

A COLLECTION UNDER CONSTRUCTION:  
TRANS-VERSING ACCESS WITH THE TRANNY FEST COLLECTION

by

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## **Abstract**

A Collection Under Construction: Trans-versing Access with the Tranny Fest Collection

Master of Arts, 2018

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The San Francisco Transgender Film Festival, formerly known as Tranny Fest, was the first trans film festival in North America, having been founded in 1997. The Tranny Fest Collection (2006-26) is held by the GLBT Historical Society Archives & Museum, and contains one hundred and sixty-nine video and audiotapes, which have gone unprocessed since their deposit in 2006. This thesis examines the barriers to access faced by the Collection primarily using a radical empathy archival framework, as theorized by Michelle Caswell and Marika Cifor, in order to reveal the power dynamics at play when archiving intersectionally marginalized collections and the resulting ethical responsibilities. Through an exploration of the Collection's dubious legal ownership, copyright complications and preservation issues, this thesis aims to provide solutions to improve the overall accessibility of the tapes in the Tranny Fest Collection, and similarly marginalized collections.

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The word “tranny” is used throughout this thesis, in reference to the San Francisco Transgender Film Festival’s original name, Tranny Fest, and the subsequent archival collection of the same name. This is done in an attempt to respect the original intentions of festival founders Christopher Lee and Alex Austin. I want to acknowledge this word’s status as a slur against people of trans experience, and the deep trauma and hurt that is coupled with its use. To my fellow siblings of trans experience, I love you and I stand with you.

## **1. Introduction**

In 2006, the founders and technical director of Tranny Fest, now known as the San Francisco Transgender Film Festival, donated a collection of festival material to the GLBT Historical Society. The collection went unprocessed until 2012, when the GLBT Historical Society received a grant from the National Historical Publications and Records Commission allowing them to process and release finding aids for a number of collections. During processing it was discovered that when the collection had been donated six years prior, the Historical Society had not obtained a proper deed of gift for the collection, and thus did not legally own it. Processing of the collection ceased, but a finding aid was still released that reflected the partial processing of the collection. In the six years since, attempts to gain ownership of the collection have gone unresolved.

Though the collection has been accessed a handful of times by researchers, the videotapes in the collection have never been accessed or surveyed, with many being stored in non-archival containers or not stored in a container at all. Many of the tapes are rare or works-in-progress and the collection gives a unique glimpse into the emergence of trans-made moving image works from all over the world. Due to the instability of their format, the videotapes in the collection are at a serious risk of loss or degradation unless digitized, regardless of their current condition. Unfortunately, due to the nature of the collection, The Archives does not hold copyright to the tapes in the collection and cannot legally digitize them or make them widely available. This combination of legal and preservation issues has compounded to make the

collection difficult to access and complicated to resolve. As a result, the collection has become neglected within The Archives.<sup>1</sup>

The issues faced by the Tranny Fest Collection are not unique, especially for a community archive. It is very common for collections to go unprocessed for years, even at larger archives. Within the GLBT Historical Society Archives, the Tranny Fest Collection is only one of many collections that have ownership and preservation issues that are affecting their wider access. The reasons for this are numerous and stem from larger problems related to the technology and expertise available at The Archives, as well as the funding, management, policies and priorities of the Historical Society more broadly. This begs the question: How can the GLBT Historical Society rectify the major barriers to access facing the Tranny Fest Collection and how can the Historical Society further prioritize marginalized collections within the Archive?

I ask this question primarily using a radical empathy framework as laid out by Marika Cifor and Michelle Caswell in “From Human Rights to Feminist Ethics: Radical Empathy in the Archives,” which breaks down the web of relationships the archivist has to the record creator, subject and community and the ethical responsibility that goes with each relationship.<sup>2</sup> Cifor and Caswell’s model propose a shift in archival ethics that sees the archivist carefully considering each of these relationships, and using a feminist ethics of care to inform how the archivist tackles each relationship. The radical empathy archival framework asks the archivist to

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<sup>1</sup> Throughout this paper I refer to the “Historical Society” and the “Archives.” Though the GLBT Historical Society initially functioned primarily as an Archive, it now includes a Museum as well. When referring to the “Historical Society” I am referring to the organization as a whole, as opposed to when I refer to the “Archives” I am referring solely to The Archives underneath the umbrella of The Historical Society.

<sup>2</sup> Michelle Caswell and Marika Cifor, “From Human Rights to Feminist Ethics: Radical Empathy in the Archives,” *Archivaria* 81 (Spring 2016): 23-43.

consider how decisions around appraisal, preservation and access affect the record creator, record subject, and affected community individually and as a whole. As a community archive, the GLBT Historical Society is more aware of these relationships than many major archives and the trust of the LGBT+<sup>3</sup> community is vital to the continued operation and importance of the organization. In addition to Cifor and Caswell's radical empathy archival framework I also draw upon Ann Cvetkovich's theory around the "archive of feelings."<sup>4</sup> The "archive of feelings" sees the LGBT+ archive as an archive of trauma that is tasked with preserving emotional memory. As an LGBT+ community archive, the GLBT Historical Society documents and preserves feelings of intimacy, love and trauma. Records that document these types of feelings require the same radical empathy archival framework, particularly in regard to feelings of trauma, as the archivist needs to take into account how access to each record could affect the record creator, subject and affected community.

Over the course of the past thirty-three years the Historical Society has grown with its community, sometimes even before the rest of the community caught up. The Archives faces the same challenge it always has with more collections than it has space or resources, but the organization has also entered a new phase of professionalization which comes with a new set of responsibilities. These include ensuring that The Archives not only accurately represents a wide variety of people who make up any number of gender and sexual experiences, but also that those who are intersectionally marginalized under that umbrella are being prioritized and

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<sup>3</sup> Throughout this paper I use LGBT+ as a catchall term for a community comprised of people of various marginalized sexual and gender identities. My intent when using this term is to reflect that not everyone in this community fits under the letters L, G, B or T and I wish to include everyone that extends beyond that.

<sup>4</sup> Ann Cvetkovich, "In the Archive of Lesbian Feelings," in *An Archive of Feelings* (Durham and London: Duke University Press, 2003): 239-72.

do not continue to operate on the margins of the community. The access and preservation problems faced by the Tranny Fest Collection are fixable but exemplify larger issues surrounding intersectionally marginalized collections in the Archives. These issues can best be addressed using a radical empathy archival framework that considers The Archives' relationship and ethical responsibility to their record creators, subjects, and affected community.

This thesis is broken up into six major components. The first section looks at the history of Tranny Fest as a festival in order to provide context for the collection and how the festival is situated within a larger canon of transgender film festivals and the emerging trans film scene in the early 1990s-2000s. The second introduces the Tranny Fest Collection (2006-26) as a collection and how it came to The Archives. The third section examines the history of the deed of gift and the evolution of transfer of ownership in cultural heritage institutions, and how The Archives can assert physical ownership of the collection without a deed of gift. The fourth section looks at the copyright standing of the collection, how U.S. copyright law complicates access to the collection – without necessarily outright blocking it – and how the Historical Society can use the exemptions set out for libraries, archives and educational institutions to provide wider access to the collection. The fifth section focuses on the dire situation the tapes in the collection will soon be in if they are not digitized, due to their unique content, unstable format and short lifespan. The sixth section looks more broadly at how the Historical Society has grown to better serve marginalized populations since its founding, and how it can reprioritize to ensure that intersectionally marginalized collections, much like the Tranny Fest Collection, are not falling by the wayside once they have entered The Archives. This thesis

concludes with a summary of recommendations for future improved access to the Tranny Fest Collection, which could be applied to other similarly complicated collections.

## **2. Literature Survey**

This literature survey examines material relevant to the access and preservation of the Tranny Fest Collection at the GLBT Historical Society Archives and Museum. The literature has been divided into five sections: access and archives, copyright and archives, power and ethics in the archive, LGBT+ archival material and practice, and legal ownership in archives.

### **2.1 Access and Archives**

Rick Prelinger defines access to moving image archival material as “a spectrum of possible use, ranging from in-house viewing to full online availability with reuse permission – from scholarly use to uninhibited public use.”<sup>5</sup> These texts examine access to archival material and the potential that public history access has to empower the marginalized, rather than reinforce power structures. As pointed out by Prelinger in “Archives and Access in the 21<sup>st</sup> Century,” archives — moving image archives in particular — have not only historically favoured preservation over access but have idealized their roles as gatekeepers and used it as a way to legitimize their work.<sup>6</sup> Prelinger advocates for information professionals to fight against barriers to access, rather than folding to the status quo.<sup>7</sup>

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<sup>5</sup> Rick Prelinger, “Archives and Access in the 21<sup>st</sup> Century,” *Cinema Journal* 46, no. 3 (Spring 2007): 115.

<sup>6</sup> *Ibid.*, 115.

<sup>7</sup> *Ibid.*, 118.

Providing access extends past the physical ability to view materials to the conditions, policies and practices that affect that access. Archivists must embrace greater responsibilities in order to properly serve their stakeholders. Further, archivists have a relationship not only to their users and their record creators, but also their record subjects and their larger effected communities. Traditionally, these relationships have not been equally weighted, or even considered, in archival theory. As Michelle Caswell and Marika Cifor argue, archivists must consider all of these relationships and empathize with all effected parties in order to ethically perform their duties, and thus provide a more radical form of access.<sup>8</sup> Luke Bacon looks at the more practical responsibilities archivists must undertake to provide access. These include using description and making their records findable, enhancing already existing systems using technology, and ensuring that donors are aware of the access needs of users when creating donor agreements.<sup>9</sup>

As a counter-archival practice, community archives challenge existing archival practices; their mandates often expressly empower the marginalized communities they represent, rather than exclude access to the materials. Interference Archive in Brooklyn is an example of this, as it provides radical access to their archival collections in a manner more closely resembling a library's open stacks than a traditional archive. The authors of "Archives, Education and Access: Learning at Interference Archive" criticize the traditional archive and its use of credentials as a

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<sup>8</sup> Michelle Caswell and Marika Cifor, "From Human Rights to Feminist Ethics: Radical Empathy in the Archives," *Archivaria* 81 (Spring 2016): 23-43.

