and no account is to be made of his statement above."³⁵ While the archivists stored these notes in the back of Powell's file, moving them to their chronological order alongside the medical forms confirming his story changes their context. While they were stored together as proof of Powell's "delusional" mental state, moving them into chronological context with his medical files allows Powell to tell his story alongside the medical examiner's, giving it a more equal weight. While the archive positioned him as sick and defiant, this practice lets us observe his detailed, methodical resistance to potential medical abuse.

When reviewing this man's medical record, I found an undated note from the prison doctor indicating that Powell had tested positive for syphilis, however no note is made as to why Powell would be receiving more than the established twelve shots as treatment, or why he would have been informed that his test for syphilis was negative. These documents—the notes and the medical report—were never meant to be placed side-by-side. The notes were relegated to the back of the inmate's file, and the archival institution disallows the rearranging of documents. The doctor, however, kept requesting the drugs, and justified it within the file. The word of the physician was believed while the word of the inmate was thrown to the back of the file.³⁶ The voice of the prisoner as an advocate for their own mistreatment is highlighted through a process of re-archiving.

Also important is knowing our queer history, knowing that gay men were associated with venereal disease, and with syphilis in particular (Ketterer 1964). Discourse about syphilis served as a criminalizing tool through which homosexual men could be removed from society in the name of public health. These shared histories with queer kin form the foundations of kinship methodologies within the archive. They give us perspective to look more closely at moments of suspected medical abuse of homosexual men under the guise of venereal disease, particularly because these moments were occurring during the time of syphilis experiments and forced sterilizations of homosexual men.³⁷ Homosexual men were cast as deviant, and therefore fell vulnerable to medical abuse. Rearranging and recontextualizing prisoner files, then, may help us destabilize official accounts to make more sense of the events within their historical context.³⁸

One might also think of this practice as the creation of a counterarchive, which is often used to describe a community-based collection of archival materials. Stone and Cantrell explain that "LGBT history has queered the archive by creating counterarchives or community-based archives that operate outside of government or academic institutions" (2015, 7). While re-archiving the documents of federal prisons is not a community project in and of itself, the materials can be shared and passed on as other counterarchival materials are. Cvetkovich, who first conceptualized the "counterarchive" in an LGBT context, explains that these counterarchives "address the traumatic loss of history that has accompanied sexual life and the formation of sexual publics, and they assert the role of memory and affect in compensating for institutional neglect" (2003, 241). I have found that re-archiving and performing archival interviews is a method for countering this institutional neglect.

In her article, "Venus in Two Acts," Saidiya Hartman (2008) considers the process of telling stories from archives of oppression, specifically referring to archives of Atlantic slavery. She writes:

By playing with and rearranging the basic elements of the story, by re-presenting the sequence of events in divergent stories and from contested points of view, I have attempted to jeopardize the status of the event, to displace the received or authorized account, and to imagine what might have happened or might have been said or might have been done. (11)

While Hartman's words do not map precisely onto the archives of queer prisoners due to the very specific conditions of Atlantic slavery, we can still learn from her conceptualization of the role of the historian. In the absence of a narrative unmarred by the institution—if such a narrative were possible—we can “jeopardize the status of the event” such as I have done above in the files of Alan Powell and Lawrence Daly. Through this relationship, we can use informed speculation to assist in the amplifying of prisoners' voices to be heard by the historical record.³⁹ By acknowledging specifically, the state's manipulation and quieting of the queer subjects' voice, we still “leave visible the seams by which the story is constructed” (Kennedy and Davis 1993, 25).

Archival Interviews

Cvetkovich notes the radical potential of oral histories to “document lost histories and histories of loss” (2003, 166) which is an invaluable resource for “reviving the moments of intimacy that are gone” (238). In scenarios wherein one's subjects are deceased, I consider, does there remain a possibility to recover this intimate power of the oral history without live subjects? What possibilities exist when we expand our understanding of what is possible? The concept of archival interviews comes from precisely this refusal.