<sup>9</sup> Luke Bacon, "A Sea of Kites: Pushing Access to Archives with Progressive Enhancement," *Archives and Manuscripts* 42, no. 2 (2014): 151-4.

condition of access and the prioritization of preservation over access.<sup>10</sup> This is far from being the first such criticism of the traditional archive. The study of community archives and their practices are relatively new within archival studies. The second edition of *Currents of Archival Thinking* includes a chapter by Rebecka Sheffield on this topic. Sheffield traces how community archives emerged as sites of resistance, particularly for marginalized communities that had previously been excluded from the historic record. She also breaks down the priorities and fears of community archives and how those impact their policies and practices, such as the emphasis on independence, even when the result is languishing collections.<sup>11</sup>

Though access to archival records is important for all groups of people, libraries and archives often do not consider how trans users might be adversely affected or how policies and practices may need to be adapted to accommodate them. Trans people are more likely to come up against environmental or structural barriers like gender segregated washrooms or staff who have not been adequately trained on how to best serve trans users. Bleue J. Benton and Sharon Grimm's case study of the Oak Park Public Library examines both collection development for trans people, but also how staff and facilities affect access to information for trans people.<sup>12</sup> K.J. Rawson has also written about his own experiences with environmental barriers as a trans user.<sup>13</sup> Just as inadequate description adversely affects access more generally, inadequate or incorrect description is an especially common problem with trans collections. Trans collections

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<sup>10</sup> Bonnie Gordon, et al., "Archives, Education, and Access: Learning at Interference Archive," *Radical Teacher* 105 (Summer 2016): 60.

<sup>11</sup> Rebecka Sheffield, "Community Archives," in *Currents of Archival Thinking*, 2<sup>nd</sup> ed., eds. Heather MacNeil and Terry Eastwood, (Westport: ABC-CLIO, LLC, 2017): 351-76.

<sup>12</sup> Bleue J. Benton and Sharon Grimm, "When Collections Development Leads to Staff Development: The Transgender Resource Collection," in *Serving LGBTIQ Library and Archives*, 310-18.

<sup>13</sup> K.J. Rawson, "Accessing Transgender // Desiring Queer(er) Archival Logics," *Archivaria* 68 (September 2009): 123-40.

are often not described as such by their institutions, making them unfindable for users looking for trans specific content. Trans collections are sometimes described using terms that are offensive or no longer in use. More often trans collections are described using terms primarily used, or created, by white trans people, which are not effective or appropriate when describing people who would not use those terms. Rawson also interrogates this idea, bringing up how this is especially a problem for communities of colour that are more likely to be described using terms they do not identify with, effectively erasing them.

## **2.2 Copyright and Archives**

Copyright law has a major effect on archives' ability to preserve and provide access to their materials. The current exceptions for libraries and archives under U.S. law are severely lacking and require reform that is clear, adaptable, and allows archives to carry out their work with little impairment. Current law forbids copying of material that is not considered to be "obsolete" or copies considered to be illicit, even if the copying is done as a form of preservation. Illicit copies cannot even be legally loaned or distributed, regardless of the rarity of the material contained on the copy. Current law also forbids exhibition or publication of material without explicit permission from the copyright holder(s), which includes posting the material online. Not only can digitized materials not be made available online, they cannot even be made available offsite, or made available to the public. Archives are not allowed to systematically digitize content they do not own the rights to as a form of substituting it. They also cannot copy or digitize orphan works where a copyright holder cannot be found, as this is not supported under U.S. law. Certain works cannot even be copied in order to provide access to remote users, forcing archives to adhere to more traditional and elitist forms of access. Even

if a work is sufficiently damaged, a library or archive cannot copy that work if another copy can be found “for a reasonable price.” Section 108 has not received a proper update that account for the new ways that libraries and archives use and disseminate digital objects. Though authors like William J. Maher lay out the basics of what Section 107 and 108 dictate, and how the law applies to an archivist’s duties, other authors like David R. Hansen and Stef van Gompel and P. Bernt Hugenholtz explore what copyright reform could look like. David R. Hansen points out the ways that Section 108 does not address issues like the right of first sale for digital objects and the need for Section 108’s exceptions to be easily readable and implementable so that librarians and archivists are able to interpret and enact it without requiring outside legal help.<sup>14</sup> In addition to the more general need for copyright reform, the United States does not have any form of orphan works legislation. Orphan works occur primarily from a lack of information, and since there is no formal legislation protecting libraries and archives from making these works accessible, the responsibility lies with the record creator. van Gompel and Hugenholtz propose that publicly accessible rights databases, wide adoption of creative commons licenses, extended collective licensing and indemnity organizations could be used to help identify original record creators. They also suggest that the government could implement an administrative body or program that could evaluate orphan works submitted with due diligence from the institutions, much like the Copyright Board of Canada allows.<sup>15</sup>

Unfortunately, even in countries where this option is available, the process of attempting to track down rights holders and proving due diligence is extremely labour intensive. An in-depth

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<sup>14</sup> David R. Hansen, “Copyright Reform Principles for Libraries, Archives, and Other Memory Institutions,” *Berkeley Technology Law Journal* 29 (2014): 1563.

<sup>15</sup> Stef van Gompel and P. Bernt Hugenholtz, “The Orphan Works Problem: The Copyright Conundrum of Digitizing Large-Scale Audiovisual Archives, and How to Solve It,” *Popular Communication* 8 (2010): 67.

study done by Dharma Akmon reveals how extensive the labour required by the archive really is.<sup>16</sup>

As it stands, archives are severely limited in their ability to exhibit materials, provide online access or preservation, and provide access to holdings where legitimacy is unclear. Restrictions on the duplication of formats due to “obsolescence” disproportionately affect the preservation and dissemination of magnetic tape collections. The law’s view on what counts as obsolescent does not effectively take into account the rapid degradation of magnetic tape formats or the dwindling availability of equipment and expertise. A group of archivists and lawyers produced “Video At Risk: Strategies for Preserving Video Collections in Libraries” in an attempt to provide clearer recommendations and guidelines for librarians and archivists to preserve their tape collections in accordance with the law.<sup>17</sup> Regardless of the obsolescence of their format, however, “illicit” copies of tapes can never be legally copied, which has wider implications when these enter archives or are the only available copies. Byers and VanderBurgh write about their own experiences of this problem as academics who have consulted illicit copies when legitimate copies were unavailable.<sup>18</sup>

Today the majority of archives struggle with having more materials to preserve than they have resources. Few archives can afford to spend time, or money, tracking down rights holders or applying for orphan works status. Even attempting to work with current legal framework

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<sup>16</sup> Dharma Akmon, “Only With Your Permission: How Rights Holders Respond (Or Don’t Respond) to Requests to Display Archival Materials Online,” *Archival Science* 10, no. 1 (2010): 45-64.

<sup>17</sup> Howard Besser, et al., *Video At Risk: Strategies for Preserving Commercial Video Collections in Libraries*, PDF, New York: New York University Libraries, December 2012.

<sup>18</sup> Michele Byers and Jennifer VanderBurgh, “Trafficking (in) the Archive: Canada, Copyright and the Study of Television,” *ESC: English Studies in Canada* 36, no. 1 (March 2010): 109-26.

results in extensive labour on behalf of the archive. Over time institutions have become risk-averse and adopted policies that are safe legally, regardless of the impact on the accessibility or preservation of the collections. Without extensive reform or creative reinterpretation, many collections will remain inaccessible and/or in precarious condition.

### **2.3 Power and Ethics in the Archive**

As an institution, archives have traditionally upheld existing power dynamics. Howard Zinn most notably called out the archival profession for this in the 1970s, stating, among other things, “[archives] glorify important people, powerful people, military, political, and business leaders, to keep obscure the lives of ordinary people in the society. To maintain such archival biases requires no malfeasance on the part of archivists, only passivity, only falling into the lines already set by the dominant trends of the profession.”<sup>19</sup> This initial criticism has slowly resulted in increased inquiry into power dynamics in the archive and a call for a new code of archival ethics. Archives have historically been a way of documenting and maintaining power. As a result, archives also corrupt the historical record by focusing on the most privileged people. Terry Cook and Joan Schwartz build on this idea put forth originally by Howard Zinn, to interrogate the archive as a social construct and how this construction impacts collective memory.<sup>20</sup>

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<sup>19</sup> Howard Zinn, “Secrecy, Archives, and the Public Interest,” *The Midwestern Archivist* 2, no. 2 (1977): 25.

<sup>20</sup> Joan M. Schwartz and Terry Cook, “Archives, Records, and Power: The Making of Modern Memory,” *Archival Science* 2 (2002) 1-19.

One of the main tenets of archival ethics is the archivist as a neutral or impartial third party.<sup>21</sup> Though well intentioned, this kind of view serves to reinforce power dynamics, rather than disrupt them. Anne Gilliland goes so far as to call archival neutrality a “professional illusion.”<sup>22</sup> Rather than ignoring the great power that is held by archives, archivists should instead embrace the power the archive holds and attempt to use that power for good. Randall Jimerson fully advocates that archivists have to “abandon our pretense of neutrality”<sup>23</sup> and that archives must commit to documenting a wide range of experiences. He points out that the historical erasure of marginalized groups on behalf of the archive is the main reason that marginalized communities do not trust the archive to accurately represent or interpret them and have instead elected to open their own archives.<sup>24</sup>

Though archives have been used to retain and reinforce power and control, they have also been used to keep governments accountable. Both Jimerson and Richard J. Cox highlight the importance of the archivist as a whistleblower and the power of the archival record to reveal truth, particularly in the case of truth commissions.<sup>25</sup> Archivists have an increasing responsibility to champion social justice and equity within their organizations, but also to ensure that they are using the power of their records to hold governments and organizations accountable. Jimerson advocates for archivists to champion social justice and accountability through the combination of objectivity, rather than neutrality, with political activism and

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<sup>21</sup> Anne Gilliland, “Neutrality, Social Justice and the Obligations of Archival Education and Educators in the Twenty-First Century,” *Archival Science* 11 (2011): 196-7.

<sup>22</sup> *Ibid.*, 197.

<sup>23</sup> Randall C. Jimerson, “Embracing the Power of Archives,” *The American Archivist* 69, no. 1 (Spring-Summer 2006): 28.

<sup>24</sup> *Ibid.*, 31.