Using the lens of “archive-as-kin” and the practice of re-archiving, the institutional archive is prepped for conducting an archival interview. When determining interview questions to ask of the subject in the archive, I turn to queer oral history methods which, John D'Emilio (2012) contends, “have the power to enrich, deepen, and expand enormously the historical record” (269). Central to these oral histories, Nan Alamilla Boyd (2008) explains, is trusting the voices of historical narrators (177).⁴⁰ Incarcerated people tend to be seen as unreliable narrators, as they represent the bad, the untrustworthy, and the criminal of society. Queer prisoners in particular represent a familiar history of the criminalization of queer people around World War II era.⁴¹ Resisting the concept of incarcerated people as already untrustworthy and already guilty fits in to this legacy of queer oral histories.

Approaching queer prisoners as reliable narrators in the archive allows us to ask questions without reluctance. For example, using the lens of kinship, I imagine that an early question that one would ask a formerly incarcerated ancestor is “Did you do it? Were you guilty?” The institutional archive represents the concept of guilt in a binary way. In the case of Thomas Cunningham, a sodomy prisoner at Terre Haute Federal Penitentiary, the state considered him guilty and saw his denial of guilt as further evidence of his psychopathy rather than a legitimate plea of innocence. If we were to ask Thomas Cunningham if he was guilty, we can see through his interview responses and handwritten notes that he admits to homosexual activity but denies guilt for the crime of sodomy.⁴² The difference that Cunningham strikes between sexual activity and criminal guilt is key. His assertion that homosexual activity is not a criminal act pushes back against sodomy law that attempts to criminalize and incarcerate homosexual men. This moment of resistance tells us more about Cunningham's understanding of his identity and story as a person who has sex with men than does the state's pathologization of his denial of guilt.

As Alamilla Boyd also notes, an important part of queer oral history is to move beyond the confines of “question and answer” and to leave space for the narrator to speak. While this is, of course, more challenging when you are not speaking with a living individual, we can still look for moments in the archive when the individual is able to “self-disclose” or “self-document,” which is an important part of

how queer people during this time period made sense of their sexual selves.⁴³ In a disciplinary report, Cunningham was reported to be interacting with another inmate. The prison guard reports:

[They] were lying on the ground [...] in the courtyard carrying on an open love affair. They placed their cheeks together, and [Ramirez]'s arm was around [Cunningham]'s neck, his hand caressing [Cunningham]'s hair and ears. I told them to break it up or I would take them inside. [Cunningham] said "Break up what? What the hell are you talking about, you God-damned mother-fucking son-of-a-bitch."⁴⁴

In his visible display of affection towards the other inmate, Cunningham was, perhaps, participating in self-disclosure. Cunningham knew, inevitably, that he would be written-up for his "open love affair" and yet he carried on. The institution considered this act to be further evidence of his diagnosed "sexual psychopathy," however—due to Cunningham's consistent assertion of his innocence regarding criminal charges of sodomy—the act to him was likely a way to access pleasure in the otherwise bleak environment of the prison. His verbal response to the prison guard is a mode of queer resistance to the carceral state that was only left in the archive because it constituted a "disciplinary matter." While this is not a traditional example of self-disclosure—as carceral records are not traditional sites of oral history—we can understand it as one when we use an oral history framework.

Another method of oral history that can be utilized in an archival interview is the "snowball method." The snowball method refers to subjects leading the researchers to other relevant individuals to interview. This method is often used in queer oral history projects, as it can be difficult to locate queer individuals through other means.⁴⁵ Using this method, I can find other individuals to interview based on the social interactions of the subjects I engage with. For example, an interview question that I ask each queer prisoner I encounter is: "Did you know of other queer prisoners at the penitentiary? Did you interact with them?" In the case of Thomas Cunningham above, the inmate that he "carried on an open love affair" with—Ramirez—could be a potential new interviewee. When I examined and re-archived his file, I found that the institution considered Ramirez to be a "homosexual pervert" even though the crime that brought him to prison was not immediately related to homosexuality in the way that sodomy was.⁴⁶ Using this methodology, I was able to find additional potential queer prisoners by following Cunningham's experiences. What separates this method from traditional archival methods is that snowballing through the lens of queer kinship frames potential new interviewees as kin to our initial subjects. Ramirez, upon first glance at his file, appears to be a traditional, heterosexual prisoner caught up in Cunningham's "sexual psychopathic perversions." However, by assuming Cunningham as a reliable narrator, his physical presentation of desire with Ramirez prompts the researcher to take a closer look.

A strength of oral history is the ability to read an individual's body language and to hear inflections in their voice as they speak. While this is not necessarily available in an archival interview, there are sometimes documents and items available that add to the liveliness of individuals in the carceral archive. Much like Lawrence Daly's footprint, items such as fingerprints, photos, electrocardiograph waves, blood pressure records, X-rays, and dental records can give us a sense of physical and emotional state over time. Perhaps one of the most impactful physical representations of an individual in the carceral archive that I have seen was a set of photographs taken of a Daly over a twenty-three-year period while he was incarcerated that showed him physically changing from a young man to an older adult. One photo, taken just days after a round of electroshock therapy, shows Daly slumped over with hollowed cheeks; he is noticeably slimmer, and has a detached, pained expression on his face as he looks towards the camera.⁴⁷ Rearchiving Daly's file to place this photo next to the record of his electroshock therapy puts his physical and emotional state into context. With this context in place for an archival interview, we can ask Daly: "how did you feel in this moment?," "did you know they were going to do this to you?". Perhaps

his footprint—printed after his attempted escape in 1944—might suggest that he had a sense of what was on the horizon.

The ability to gauge emotions in an individual's written voice may also be available in an archival interview. For example, one question I have asked to individuals in the carceral archive is "How is your relationship with your family?" I ask this question as a way to attempt to hear from the individual and to not put too much emphasis on the information within the family histories written by prison officials. In a letter to his sister and brothers, an incarcerated sodomy prisoner named Herbert Gordon wrote of the poor medical care he was receiving. He wrote casually and candidly, describing his experiences with emotion instead of through an attempt to "prove" any events.⁴⁸ His handwriting was messy in a way that you can tell he was writing quickly and with passion. His candid tone and handwriting tell me that he likely had a trusting relationship with his siblings. I believe this not solely from this letter, but also by examining his other letters.⁴⁹ In Gordon's written correspondence with the warden, his writing is consistently formal and in immaculate cursive handwriting.⁵⁰ He writes with formality, lacking in emotion but rather offering "proof" and attempting to display level-headedness and trustworthiness. Witnessing these two different representations of Gordon's voice helps to serve as a key for determining—based on written voice and handwriting—how Gordon might have been feeling as he corresponded with other family members and prison officials. By attempting to interpret "voice" as one might do in a more traditional oral history project, we can see emotional dynamics within the archive that the institution did not account for in their recordkeeping.

Conclusion: Disrupting the Heteronormative Archive

Marlene Manoff (2004) writes, "Despite their limitations, we cling to archival materials in the hope of somehow connecting to a past we can never fully know" (17). Perhaps we must find new ways of knowing; ways that challenge and reconceptualize knowledge production.⁵¹ Through queer kinship, re-archiving, and archival interviews we can position the subject in the archive as a producer of knowledge in spite of the state's attempt to control their narrative. Centering queer prisoner voices gives us the opportunity to queer the heteronormative historical record. By breaking down binaries such as homosexual/heterosexual, dead/alive, feminine/masculine, and sick/healthy, we invite new voices to emerge within the archive that had been silenced by these very dichotomies. By directing our research questions towards the *people* in the archive rather than towards static documents, we can create space for dynamic histories that connect queer people with our past, and that challenge the heteronorming function of the archive and the prison. By recognizing queer prisoners' stories as part of queer history and using methods that seek to counter the flattening of their lives to what is held within institutional documents, we can attempt to recover the voices of our kin and to reposition them within a more humanizing—a more multidimensional—narrative.

With these methods, however, we must avoid boiling down the importance of someone's life to the time of their incarceration. To essentialize their time of incarceration to their very being and identity is an act of violence. So, with this we must exercise caution and humility; we cannot pretend to know or understand an individual's core being from their files. As Michel Foucault (1967) tells us, "It is doubtless impossible to ever grasp them again in themselves as they might have been 'in a free state'" (161). What we can set out to do, though, is to get to know individuals in the brief moment when the institution took a snapshot of their life, however doctored that snapshot may be. It is true, however, that not every individual incarcerated for sodomy would have considered themselves to be homosexual. This fact means that not every pursuit of voices in the archive has a resulting kinship connection as I have described

herein. These individuals were considered to be homosexual based on the state's definition of sexual non-normativity, and to make assumptions about an individual's sexuality on that basis would be irresponsible. Whether or not these men would have considered themselves to be homosexual, they were treated by the state as though they were homosexual perverts—a legacy that pervades queer communities even to this day. This history is a queer history, and if there is a chance that we have a queer ancestor in the archive—or someone who would have benefitted from the type of community we strive to build now for our criminalized queer family—then I believe that it is worth it to pursue their stories.