<sup>25</sup> Randall C. Jimerson, “Archives for All: Professional Responsibility and Social Justice,” *The American Archivist* 70, no. 2 (Fall-Winter 2007): 264.; Richard J. Cox, *Ethics, Accountability, and Recordkeeping in a Dangerous World* (London: Facet Publishing, 2006): xxxviii-xl.

equity.<sup>26</sup> Cox looks more widely at the archivist and records manager's role in a post 9/11 world and encourages the archivist to subvert power through resisting oppressive government policies and regimes and serving as whistle blowers in such instances.<sup>27</sup> Archivists need to be prepared to serve, represent, and interpret a wide variety of users and record creators and create policies that reflect these responsibilities. The University of California, Los Angeles is the first iSchool to implement a mandatory social justice ethics course that prepares future archivists for these kinds of realities.<sup>28</sup>

Though there has been increasing scholarly inquiry into the power that the archive holds and how that power is wielded since Zinn's initial call to the archival field, there still has not been major reform in the archivist's code of ethics to reflect this and the archival field still hinges on the fallacy of neutrality. In order to properly wield and/or subvert the power held by the archive, the archival field first needs to implement an ethical code that acknowledges that power and instructs the archivist on how to practically deal with it.

## **2.4 LGBT+ Archival Material and Practice**

LGBT+ archives have arisen out of a long history of queer and trans archival material being erased, hidden, buried, burned or otherwise destroyed, on behalf of estates or archival institutions themselves. Aimee Brown examines this history, using a handful of LGBT+ archives and historical societies as case studies, in her chapter "How Queer 'Pack Rats' and Activist

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<sup>26</sup> Randall C. Jimerson, "Archives for All: Professional Responsibility and Social Justice," *The American Archivist* 70, no. 2 (Fall-Winter 2007): 252-81.

<sup>27</sup> Richard J. Cox, *Ethics, Accountability, and Recordkeeping in a Dangerous World* (London: Facet Publishing, 2006).

<sup>28</sup> Anne Gilliland, "Neutrality, Social Justice and the Obligations of Archival Education and Educators in the Twenty-First Century," *Archival Science* 11 (2011): 193-209.

Archivists Saved Our History: An Overview of Lesbian, Gay, Bisexual, Transgender and Queer (LGBTQ) Archives, 1970-2008.”<sup>29</sup> LGBT+ donors cannot ensure that their families will honour their wishes upon their death, and will often turn to LGBT+ archives or collections as a way of ensuring that their records are not lost or purposefully destroyed. The LGBT+ community archive, as custodian of these records, is responsible to its community first and foremost. As a result, LGBT+ archives often have had to adapt archival standard practice to properly serve their communities. One aspect of archival practice that the LGBT+ community archive has “queered” from the beginning has been their collection scope. In the last chapter of her book *An Archive of Feelings*, Ann Cvetkovich examines how LGBT+ archives preserve emotions and experiences, rather than just documents. One of the results of this is that archives end up collecting based on the affect of the material, rather than the literal content. Cvetkovich argues that these materials attempt to preserve feelings of trauma and intimacy in a way that cannot be captured in the traditional archive.<sup>30</sup> This is in stark contrast to the traditional archive, which focuses almost primarily on text and manuscripts. As the records move from being primarily paper-based to digital, archives must also move forward into new, and often uncharted, forms of acquisition. Anthony Cocciolo looks at how LGBT+ archives can adapt donor agreements, particularly for born-digital material, to better serve the LGBT+ community, which is more likely to have unstable online resources.

LGBT+ community archives are often seen as an alternative to the active erasure of LGBT+ experiences on behalf of the archive. More implicit erasure – like tokenization and minimal, or

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<sup>29</sup> Aimee Brown, “How Queer “Pack Rats” and Activist Archivists Saved Our History,” In *Serving LGBTIQ Library and Archives*, 123.

<sup>30</sup> Ann Cvetkovich, “In the Archive of Lesbian Feelings,” in *An Archive of Feelings*, (Durham and London: Duke University Press, 2003): 241.

inadequate, description – have a legitimate effect on how people from marginalized communities actualize themselves. Michelle Caswell, Alda Allina Migoni, Noah Geraci and Marika Cifor demonstrate this through interviews with people from effected communities that have first-hand experience of lacking or inaccurate archival representation.<sup>31</sup> Charles E. Morris also looks at this impact in “Archival Queer,” concluding that the survival and accessibility of LGBT+ archival material directly influences how present day trans and queer people see themselves and construct their own identities. Most of these texts use the GLBT Historical Society as a case study, often as an effective example of an LGBT+ Archive. Gerard Koskovich and Don Romesburg look more specifically at how the Historical Society, and the museum in particular, has been an outlier in its inclusive and radical curatorial practice and early adoption of trans material and narratives.<sup>32</sup> To a degree, these stand in contrast to Martin Meeker’s 1999 Archives Review, which openly criticizes the lack of inclusion and diversity at the Historical Society.<sup>33</sup>

Most of the scholarship around LGBT+ archives have been written by cisgender authors and only recently have trans people began to ask their own questions or interrogate current standards and practices. K.J. Rawson is one of the main academics to have done this and he posits the following questions: what counts as transgender? What types of material should be

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<sup>31</sup> Michelle Caswell, et al., “‘To Be Able to Imagine Otherwise’: Community Archives and the Importance of Representation,” *Archives and Records: The Journal of the Archives and Records Association* 38, no. 1 (2017): 5-26.

<sup>32</sup> Gerard Koskovich, “Displaying the Queer Past: Purposes, Publics and Possibilities at the GLBT History Museum,” *QED: A Journal in GLBTQ Worldmaking* 1, no. 2 (Summer 2014): 61-78; Don Romesburg, “Presenting the Queer Past: A Case for the GLBT History Museum,” *Radical History Review* 120 (January 2014): 131-44.

<sup>33</sup> Martin Meeker, “Archives Review: The Gay and Lesbian Historical Society of Northern California,” *Journal of Gay, Lesbian, and Bisexual Identity* 4, no. 2 (1999): 201-204.

archived that document the trans experience? How do we decide what to prioritize and who makes that decision? What privacy concerns are specific to trans material? And how do we confront archival gaps related to trans archival material?<sup>34</sup> These are all important questions to consider when approaching trans collections and in many ways apply to the Tranny Fest Collection specifically.

These texts reveal the tensions between the LGBT+ community and cultural heritage institutions. LGBT+ archival material also requires extra attention to ensure that a) it cannot be destroyed or erased and b) it is accessed in a way that does not out closeted people. As LGBT+ archives and collections grow, the need to adapt collections, facilities and policies, while performing community outreach is of paramount importance.

## **2.5 Legal Ownership in Archives**

As ideas around legal ownership have changed in the past fifty-odd years, archives have been forced to change or adapt their policies and practices to adapt to the changing legal landscape. This primarily happened in the late 1970s-1980s, when a shift in donor motivation, accounting and appraisal standards and legal precedent caused archives to re-evaluate how legal deposit was taking place and how to rectify collections with dubious ownership. The most recent example of the latter is Valerie Harris and Kathryn Stine's "Politically Charged Records: A Case Study with Recommendations for Providing Access to a Complicated Collection" where the authors examine the activities that lead to a complicated collection and what the University of

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<sup>34</sup> K. J Rawson "Introduction: 'An Inevitably Political Craft'" *Transgender Studies Quarterly* 2, no.4 (2015): 544-52.

Illinois at Chicago (UIC) Special Collections did to rectify their own complicated collection.<sup>35</sup> In the case of UIC the Special Collections librarians were able to retain the collection, but this is not always the case; in “On Deposit: A Handshake and a Lawsuit” Ronald L. Becker looks at the fallout when dubious ownership leads to legal trouble and the loss of a collection.<sup>36</sup> Lisa Browar looks more broadly at the historical context in changes in deposit, appraisal practices and donor incentives in “An Oral Contract Isn’t Worth the Paper It’s Printed On” imploring archives to not accept deposits that it does not have legal title to.<sup>37</sup> Finally, Trudy Huskamp Peterson’s “The Gift and the Deed” gives an overview of what makes up a deed of gift and how ownership can be legally transferred from the donor to the repository.<sup>38</sup>

There is little recent scholarship in archival publications on legal issues in archives, particularly for legal issues not directly related to copyright. Today, most journals largely focus on digital curation and preservation and most large and/or established archives have firm policies in place mandating that a deed of gift be signed before a collection even enters the premises. Today, ownership issues in the archive are almost solely faced by community archives and the lack of recent scholarship reveals the implicit bias against community archives in the information field. These texts reveal the historical context of ownership transfer in cultural

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<sup>35</sup> Valerie Harris and Kathryn Stine, “Politically Charged Records: A Case Study with Recommendations for Providing Access to a Complicated Collection,” *The American Archivist* 74, no. 2 (Fall/Winter 2011): 633-51.

<sup>36</sup> Ronald L. Becker, “On Deposit: A Handshake and a Lawsuit,” *The American Archivist* 56, no. 2 (Spring 1993): 320-8.

<sup>37</sup> Lisa Browar, “An Oral Contract Isn’t Worth the Paper It’s Printed On,” *Rare Books and Manuscripts Librarianship* 6, no. 2 (Fall 1991): 100-7.

<sup>38</sup> Trudy Huskamp Peterson, “The Gift and the Deed,” *The American Archivist* 42, no. 1 (January 1979): 61-6.

heritage institutions yet also reveal that even large institutions are not immune to the legal risk associated with undocumented collections.

### **3. Methodology**

#### **2.1 Collection Survey and Assessment**

Upon my arrival at the GLBT Historical Society Archives none of the audiovisual material in the Tranny Fest Collection had been surveyed or assessed. Though correspondence indicates that The Archives was supposed to receive an inventory of the tapes included with the collection, this never materialized.<sup>39</sup> As a result, my preliminary work included surveying the entirety of the audiovisual material in the collection. The purpose of the survey was twofold: 1) to determine what kind of material was in the collection and the relationship between the films versus the festival and 2) to fill in a gap in documentation of the collection in order to facilitate future access and use. My survey gathered information on the title, filmmaker(s), length, location of production, year of production, year screened at festival (if applicable), production company and/or distributor, collection format, exhibition format, relation to festival, and any additional notes.<sup>40</sup> My survey also included doing archival research into the primary textual documents in the collection. These textual documents are varied and include past festival programs, correspondence, financial records, submission forms, and programs for other LGBT+ film festivals. I used these documents to get a better picture of how the tapes in the collection fit into the operation of the festival. I cross-referenced any identifying information on the tapes with past festival programs and correspondence in order to ascertain which tapes actually

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<sup>39</sup> See Appendix VIII

<sup>40</sup> See Appendix I

screened at the festival, and when, and which tapes were submissions. I also cross-referenced the tapes with the original submission forms to fill in any information about the filmmaker(s), film synopsis, country of origin, etc., that was not available in the festival programs, or on the tapes themselves. The results of this initial survey can be seen in Appendix I.