When a queer prisoner is released, they remain under scrutiny by the state and often by their families. However, when released, the microscope the individuals were under necessarily zooms out; the meticulous record that allows us to study them becomes more and more sparse. While this is often a frustration for historians, we must recognize that it is this very process that represents individuals' gradual freedom from the state. When we lose track of queer prisoners after their release, that often means that the state did as well. What did Lawrence Daly do after Alcatraz? Did he fall in love? Did he grow old? In a way, the not knowing is what makes queer histories so powerful. Privacy in queer futurity is the very resistance to the state that we attempt in our retelling of histories such as these.

Notes

1. I use pseudonyms in this article in order to preserve some level of privacy for queer prisoners who, at least in the moments of their lives that I am able to see in the archive, likely would not have wanted to be publicly associated with queerness. I do not believe it is my place or my role as a researcher to project present day increased cultural acceptance of LGBT individuals onto a historical time when being "outed" as queer would likely have been traumatic or shameful. I want to avoid perpetuating violence in the retelling of their stories.

2. Alcatraz Hospital Psychiatric Report for Lawrence Daly, 30 December 1947, Box #375, Record Group #129, Records of the Bureau of Prisons, United States Penitentiary Alcatraz Inmates Collection, San Francisco National Archives, San Bruno, California.

3. Marika Cifor (2017) introduces the concept of "liveliness" in archives as a term like animacy—that "captures the complex intra-relations and co-constitution of all these agents and their roles as producers and as productions of feeling, activity, intensity, and sensation" (10).

4. This methodology sits within the broader literature of Critical Archival Studies. See, Michelle Caswell, Ricardo Punzalan, and T-Kay Sangwand (2017), Jamie Ann Lee (2017), and Anne J. Gilliland and Michelle Caswell (2016).

5. While "archives" may refer to both the records and the buildings within which they are housed, I refer specifically to the files and the individuals who built them.

6. It is not uncommon for researchers to ask questions of the archive; research questions are quite standard. However, crafting interview questions—like one would formulate to interview a living individual—can prompt different questions. Asking questions of the archive and asking questions of a subject may yield different questions and different understandings of what information is possible to find.

7. Mark Jordan (1997) emphasizes a similar concept of letting the past speak for itself in his work *Invention of Sodomy in Christian Theology*.

8. For an analysis of state power and control over the archive, see Jacques Derrida (1995).

9. In this paper I use the terms “queer” and “homosexual” in a way that may feel interchangeable. I do this to both acknowledge the clinical labeling of identity by the state, but also to reframe these “homosexual” identities in a way that fits the framework of queer history in order to connect this past to its ever-changing present.

10. United States Penitentiary Leavenworth Board of Examiners Report for Henry Jones, 9 February 1938, United States Penitentiary Leavenworth Inmate Files.

11. Henry Jones’ “emphatic denial” is noted in his Leavenworth Admission Summary. See United States Penitentiary Leavenworth Inmate Files.

12. I refer to “queer subjects” in this article, however the status of “subject” can be one of objectification and dehumanization. I will refer both to “subjects” and “kin” throughout this article to highlight this potential shift in language so that we might find more human ways to refer to individuals in the archive.

13. Instead of first focusing on the institution as a barrier, I take the lead of the queer individuals within the institutional archive who often present their own critiques and resistance to the institution. As historians, our analyses of institutional power are at risk of centering presentist ideas of those institutions. By following the voices of those within the institution, we can determine what the “on the ground” critiques of power were and place our analyses in that context. Michel Foucault (1972) notes this dynamic of presentism in *The Archeology of Knowledge*, explaining that placing histories in modern contexts is an act of narcissism.

14. A researcher will often find themselves in a small, glass box, watched over by an archivist in a booth pointing towards them. Every move is subject to surveillance. Emotional experience—such as crying, laughing, or exclaiming in any fashion are typically considered to be disturbances. Research rooms also mirror the racial and gender dynamics of everyday life. As Ashley Farmer (2020) explains in her article “Archiving While Black,” Black historians often experience alienation in the archive, feeling “out of place.” She explains that these dynamics shape academic work and impact whose research is supported. It is more difficult to access kin relationships in the archive when you are being surveilled, and when you are already considered unwelcome in the space.

15. As much as a past can really be “known.” Here I refer to knowledge as access; identification with queer history tends to rely upon availability of information, such as books, documentaries, personal relationship, etc.

16. Postal crimes fell under “obscenity” laws which criminalized the purchase and dissemination of sexually explicit material.

17. Because sodomy law was, in part, sustained by moral reprehension, “reform” involved psychiatric “progress” (proving heterosexual mindset) as well showing adequate disinterest in other male inmates.

18. Cal. Welf. And Inst. §§ 5500-5516 (1939), amended Cal. Welf. And Inst. Code §§ 5500, 5502, 5502.5, 5512, 5514, 5515, 5516 (1947).

19. *People v. Barber*. 3 Cal.App.2d 124 (Cal. Ct. App. 1934) 38 P.2d 798.

20. Family histories in these files included the occupations and backgrounds of mother, father, siblings, and other extended family, if that information was available. Often, as was in the case of USP Springfield prisoner Richard Campbell, information about childhood personality and upbringing were included in order to get a picture of the individuals’ mental state. Attempts were often made to connect an individuals’ “homosexual tendencies” to failures of their parents, or other abnormalities in their childhood and adolescent lives.

21. This case would be built using family histories, psychiatric reports, medical reports, case testimony, as well as other documents that may have referenced the sexual activity or sexual mindset of the prisoner.

22. Importantly, shifting to a consideration of kinship in the archive does not remove author bias. It can,

however, reframe the discursive possibilities of the recovered voices. This shift also does not disappear power dynamics between researcher and subject. If we could interview these individuals in person, the space of freedom and unfreedom between us would have mattered, and it still matters now.

23. Ephemeral materials refer to fleeting, non-reproducible moments or objects of queer experience such as t-shirts, flyers, sexual paraphernalia, etc. In the prison, such casual, individualistic items are not allowed, meaning that what is left behind in the archive is often without any hint of the ephemeral trappings of traditional queer life during the 1930s-1950s.

24. The closest traces of ephemera in federal prison archives are unsent letters to loved ones. Letters wherein individuals expressed, candidly, their sorrows, joys, and griefs; wherein they reiterated their innocence, and firmly critiqued their physical and emotional maltreatment behind bars. The letters in the prisoner files were never sent; they were apprehended and discarded. Today, I read these letters as a queer researcher and cannot help but to feel affectively impacted by their contents.

25. This pattern is evident in sodomy prisoner files from Chillicothe, Atlanta, Alcatraz, Lewisburg, Springfield, Philadelphia, Leavenworth, Terre Haute, and McNeil Island Federal Penitentiaries.

26. For more on affective connections with the archive, see: Marika Cifor (2015), Marika Cifor and Anne J. Gilland (2016), Lynette Russell (2018), and Ann Cvetkovich (2003).

27. Achille Mbembe (2002) discusses the power structures of the archive in his article "The Power of the Archive and its Limits." See also, Joan M. Schwartz and Terry Cook (2002).

28. Oftentimes archivists are well trained in assisting individuals with ancestry projects as that tends to make up the majority of visitors to many archives. When queer individuals come to the archive to find kin, there is not a ready framework for doing so.

29. Here I refer to family history narratives written by prison administrators based on known family history. These histories were used to further criminalize and pathologize queer inmates, whereas traditional ancestry projects are typically compiled to promote family belonging. Family histories of queer inmates promoted un-belonging to heterosexual, "healthy" society.

30. Jarrett M. Drake (2019) explains that archival praxis in the United States has a "family fetish" in that the archives are structured and used to "facilitate kinship and citizenship ties." Of course, archives are constructed to benefit some families over others, primarily white families. In order for genealogical research to occur, institutions had to have considered individuals' lives worth recording, as well as considered those individuals citizens and humans. Institutional racism often precludes genealogical research. Drake notes that "it is within the archive that the subject becomes a citizen, fully aware of the benefits guaranteed in the legal system(s) designed for her enjoyment."