After completing the initial survey, I selected a sample of eleven tapes from the collection, with three to four tapes coming from each carton. In order to try to accurately reflect the collection, I selected ten VHS tapes and one Umatic tape, which closely mirrors the ratio of VHS to alternative formats in the collection. Using information collected during the survey, I also selected films based on their available distribution and/or production information so that films with very little metadata and no distribution were being assessed alongside films that were being actively distributed. Many of the tapes in the collection had very little labeling, often with only the title of the film on the tape, and little to no additional documentation in the collection. These same tapes typically did not screen at the festival and received no distribution. As a result, the content on these tapes is rarer and it is typically harder to find the accompanying rights holders. The rationale behind this was that films that were submitted by filmmakers with distribution, and had extensively labeled their tapes, were more likely to have more resources available to them than filmmakers who did not. The availability of resources to filmmakers could in turn affect the films' status as an orphan work, as well as its preservation status.

The sample of tapes was then used to do two separate assessments. The first was a preservation assessment, the results for which are in Appendix X. I condition assessed each tape in the sample for a number of preservation concerns including storage, wind condition, pack condition, mechanical damage, biological damage/contamination, housing condition, and

soft binder syndrome/sticky shed syndrome. The second assessment was of the copyright standing of each item in the sample, which can be seen in Appendix XI. I performed preliminary copyright research into each film in the sample to ascertain if the rights holders could be found.

## **2.2 Internal Documents**

In addition to the research done on the collection itself, I have also consulted internal documentation held by The Archives. The Archives retains collections files, which typically contain a donor agreement, deed of gift and any correspondence between The Archives and the donor(s). In the case of the Tranny Fest Collection, the collection file contains correspondence between former Tranny Fest founder Christopher Lee and the former Operations Manager from the initial donation, a donation agreement signed by Christopher Lee, and correspondence between Shawna Virago and a former Managing Archivist attempting to obtain a deed of gift. I have also reviewed The Archives internal collection management database where all other information on the collection is contained. The collection management system tracks whether copyright has been signed over to The Archives, the historical and/or local value of the collection, whether material has been digitized, the digitization priority, the amount of times the collection has been accessed, who processed the collection, etc. The collection file and collection management system represent the only forms of documented institutional memory about the Tranny Fest Collection. As a result, I have used this documentation to inform my inquiry into the issues facing the collection and have formulated solutions based on it as well.

## **2.3 Precedent-Based Analysis**

As a Canadian doing research in an American institution I had some catch-up work to do in regards to copyright law and transfer of ownership. Though Canada and the United States are now both part of the Berne Convention, they have differing copyright term lengths and have different approaches to fair use/fair dealing. In preparation for writing this thesis, I completed a certificate in Copyright for Librarians and Educators jointly offered by Duke University, Emory University and the University of North Carolina at Chapel Hill, in order to familiarize myself with the differences between the U.S. Copyright Act and the Copyright Act of Canada. Throughout this thesis, all of the problems and solutions I present are based solely on U.S. law, and are not necessarily applicable in a Canadian context. I am not a copyright lawyer and do not purport to be one. Though I posit solutions to legal problems faced by the Tranny Fest Collections, these are from an archivist's perspective, not a lawyer's. The U.S. legal system is heavily based on the idea of legal precedent, or *stare decisis*.<sup>41</sup> As a result, I have based my own analysis on precedent, both legal and archival, and attempted to creatively use precedent to find solutions to problems faced by the Tranny Fest Collection. The solutions offered in this thesis can be used as a resource but should not be misconstrued for legal advice.

#### **4. History of Tranny Fest**

Tranny Fest was established in 1997 by filmmaker and activist Christopher Lee and arts and entertainment lawyer Alex Austin, making it the North America's first ever transgender film

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<sup>41</sup> John M. Walker, Jr., "The Role of Precedent in the United States: How Do Precedents Lose Their Binding Effect?," Stanford Law School China Guiding Cases Project, February 29, 2016, accessed May 21, 2018, <https://cgc.law.stanford.edu/commentaries/15-john-walker/>.

festival.<sup>42</sup> Though the name Tranny Fest was used consistently until 2010, the festival underwent a series of subtitles in its first five years. From 1997-1999 the festival went under “Tranny Fest: Transgender and Transgenre Cinema,” in 2001 it changed to “Tranny Fest: Transgender Film Festival” and in 2003 it was changed again to “Tranny Fest: Transgender Film & Arts Festival.”<sup>43</sup> These name changes likely went unnoticed by the majority of the festival’s patrons, but were significant in that they reveal the identity struggles the festival had in the early years between being a film festival or a cultural festival. Since its inception, the film screenings were always the main event of Tranny Fest, with various ancillary cultural events taking place alongside it. These events varied from year to year, but included panel discussions, mixers, art shows, cabaret performances, costume contests and dances. In the first five years of the festival, the film screening(s) would take place alongside five cultural events. The festival would typically receive over one hundred submissions and screen twenty to thirty films a year, with the exception being in 2001 when fifty-six films were screened.<sup>44</sup> The chart in Appendix II shows the actual number of films that screened during the first five years of the festival.

At the time of Tranny Fest’s founding there was no government or private foundation funding options available for transgender arts, forcing the festival to be completely volunteer-run and funded through a combination of the donor’s own financial contributions and

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<sup>42</sup> “San Francisco Transgender Film Festival,” *San Francisco Bay Times*, accessed January 15, 2018. <https://sfbaytimes.com/san-francisco-transgender-film-festival/>.

<sup>43</sup> Tranny Fest Festival Programs, Tranny Fest Collection, 2006-26, Carton 2, Folder 12-14, GLBT Historical Society Archives & Museum.

<sup>44</sup> The reason for this is not entirely clear. Sixteen of the films that screened at Tranny Fest in 2001 were part of the video lounge, where films were screened on rotation at an alternate venue. This was also the last festival that ran solely under Alex Austin and Christopher Lee, as they co-directed it with Shawna Virago in 2003 before she took over in 2005.

donations from local businesses. Today the festival is funded through a combination of grants, donations and box office revenue.<sup>45</sup>

Under the leadership of Alex Austin and Christopher Lee the festival ran “biennially,” or rather irregularly, taking place in 1997, 1998, 1999, 2001, and 2003. In 2003 Austin and Lee co-directed the festival with Shawna Virago, who had contributed as a filmmaker in previous iterations of Tranny Fest. This was the final festival under Austin and Lee’s leadership, as they transitioned out with Virago taking over as Festival Director the following festival. Starting in 2005, the festival ran annually. The festival was initially titled Tranny Fest until the name was changed to the San Francisco Transgender Film Festival (SFTFF) in 2010.<sup>46</sup> The impetus for the name change was from outcry from the trans community, particularly trans women, who found the name offensive, or gave cisgender people undue license to use the term “tranny,” which is considered a slur by the majority of trans folk. The San Francisco Transgender Film Festival continues to run today under the continued leadership of Shawna Virago. In 2017, it celebrated its twentieth anniversary.

Though the first festival of its kind in North America, Tranny Fest was not the only film festival to focus specifically on films made by and about trans people. Tranny Fest was preceded by only one month by the world’s first trans film festival: The International

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<sup>45</sup> Sari Staver, “SF Trans Film Fest Unveils Largest Program Ever,” *Bay Area Reporter*, October 29, 2016, accessed January 15, 2018, [http://www.ebar.com/arts\\_&\\_culture/movies//205831/sf\\_trans\\_film\\_fest\\_unveils\\_largest\\_program\\_ever](http://www.ebar.com/arts_&_culture/movies//205831/sf_trans_film_fest_unveils_largest_program_ever).

<sup>46</sup> “About Us,” San Francisco Transgender Film Festival, Accessed June 3, 2018, <http://sftff.org/about-us/>.

Transgender Film and Video Festival, which premiered in London, UK in October of 1997.<sup>47</sup>

These were followed shortly in 1998, by Canadian artist and activist Mirha-Soleil Ross who founded Counting Past 2, a Transsexual, Intersex and Transgender Film/Video/Arts' Festival, which was held in Toronto. Similarly to Tranny Fest, festival leadership changed in 2002 when artists Boyd Kodak and Cat Grant took over.<sup>48</sup> In 2000, the Netherlands Transgender Film Festival was inaugurated and ran until 2009.<sup>49</sup> An offshoot of the festival, called TranScreen: Amsterdam Transgender Film Festival, took its place in 2011 with different leadership.<sup>50</sup> In the case of the Netherlands Transgender Film Festival, the initial dissolution was a direct result of a lack of funding, with the second iteration of the festival able to receive more funding as a "start-up."<sup>51</sup> In 2011, the Gender Reel Festival was founded by activist Joe Ippolito.<sup>52</sup> The festival toured throughout the United States, premiering in Philadelphia, and going on to screen in Boston, Minneapolis, St. Paul, Oakland, Durham, Omaha, Houston, Portland, and Long

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<sup>47</sup> Trish Salah, "Notes toward Thinking Transsexual Institutional Poetics," in *Trans/acting Culture, Writing and Memory: Essays in Honour of Barbara Godard*, eds. Eva C. Karpinski, et al. (Toronto: Wilfred Laurier University Press, 2013) Overdrive Edition, 7.

<sup>48</sup> "Counting Past Two," Media Queer, Accessed May 18, 2018, <https://www.mediaqueer.ca/artist/counting-past-two.>; Thomas Waugh, *The Romance of Transgression in Canada: Queering Sexualities, Nations, Cinemas*, (Montreal: McGill-Queen's University Press, 2006): 394-395.

<sup>49</sup> "Thank you for the wonderful memories..." Netherlands Transgender Film Festival, accessed May 18, 2018, <http://www.transgenderfilmfestival.com/>.

<sup>50</sup> "About TranScreen," TranScreen Amsterdam Trans \* gender Film Festival, accessed May 18, 2018 <https://transcreen.org/festival-2015/about-transcreen/>.

<sup>51</sup> Skadi Loist and Marijke de Valck, "Trans\* film festivals: An interview with Eliza Steinbock," NECSUS, November 9, 2013, accessed May 18 2018, <https://necsus-ejms.org/trans-film-festivals-an-interview-with-eliza-steinbock/>.

<sup>52</sup> Susan Cohen, "Gender Reel Festival promotes equity onscreen," *Oakland North*, September 25, 2013, accessed May 18, 2018, <https://oaklandnorth.net/2013/09/25/gender-reel-festival-promotes-equity-onscreen/>.

Beach.<sup>53</sup> The festival's website is no longer in operation, intimating that the final year of the festival was in 2017.<sup>54</sup> In addition, Translations: Seattle Transgender Film Festival was founded in 2005;<sup>55</sup> Divergenti Festival del Cinema Trans has been running out of Bologna, Italy since 2008;<sup>56</sup> the Transgender Film Festival in Kiel, Germany following in 2012;<sup>57</sup> with the Sydney Transgender International Film Festival premiering the following year in 2013.<sup>58</sup> As of 2018, all of these festivals are still in operation.

As one of the first, there is no doubt that Tranny Fest had a big impact on the emergence of transgender film festivals as a separate entity from LGBT+ film festivals. Though LGBT-specific film festivals have been around longer, first emerging in the late 1970s to early 1980s, trans filmmakers and trans subjects were often marginalized or outright excluded from these festivals.<sup>59</sup> Many of the other trans film festivals faced similar obstacles to Tranny Fest, as the majority of the festivals had little to no funding and often heavily relied on volunteer labour. Since most of the festival founders/directors were activists or artists themselves, the festivals were ran as side projects and discontinued or changed leadership once this was no

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<sup>53</sup> "About," Gender Reel Festival, accessed May 18, 2018,

[https://web.archive.org/web/20141101120839/http://genderreelfest.com/?page\\_id=2](https://web.archive.org/web/20141101120839/http://genderreelfest.com/?page_id=2).

<sup>54</sup> The Gender Reel Festival's website: <http://www.genderreelfest.com/> was down when accessed on May 18, 2018 and June 3, 2018.

<sup>55</sup> "Translations: Seattle Transgender Film Festival Takes Off This Weekend," *Broadway World*, May 1, 2018, accessed May 18, 2018, <https://www.broadwayworld.com/bwwtv/article/Translations-Seattle-Transgender-Film-Festival-Takes-Off-This-Weekend-20180501>.

<sup>56</sup> "Divergenti – Festival internazionale di cinema trans," NonSoloCinema, May 11, 2009, accessed May 18, 2018, [http://www.nonsolocinema.com/Divergenti-Festival-internazionale\\_16545.html](http://www.nonsolocinema.com/Divergenti-Festival-internazionale_16545.html).

<sup>57</sup> "Transgender Film Festival 2018," Traumgmbh, accessed May 18, 2018, <http://www.traumgmbh.de/transgender-film-festival/>.

<sup>58</sup> "5th Sydney Transgender International Film Festival September 2018," Cinewest, accessed by May 18, 2018, [http://cinewest.org/welcome/?page\\_id=3192](http://cinewest.org/welcome/?page_id=3192).

<sup>59</sup> Trish Salah, "Notes Toward Thinking Transsexual Institutional Politics," in *Trans/acting Culture, Writing, and Memory*, (Toronto: Wilfred Laurier University Press, 2013) Overdrive Edition, 6.

longer viable. Another aspect of the activist/artist root of trans film festivals was that they were highly political and usually emerged as passion projects. Because the majority of the labour that went into the early years of these festivals was unpaid, it created an environment where trans folk in a place of privilege were doing the bulk of the work, and thus making the key decisions about the operations and curatorial vision of the festivals. Eliza Steinbock speaks about this briefly in an interview about their time working with the Netherlands Transgender Film Festival:

No, there is no paid staff. There never has been, in the previous incarnation as well.

So people are working a full or part-time job, hopefully, but many people are unemployed. I think it is important to know that in the context of transgender issues, trans\* is already considered a precarious at-risk identity. So they will often suffer significantly more from stigmatisation and discrimination that doubly impacts on their ability to have gainful employment. So it is not just about being precarious workers but also about precarious lives [...]

It might seem a little bit glamorous but in fact when people learn about the reality of how many meetings you have to go to, how long are they, and how many unpaid hours of labor it includes, most of it is impossible for people who are living paycheck to paycheck or who otherwise have a lot of things that they have to deal with because they have mental health issues, or their lives are in turmoil in some way or another.<sup>60</sup>

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<sup>60</sup> Skadi Loist and Marijke de Valck, "Trans\* film festivals: An interview with Eliza Steinbock," NECSUS, November 9, 2013, accessed May 25, 2018, <https://necsus-ejms.org/trans-film-festivals-an-interview-with-eliza-steinbock/>.

As a film festival, Tranny Fest emerged at a time when trans people in North America were first starting to carve a place for themselves apart from the LGBT+ community at large. In many ways Tranny Fest was radical in its curatorial practice, particularly in its approach of what counted as trans and, moreover, what counted as a *film*. Tranny Fest's subtitle "Transgender and Transgenre Cinema" was reflective of this. Lee and Austin were not restrictive in their definition of "transgender," including films and filmmakers that were butch, intersex, two-spirit, nonbinary or otherwise gender non-conforming. Lee and Austin would also program erotic films at the festival, usually in their own program near the end of the night, something that would never happen at a traditional festival. As now the oldest, and longest running, trans film festival in the world, the San Francisco Transgender Film Festival has a legacy of creating a space for trans filmmakers and trans images where there was none before.

## **5. The Tranny Fest Collection**

The GLBT Historical Society was founded in 1985 at the height of both the AIDS crisis and the Community Archiving movement of the 1970s and 80s.<sup>61</sup> The founding of the Historical Society is most often attributed to Willie Walker and Greg Pennington, who together formed the San Francisco Periodical Archives.<sup>62</sup> Early talks about the formation of the Historical Society primarily came from a group of white cis gay men, and a few cis lesbians, who were members of the Gay and Lesbian History Project. The formation of the GLBT Historical Society culminated at a meeting at the San Francisco Public Library on March 16, 1985 attended by sixty-three

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<sup>61</sup>Rebecka Sheffield, "Community Archives," in *Currents of Archival Thinking*, 2<sup>nd</sup> ed., eds. Heather MacNeil and Terry Eastwood, (Westport: ABC-CLIO, LLC, 2017): 352.

<sup>62</sup> Linnea Due, "Blame Anita Bryant," GLBT Historical Society, August/September 2015, accessed May 25, 2018, <http://archive.constantcontact.com/fs195/1101960178690/archive/1121805512054.html>.

people.<sup>63</sup> Though the GLBT Historical Society was initially named the San Francisco Bay Area Gay and Lesbian Historical Society, Lou Sullivan – a gay trans man, activist, and founder of FTM International – was one of the founders and initial board members of the Historical Society.<sup>64</sup> Additionally, Susan Stryker, a renowned historian, author, and filmmaker, was the first Executive Director of the GLBT Historical Society from 1999 until 2003.<sup>65</sup> Such significant, and early, involvement from trans people is unusual, as most LGBT+ archives are only just beginning to address their exclusion of trans people in their collection policy, staff and organization name.

In 2006 Tranny Fest festival founders Christopher Lee and Alex Austin, alongside former Festival Technical Director Elise Hurwitz donated the Tranny Fest Collection (2006-26) to the GLBT Historical Society. The collection spans the festival's run from its inaugural year in 1997 until 2003 and is made up of three cartons<sup>66</sup> of graphic and textual material, four cartons of videotapes and one oversize folder of the festival's poster. The collection includes one hundred and sixty-nine tapes, almost all of which are VHS tapes. The remaining six percent of the collection is comprised of Umatic, Betacam SP, Digital Audio Tape, audio cassette and Hi8 tapes.<sup>67</sup> Though most of the tapes only contain a single film, some of the tapes contain two or more submissions, which brings the total individual works to two hundred and four. With one hundred and sixty-nine tapes, the Tranny Fest Collection comprises one of the largest independent transgender audiovisual collections in the world. The tapes in the collection are

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<sup>63</sup> Ibid.

<sup>64</sup> Gerard Koskovich, "In the Archives: Documenting a Gay Transgender Pioneer," GLBT Historical Society, July 2017, accessed May 25, 2018, <http://www.glbthistory.org/2017/07/11/in-the-archives/>.

<sup>65</sup> Anjali Arondekar, et al, "Queering Archives: A Roundtable Discussion," *Radical History Review* 122 (2015): 211-2.

<sup>66</sup> Carton refers to a Standard Archive Carton, which measures approximately 16.25" x 12.75" x 10.25".

<sup>67</sup> See Appendix VI.

contain festival submissions, films that screened at the festival, and various trailers for the festival itself or for other films. Films that screened at the festival make up the largest portion of the collection, comprising fifty-six percent of the collection.<sup>68</sup> Of the festival films, forty-three screened at the festival in 2001, twenty-one in 2003, seventeen in 1997, ten in 1999, and only seven in 1998. These numbers are not reflective of the number of films that screened at the festival each year. Along with festival films, submissions make up approximately forty-two percent of the collection, and trailers make up just under two percent.<sup>69</sup> These numbers are important to consider when examining the Tranny Fest collection, as the media library within the collection is not necessarily reflective of the curatorial vision of Tranny Fest.

In the past the GLBT Historical Society Archives has used a More Product, Less Process (MPLP)<sup>70</sup> approach to processing collections. As a result, it is not uncommon for collections to go surveyed, but not processed, or for collections to be processed improperly by volunteers without sufficient archival training. After being donated in 2006, the Tranny Fest Collection was not processed until 2012 when it was discovered that The Archives did not have a deed of gift for the collection. At this time, processing of the collection ceased, and a finding aid was released that reflected the partial processing. At this point, the former Managing Archivist reached out to current Festival Director Shawna Virago to secure a deed of gift and ascertain any restrictions that needed to be made to the collection. That December, former Festival

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<sup>68</sup> See Appendix III

<sup>69</sup> See Appendix III

<sup>70</sup> Mark A. Greene and Dennis Meissner, "More Product, Less Process: Revamping Traditional Archival Processing," *The American Archivist* 68 (Fall/Winter 2005): 208-65.