31. So often families—especially during the 1930s-1950s when the subjects I speak of lived—sought to downplay their family members' nonnormative sexuality instead of celebrating it. Our methods can be celebratory.

32. I consider the process of re-archiving to be in the spirit of Jaime Ann Lee's (2017) conceptualization of a "queer/ed archival methodology" which "allows archivists to co-create that home space for non-normative bodies and histories to settle and unsettle, to move and be moved, to be legible and intelligible" (17).

33. Note from Alan Powell to Alcatraz Deputy Warden Cecil J. Schuttleworth, 1936, United States Penitentiary Alcatraz Inmate Files.

34. United States Penitentiary Alcatraz Prison Physician Meeting Request Form from Alan Powell, 30 November 1934, United States Penitentiary Alcatraz Inmate Files.

35. Ibid.

36. I think here of artist Fred Wilson who puts museum artifacts into different configurations to decolonize the narrative of the museum and to make visible histories of racism.

37. The Tuskegee and Guatemala syphilis experiments occurred in 1932-1972 and 1946-1948 respectively, which falls within the time frame of this paper. The United States inflicted these experiments on populations of marginalized people, such as African Americans, prisoners, sex workers, and mental patients. Forced sterilizations of homosexual men, too, occurred during this time, with one victim being Lawrence Daly, who is referenced in this paper.

38. Researchers do often rearrange, group, and pair documents during the research process. I suggest, however, an intentional method of rearrangement specifically oriented towards kinship: a re-archiving process that more closely resembles creating a family album or scrapbook than reorganizing for research purposes. This method honors the emotional process of queer research that is as much about the researcher's relationship to the subject as it is the final product shown to the public.

39. In the vein of informed speculation, Anne J. Gilland and Michelle Caswell (2016) discuss "imagined records" as a way to describe records known or assumed to exist, but that are—for one reason or another—inaccessible or hidden. These "imagined records" represent a "theoretical openness to alternate constructions of the nature and authoritativeness of the record and explicit consideration of the nature and role of affect" (71).

40. Nan Alamilla Boyd (2008) also explains, though, that oral histories are not without the potential of the historian to silence the subject. This method does not evade this possibility, even in its queer iterations.

41. Books such as Allan Bérubé's *Coming Out Under Fire* (1990) detail the constant criminalization from the state and the resistance of queer people in the face of it.

42. United States Penitentiary Terre Haute Special Progress Report for Thomas Cunningham, 8 March 1943, United States Penitentiary Terre Haute Inmate Files.

43. Daniel Rivers (2012) explains that self-disclosure and self-documentation were important tools in the early 1900s for queer individuals. He explains that "the importance of self-documentation itself is rooted in lesbian and gay liberation" (65).

44. Report of Custodial Officer Regarding Thomas Cunningham, July 1945, United States Penitentiary Terre Haute Inmate Files.

45. Karen Krahulik (2012) demonstrates this method in her article "Remembering Provincetown" in which the snowball method leads her to interview a queer individual who she had previously assumed was straight and therefore did not initially seek out.

46. United States Penitentiary Springfield Special Progress Report for Eddie Ramirez, 12 January 1946, United States Penitentiary Terre Haute Inmate Files.

47. Photograph of Lawrence Daly, 1947, United States Penitentiary Alcatraz Inmate Files.

48. Letter from Herbert Gordon to his Sister and Brothers, 21 March 1940, United States Penitentiary Alcatraz Inmate Files.

49. Herbert Gordon attempted to correspond with his sister on several occasions, however, not all letters were sent. The only letters that remain in the archive are the letters deemed inappropriate, such as ones that criticized how inmates were treated, or that casted doubt on individual diagnoses or charges. This was the case in Gordon's letters, particularly one penned in March of 1940 in which Gordon complained about the subpar and even neglectful medical treatment he was receiving while incarcerated at USP Alcatraz.

50. Letter from Herbert Gordon to the Adjutant General, 11 January 1942, United States Penitentiary Alcatraz Inmate Files.

51. Scholars of Feminist Science and Technology Studies undertake these questions of knowledge production, particularly regarding who is considered a "knower" and how knowledge is produced by and about subjugated peoples. See Donna Haraway (1988) and Sandra Harding (2012).

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