Director and donor, Christopher Lee committed suicide.<sup>71</sup> It is unclear whether this had any bearing on the fate of the collection as, more than five years later, The Archives still does not have a deed of gift and the collection has continued to go unprocessed. In fact, before my arrival at The Archives in January 2018, none of the videotapes in the collection had been processed or assessed, with one of the cartons still in a sealed, non-archival carton from its initial deposit.

Of the tapes in the collection, just over half were produced in the United States, with international submissions from Canada, the United Kingdom, Korea, Thailand, Australia, Colombia, Germany, France and Japan. Almost a quarter of the films have an unknown national origin. A breakdown of the national origin of the Tranny Fest tapes can be seen in Appendix IV.<sup>72</sup> Based on available information on the collections held by the Canadian Lesbian and Gay Archives, ONE National Gay and Lesbian Archives at the University of Southern California, Transgender Archives at the University of Victoria, Digital Transgender Archive, and UCLA Film & Television Archive it is my belief that the Tranny Fest Collection at the GLBT Historical Society Archives is one of the largest collections of work by transgender filmmakers, at least in North America, if not internationally. Considering the United States' long history of active oppression and erasure of transgender, intersex, two-spirit and other marginalized gender identities,<sup>73</sup> the Tranny Fest Collection provides a crucial glimpse into the lives and creative expression of trans people during the late 1990s and early 2000s. Four researchers have accessed the textual materials in the collection since its donation in 2006, but none have accessed the audiovisual

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<sup>71</sup> Cynthia Laird, "Memorials set for trans filmmaker Christopher Lee," *Bay Area Reporter*, January 31, 2013, accessed February 5, 2018, <http://www.ebar.com/news/article.php?sec=news&article=68480>.

<sup>72</sup> See Appendix IV

<sup>73</sup> Susan Stryker, *Transgender History* (Berkeley: Seal Press, 2008).

material. Unfortunately, issues surrounding the ownership of the collection, both physical and intellectual, as well as the format of the AV material in the collection, have put the access and preservation of its contents at risk. In the following sections I will provide an overview of the complexity of the issues at hand, and provide potential solutions to ensure that the collection will continue to be accessible into the future.

## **6. Ownership**

Though archival institutions today have policies in place to ensure that material donations adhere to standard legal practice, it was commonplace for informal donations to take place alongside formal donations up until the late 1970s. Informal donations generally took the form of correspondence, oral contracts and/or a handshake.<sup>74</sup> Up until 1963, Rutgers University made acquisitions solely through a handshake and informal agreement, signing no legal paperwork validating the exchange.<sup>75</sup> An article published by *The American Archivist* in 1979 refers to correspondence as the “easiest” form of transferring ownership, stating that the exchange of letters “indicate[s] acceptance by the recipient.”<sup>76</sup> However, the same article brings up the problems that can arise from donation by will or by correspondence, namely that it is not necessarily clear whether restrictions need to be made or if intellectual property rights are being transferred. The changes in the legal and financial environment of the United States during the latter half of the twentieth century had a profound effect on the collecting policies of cultural heritage institutions, as well as donor motivations.

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<sup>74</sup> Ronald L. Becker, “On Deposit: A Handshake and a Lawsuit,” *The American Archivist* 56, no. 2 (Spring 1993): 321.

<sup>75</sup> Ibid.

<sup>76</sup> Trudy Huskamp Peterson, “The Gift and the Deed,” *The American Archivist* 42, no. 1 (January 1979): 62.

Prior to this, cultural heritage institutions generally did not assign a monetary value to their holdings and considered themselves to be unaffected by common business practice or concerns.<sup>77</sup> The changing financial environment of the latter half of the twentieth century resulted in a shift of donor motivations and acquisition policy. Rather than a need for preservation or legacy, with the majority of donations happening posthumously, donations began happening primarily for financial reasons with donors being issued tax receipts.<sup>78</sup> This, alongside changing accounting standards, required cultural heritage institutions to assign monetary values to their holdings.<sup>79</sup> Similarly, archives generally shifted in the mid-twentieth century from organizing and preserving historical documents, to organizing and preserving contemporary records for future use.<sup>80</sup> This coincided with the changing donor timeline, as more donations took place during the donors lifetime, rather than posthumously. A number of high-profile legal disputes involving donated materials with ambiguous ownership in the mid-late 1970s,<sup>81</sup> coupled with the aforementioned shifts, caused cultural heritage institutions to tighten up their collecting policies with the deed of gift quickly becoming standard practice.

As a result of this shift in standard practice, it is relatively uncommon, though not unheard of, for archival collections to not have an accompanying deed of gift. A number of factors lead to a situation where a collection is deed-less. The most famous case was in 2008

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<sup>77</sup> Lisa Browar, "An Oral Contract Isn't Worth the Paper It's Printed On," *Rare Books and Manuscripts Librarianship* 6, no. 2 (Fall 1991): 101.

<sup>78</sup> *Ibid.*, 100.

<sup>79</sup> *Ibid.*, 101-102.

<sup>80</sup> Terry Eastwood, "A Contested Realm: The Nature of Archives and the Orientation of Archival Science," in *Currents of Archival Thinking*, eds. Heather MacNeil and Terry Eastwood (CA: Libraries Unlimited, 2009), 13.

<sup>81</sup> Lisa Browar, "An Oral Contract Isn't Worth the Paper It's Printed On," *Rare Books and Manuscripts Librarianship* 6, no. 2 (Fall 1991): 101.; Ronald L. Becker, "On Deposit: A Handshake and a Lawsuit," *The American Archivist* 56, no. 2 (Spring 1993): 326.

during the U.S. Presidential Campaign when the University of Illinois at Chicago (UIC) Special Collections faced a major controversy after realizing that a collection related to then-presidential candidate Barack Obama, not only did not have a finalized deed of gift, but also had not been properly restricted.<sup>82</sup> In the middle of the controversy the Special Collections librarians closed the collection to the public until the issues facing the collection could be properly addressed. Since the controversy, UIC Special Collections has performed an audit of their collections and implemented a collection management system in order to track their collections and avoid a similar situation in the future.<sup>83</sup>

The solutions implemented by the University of Illinois at Chicago Special Collections were a highly effective way of addressing problematic collections. Unfortunately, these solutions are not as easily implementable for a community archives. The GLBT Historical Society Archives currently uses a collection management system in the form of a customized Filemaker Pro database. The database tracks each collection's name, accession number, rights status, processing status, historical and local significance, content, size, and restrictions. A separate database also tracks the barcode and location of the collections within the archive. Collections that have ownership, restriction or processing issues are generally documented in the collection management database, as was the case with the Tranny Fest Collection. The problem at the GLBT Historical Society Archives, as is the case at almost all community archives, is that these issues cannot be addressed without sufficient staff and funding. The GLBT Historical Society was founded by a group of likeminded people in San Francisco who believed in the importance of

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<sup>82</sup> Valerie Harris and Kathryn Stine, "Politically Charged Records: A Case Study with Recommendations for Providing Access to a Complicated Collection," *The American Archivist* 74, no. 2 (Fall/Winter 2011): 636-9.

<sup>83</sup> *Ibid.*, 644-5.

preserving queer history, and the earliest collecting practices more often took the form of dumpster diving, rather than formal acquisitions. As Brown points out in her chapter: “While not having documentation of the legal transfer of ownership and copyright for collections has been a problem at times for mainstream archives, this problem is especially endemic for LGBTQ archives for the reasons described above. Valuable collections are still being left on the doorstep of archives and being salvaged from the trash.”<sup>84</sup> To a degree dumpster diving still happens at the Historical Society. During my time at The Archives I accompanied the registrar to the home of a former donor that had recently passed. The donor’s estate had automatically gone to the city after it was found he had no will and no next of kin. His house had been ransacked by squatters who had thrown out most of the donor’s papers, which we had to physically fish out of the trash. Upon examination of the collections housed at The Archives, around half of the collections with no documentation or proper transfer of ownership were literally dropped off on the Historical Society’s doorstep, sometimes with not even an indication of who the record creator was at all. At the time of donation for the Tranny Fest Collection, the Historical Society had an operations manager, rather than a formally trained archivist. The Historical Society did not hire a full-time, permanent archivist until 2007. Since then the Historical Society has typically only had a single Managing Archivist with sporadic Project Archivists. In 2017, the Historical Society hired a part-time Assistant Archivist. As a result, the bulk of processing at the Historical Society has been done by volunteers with varying degrees of training. This has left the current Director of Archives and Special Collections with a legacy of

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<sup>84</sup> Aimee Brown, “How Queer “Pack Rats” and Activist Archivists Saved Our History,” In *Serving LGBTIQ Library and Archives*, (Jefferson: McFarland & Company, Inc., Publishers, 2011): 204.

inconsistently described and processed collections and not enough time or money to rectify them all, which is not an uncommon occurrence in community archives.

The main impetus behind the processing of the Tranny Fest Collection, and many of the other unprocessed collections at The Archives, was the grant provided by the National Historical Publications and Records Commission (NHPRC) in 2012.<sup>85</sup> With the funding from the NHPRC The Archives was able to process over five hundred collections and publish eighty-one finding aids.<sup>86</sup> The dates of the former managing archivists' correspondence with festival director Shawna Virago line up with the tail end of this project.<sup>87</sup> Despite the correspondence between the two, a deed of gift still did not materialize. Due to the sheer size of the NHPRC project, it is likely that the Tranny Fest Collection got lost in the shuffle. However, by the time this correspondence took place, donor Christopher Lee had passed.<sup>88</sup> Though Lee intended for Austin and Hurwitz to also be considered donors of the collection, Lee is the only one with a documented intent to donate.<sup>89</sup> At this point, does Alex Austin as the surviving record creator sign the deed? Or Shawna Virago as the new head of the organization? In my own correspondence with the two, Virago believed that Austin should be the one to sign the deed of gift. After our initial introduction, Austin could not be reached.<sup>90</sup>

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<sup>85</sup> Ted Kerr, "Three Questions for Archivist Marjorie Bryer: Documenting Stories of Pain, Courage and Love," *Visual Aids*, April 2, 2013, accessed June 30, 2018, <http://visualaids.org/blog/detail/three-questions-for-archivist-marjorie-bryer-documenting-stories-of-pain-co>.

<sup>86</sup> "NHPRC Grant Completed!," *GLBT Historical Society Archives Blog*, March 31, 2013, accessed July 4, 2018, <https://glbthsaarchivesblog.wordpress.com/2013/11/06/nhprc-grant-completed/>.

<sup>87</sup> See Appendix VIII.

<sup>88</sup> Cynthia Laird, "Memorials set for trans filmmaker Christopher Lee," *Bay Area Reporter*, January 31, 2013, accessed February 5, 2018, <http://www.ebar.com/news/article.php?sec=news&article=68480>.

<sup>89</sup> See Appendix VI.

<sup>90</sup> See Appendix IX.

Under the previously mentioned circumstances it is understandable that the Tranny Fest Collection has gone so long without a proper deed of gift, and it is not the only collection in The Archives without one. The question is what options do The Archives have to facilitate access to the Tranny Fest Collection, despite this? The simple solution is to acquire a deed of gift as soon as possible, but what if the donor does not respond to requests to sign one? Or in the case of the Tranny Fest Collection, what happens if one (or more) of the donors has passed on or the ownership of the collection is in question due to a change in leadership? As stated prior, the deed of gift is a relatively recent legal imperative for archives and there is precedent for other interpretations of ownership transfer. Though not ideal, correspondence, or other documentation, that communicates donor intent can still be a form of legal deposit. This was part of the conclusion UIC lawyers came to when evaluating whether the University had legal title to the Chicago Annenberg Challenge Collection, ultimately concluding that documentation of an intent to donate was enough to demonstrate transfer of ownership.<sup>91</sup> In the case of the Tranny Fest Collection, donor intent is clear through correspondence between founder and donor Christopher Lee and former Operations Manager for the Historical Society, Jacob Richards.<sup>92</sup> Correspondence reveals that Lee had every intention of Austin and Hurwitz being considered donors alongside him, though he is listed as the only donor on the official accession record.<sup>93</sup> In her book *Navigating Legal Issues in Archives*, Menzi Behrnd-Klodt asserts that three conditions have to be met in order for a donation to be considered valid:

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<sup>91</sup> Valerie Harris and Kathryn Stine, "Politically Charged Records: A Case Study with Recommendations for Providing Access to a Complicated Collection," *The American Archivist* 74, no. 2 (Fall/Winter 2011): 638.

<sup>92</sup> See Appendix VI.

<sup>93</sup> See Appendix VII.

- (1) The donor/offeror must intend to make the gift
- (2) Delivery of the property from donor to donee must be complete and unconditional, whether actual, constructive, or symbolic, with actual possession and title transferred to the donee.
- (3) The donee/recipient must accept the gift.<sup>94</sup>

Despite not having a deed of gift, the Tranny Fest Collection still meets these three guidelines. Considering the importance of the collection, the multiple attempts to reach out to the donors and secure a deed of gift,<sup>95</sup> and the established intent to donate, transfer of physical property, and receipt of gift, I contend that The Archives can consider the Tranny Fest Collection to be their legal property and provide full access to researchers. Further, I contend providing access under these circumstances fits under Cifor and Caswell's radical empathy archival framework for the following reasons: 1) The obvious intent to donate as evidenced through the correspondence between the Historical Society and Christopher Lee. Providing access despite the absence of a deed of gift best honours the wishes of the record creator and the relationship between the record creator and The Archives.<sup>96</sup> 2) Cifor and Caswell's frameworks sees "that we live in complex relations to each other infused with power differences and inequities."<sup>97</sup> The complexity of the ownership documentation and the lack of formal documentation is reflective of the complexity of the relationship between the donors and the archive. Moreover, a lack of

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<sup>94</sup> Menzi L Behrnd-Klodt, "Acquiring Archives: Transferring Ownership and Rights," in *Navigating Legal Issues in Archives* (Chicago: Society of American Archivists, 2008), 42.

<sup>95</sup> See Appendix VII and IX.

<sup>96</sup> See Appendix VI.

<sup>97</sup> Michelle Caswell and Marika Cifor, "From Human Rights to Feminist Ethics: Radical Empathy in the Archives," *Archivaria* 81 (Spring 2016): 31.

formal documentation is a common theme in most trans peoples lives, and the honouring of this kind of complex transfer of ownership also honours the complexity of trans lives and their, often, lack of formal legal recognition.

## **7. Copyright**

The most pressing concern regarding the accessibility of the Tranny Fest Collection is ownership of the collection physically. The best-case scenario for most archives when accepting a donation is to gain legal ownership of not only the physical collection itself, but also the associated intellectual property. In the case of the Tranny Fest Collection, obtaining a deed of gift would ensure physical ownership of the materials in the collection, but not necessarily intellectual ownership. In the event that the rights to the collection are transferred to The Archives, this would only affect two percent of the videotapes in the collection. Regardless of the status of the physical ownership of the collection, the remaining ninety-eight percent of the tapes would still be under copyright by third parties. In some cases, some of the tapes could even be considered orphan works. This is fairly typical of film festival collections, as the festivals only gain exhibition rights and many of the films never gain distribution afterwards.

In a traditional archives setting, ownership of the intellectual property contained in a collection is preferred but is more often the best-case scenario. Archives, particularly community archives, often have physical ownership of collections whose copyright is still held by the donor or another third party. Before the internet age, this did not really affect the access of the collections or the users' *perception* of access, but as online access to archival records has become more widespread, users' expectations have changed. In their study Šauperl and Vilar

note that not only have the users' expectations changed, but the users themselves have, as digitized archival records have drawn non-researchers and more general, non-academic users.<sup>98</sup> Online access has democratized access allowing users to retrieve records from almost anywhere in the world with few to no credentials required. The move to bulk digitization has created greater and greater expectations among users, who are often incredulous when they find that not all archival records are digitized and available online and that the process to do so is prohibitively expensive.<sup>99</sup> Though copyright restrictions do not create barriers in the reading room, they completely prohibit public online access, making it so that archives are unable to live up to the new expectations set by users and also reinforcing the old gatekeeping rules of the traditional archive. This can disproportionately affect transgender users, as they are less likely to have the resources required to visit a geographically distant archive or take time off work, if applicable. Trans people are also less likely to have the credentials required by the more traditional archive. Though the GLBT Historical Society circumvents part of this by keeping later hours and not requiring credentials to access The Archives, copyright restrictions still negatively impact a wider, more radical approach to access and the users' expectations. Such legal restrictions are oft lamented by the archival profession, as reflected in a 1997 statement by the Society of American Archivists which read: "[T]he nature of the historical record is not shaped only by the actions of archivists; it is also shaped by the public's ability to access the documentary heritage. Archival records to which access is limited because of unwieldy

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<sup>98</sup> Polona Vilar and Alenka Šauperl, "Archives, Quo Vadis et Cum Quibus?: Archivists' Self-perceptions and Perceptions of Users of Contemporary Archives," *International Journal of Information Management* 35, no. 5 (October 2015): 553.

<sup>99</sup> Larisa K. Miller, "All Text Considered: A Perspective on Mass Digitizing and Archival Processing," *The American Archivist* 76, no. 2 (Fall/Winter 2013): 522.

administrative or legal impediments are of little help when seeking to understand our culture.”<sup>100</sup>

Under Section 108 of the U.S. Copyright Act there are two major factors that allow a record to be copied by an archive or library: 1) the work is “damaged, deteriorating, lost or stolen”<sup>101</sup> or 2) the format the record is stored on is now considered to be obsolete.

Unfortunately, what the general public considers to be “obsolete” is not necessarily the same as what is seen as obsolete to the law. Despite the fact that few private citizens still use magnetic tape for recording or playback, that most magnetic tape recording lines have been discontinued, and that magnetic tape playback equipment becomes increasingly rare with each passing year, in the eyes of the law not all of these formats are obsolete, and therefore, their copying or digitization is illegal unless it fits under another exception under the U.S. Copyright Act. Though some audiovisual formats could now be considered obsolete according to the Act, such as Hi8, 2” quad or other open reel video formats, VHS, which makes up the majority of the collection, is still considered to be “available” according to the guidelines set out by the Act, along with most of the other formats in the Tranny Fest Collection.<sup>102</sup> The language in the Act also forbids preventative copying or digitization,<sup>103</sup> meaning that until the tapes become damaged or degraded it is still illegal for The Archives to digitize them, even if the intent is to preserve them.

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<sup>100</sup> Richard J. Cox, *Ethics, Accountability, and Recordkeeping in a Dangerous World* (London: Facet Publishing, 2006): 216.

<sup>101</sup> *Copyright Law of the United States*, 17 U.S.C. § 108(c) (2016).

<sup>102</sup> Howard Besser, et al., *Video At Risk: Strategies for Preserving Commercial Video Collections in Libraries*, PDF, New York: New York University Libraries, December 2012.

<sup>103</sup> Ibid.

Regardless of copyright standing, archives are still able to allow researchers to look at collections that they do not own the rights to. In this case Archives make clear to the researcher that the records they are consulting are for independent study only and it is their individual responsibility to clear copyright with the rights owner if they want to use or reproduce the material in any way. This is relatively easy to implement for most archival material, particularly for paper records that do not require any intermediary machinery or technology to make them readable or interpretable to the user.<sup>104</sup> Audiovisual material, however, always requires some form of translation, both in the form of available machinery, as well as in the form of a knowledgeable technician. Archives with sufficient resources often have viewing stations set up with video decks and/or flatbed editors where users are able to watch audiovisual material in their original format. Increasingly, archives and reference libraries are also supplying users with digital derivatives of their AV holdings. At the GLBT Historical Society, a combination of the two are used to provide access to audiovisual material. Researchers can listen to/watch VHS tapes and audiocassettes in their original format using equipment provided by The Archives. Alternatively, The Archives' reading room has a computer set up with digital derivatives of AV material that has been digitized. Though The Archives has made a concerted effort to digitize as much of its AV holdings as possible, a considerable amount of the AV holdings at The Archives are still inaccessible to researchers because they are stored on formats that The Archives is unable to playback due to lack of equipment or expertise and have yet to be digitized. Currently, The Archives tries to prioritize digitization based on content and underrepresented communities, but many collections are ineligible to be legally digitized due to their content still

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<sup>104</sup> This excludes situations where a researcher with a disability may require additional technology or machinery to access a record.

being under copyright. Despite the exceptions laid out in Section 108, Archives' ability to preserve their audiovisual holdings are severely limited by the Copyright Act's views on obsolescence, legitimacy and availability.

The law's views on availability could be the saving grace for the Tranny Fest Collection. Section 108(e) of U.S. Copyright Law stipulates that before making a copy of a work, a Library or Archive must first determine that another copy cannot be purchased at a "fair price."<sup>105</sup> Unlike much bigger festivals, where the main goal of the filmmakers is to gain distribution, relatively few of the films in the Tranny Fest Collection received distribution, and most that did were through smaller, or independent, distributors like Women Make Movies, Video Out, or Vtape. Most of the films in the Tranny Fest Collection screened at a handful of festivals at most, and received no commercial or consumer release, which results in there being next to no availability of replacement copies on the consumer market for The Archives to purchase, let alone at a "fair price." There is also a level of uniqueness to the tapes in the Tranny Fest Collection that cannot be found in a replacement copy, even if one was available. Since the majority of the tapes in the collection are submissions, quite a number of them are works in progress. Works in progress shed light not only on the operation of the festival, but also on the production and festival submission process more broadly, which has the potential to be highly valuable to researchers. Even if The Archives was able to obtain a replacement copy of the film, it would be a finished copy worthy of distribution, and not contain the valuable information that a work-in-progress contains. As a result, The Archives should be able to digitize most of the collection without

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<sup>105</sup> *Copyright Law of the United States*, 17 U.S.C. § 108(e) (2016).

having to purchase replacement copies because they either are no longer available, or never existed in the first place.

Archives are typically risk-averse, and archivists are not copyright lawyers,<sup>106</sup> but the U.S. Copyright Act is closer to a set of interpretable guidelines than a strict set of rules. This makes risk management the only way of effectively navigating copyright restrictions in the archive. The findings of Dharma Akmon, when the University of Michigan sought permission from every individual rights holder when digitizing the Jon Cohen AIDS Research Collection, was that the average amount of time required to research and negotiate rights for every individual record was over an hour.<sup>107</sup> The Tranny Fest Collection has one hundred and thirty-eight potential rights holders, not including distributors. Using the metrics found in Akron's article, clearing rights to all of the films in the collection would take one hundred and sixty-one hours. It is likely that clearing rights for the films would actually take longer than this estimate, for two major reasons. The first is that not all of the films are properly labeled, some of them only have a first name and last initial or are labeled with an artist's pseudonym, which will make tracking down the rights holder especially difficult. The second is that most of the filmmakers who submitted to the festival were trans themselves, and it is highly likely that a number of them have changed their names to more gender-affirming ones in the past fifteen to twenty years. With the current workload, staff and resources at The Archives, taking on a project of this size for a single collection is not feasible. However, based on my own copyright assessment sample, an intern or project archivist should be able to track down the rights holders for most of the films in the

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<sup>106</sup> Generally speaking. I recognize that there are a number of Librarians and Archivists that are also lawyers and have their Juris Doctor.

<sup>107</sup> Dharma Akmon, "Only With Your Permission: How Rights Holders Respond (Or Don't Respond) to Requests to Display Archival Materials Online," *Archival Science* 10, no. 1 (2010): 54.

collection, and through this process be able to prove due diligence for any existing orphan works.

Realistically, the GLBT Historical Society Archives has two options when approaching the intellectual property issues associated with the collection. The first, as stated earlier, is to provide access to researchers in person, where researchers can access the materials for reference only, and are on their own when it comes to clearing rights. The GLBT Historical Society is a unique position as an Archives *and* Museum. The second option faced by the Historical Society is to use the status of the GLBT History Museum as an educational institution to exhibit the films in the Tranny Fest Collection using the fair use exemptions laid out in the U.S. Copyright Act.<sup>108</sup> This could happen in a variety of ways, whether it is including clips from films in an exhibit, showing the production process through exhibiting the differences between works in progress and the final product, or exhibiting the films alongside a panel of the original filmmakers. The exhibition of the films in the collection is an especially important aspect of their access as there are still very few successful trans filmmakers and most people have never seen a film made by a trans person. The GLBT Historical Society already has a program in place that allows members of the community to pitch and curate exhibits at the Museum,<sup>109</sup> which would allow the Historical Society to actively reach out to, and collaborate with, members of the Bay Area trans community. Considering the contentious and strained relationship between the trans community and archives and museums in general, this kind of outreach has the

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<sup>108</sup> *Copyright Law of the United States*, 17 U.S.C. § 107 (2016).

<sup>109</sup> Don Romesburg, "Presenting the Queer Past: A Case for the GLBT History Museum," *Radical History Review* 120 (January 2014): 133-4.

potential to build trust between the two, as well as provide wider reaching access to the Tranny Fest Collection than would normally be available.

In 2005, David Wallace criticized the archival profession for prioritizing the law over serving users.<sup>110</sup> As Randall Jimerson points out: “laws often serve to oppress people, or reinforce existing power relationships.”<sup>111</sup> Strict adherence to copyright law on behalf of the archive creates a power differential, whether intended or not, between the record creator and the user, between the government and the archive, and between the archive and the user. Though archives often come up against copyright restrictions themselves, sometimes archives exert control over their holdings through rights restrictions. In 2017, Vimeo took down a video of Sylvia Rivera’s famous speech at the 1973 Christopher Street Liberation Rally, which had been uploaded five years prior by filmmaker Reina Gossett.<sup>112</sup> This copyright claim is believed to have been made by the Lesbian Herstory Archives. In a statement addressing the appropriation of Gossett’s labour by filmmaker David France, both Gossett and fellow filmmaker Sasha Wortzel said “This is not about owning people’s stories, histories, or about copyright/legal ownership. This is about the systems and individuals who profit off of the work of trans women of color, while we remain uncredited and erased.”<sup>113</sup> A radical empathy framework could have avoided this kind of needless show of power, as the Herstory Archives should have prioritized their

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<sup>110</sup> Randall C. Jimerson, “Values and Ethics,” *Journal of Information Ethics* 22, no. 2 (Fall 2013): 25.

<sup>111</sup> Ibid.

<sup>112</sup> Reina Gossett, Twitter Post, April 17, 2017 6:21 PM, <https://twitter.com/reinagossett/status/854142738266181632>.

<sup>113</sup> Dawn Ennis, “Inside the Fight for Marsha P. Johnson’s Legacy,” *The Advocate*, updated January 29, 2018, accessed June 28, 2018, <https://www.advocate.com/arts-entertainment/2018/1/23/inside-fight-marsha-p-johnsons-legacy>.

relationships to the record subject, being Sylvia Rivera, and the affected communities, being the trans community, including Gossett, over their intellectual property claim.

Some archives are actively attempting to subvert the power dynamic between archive and user created by intellectual property law. The archivists and lawyers at the American Archive of Public Broadcasting (AAPB) have actively been using transformative fair use as a means to digitize and put online over fifty thousand hours of public broadcasts, with tiered access levels depending on the rights status, or fair use argument, for each particular broadcast.<sup>114</sup> This kind of approach is the most in line with Cifor and Caswell's radical empathy framework. By respecting the legal rights, AAPB is respecting their relationship with the record creator, but by digitizing and using tiered access AAPB is allowing the greatest amount of access as available under the law, which respects the affected community, in this case being the entire American public. Allowing copyright restrictions to fully dictate the accessibility of the archive does not hold up the ethical responsibility that the archive has for its users and affected community, making a tiered access model the only true way of addressing competing responsibilities while not putting The Archives at a severe legal risk.

## **8. Preservation**

The history of moving image archiving, and the instability of audiovisual material, has led audiovisual archivists to follow a slightly different set of principles than the rest of the archival field. One of the major differences is how moving image archivists approach

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<sup>114</sup> Casey Davis Kaufman, Jay Fialkov, Hope O'Keeffe, 2017, "Put it on your Bucket List: Navigating Copyright to Expose Digital AV Collections at Scale," Paper presented at *Association of Moving Image Archivists, New Orleans, LA, November 29-December 2, 2017*.

duplication. Traditionally, duplicating materials has been considered non-archival and most archives have policies in place around how many dupes they will collect of a certain item. The main tenet of preservation is to preserve the original record, and duplicating that record is not considered a form of preservation. This is perfectly understandable for manuscripts, paintings or artifacts that have an aura that is lost through duplication. Audiovisual material, generally, does not have the same aura as other records as the duplicated record is nearly indistinguishable from the original source material.<sup>115</sup> Further, duplication has been a large part of audiovisual production and consumption. After all, audiences watched a release print in theaters, not the original unedited negative. This, in combination with the sheer number of lost films, has caused audiovisual archivists to value, and rely on, duplication in a way that traditional archivists have not.

Regardless of the archivist's feelings about duplication it is a vital component of magnetic tape preservation. Compared to film, magnetic tape is a very unstable medium that rapidly deteriorates. Current estimates put the lifespan of magnetic tape somewhere between ten and thirty years,<sup>116</sup> the consequence of which is seen when tapes show up at the archive already in poor condition and near the end of their lifespan. The biggest danger to magnetic tape is sticky shed syndrome (SSS), which results when hydrolysis of the polyurethane binder causes a chemical reaction resulting in the formation of carboxylic acid and alcohol.<sup>117</sup> In

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<sup>115</sup> Walter Benjamin, "The Work of Art in the Age of Its Technological Reproducibility," in *The Work of Art in the Age of Its Technological Reproducibility and Other Writings on Media*, 2<sup>nd</sup> ed. (Cambridge: Harvard University Press, 2008): 22.

<sup>116</sup> John W. C. Van Bogart, *Magnetic Tape Storage and Handling A Guide for Libraries and Archives*, (Washington and St. Paul: The Commission on Preservation and Access and National Media Laboratory, 1995), 15.

<sup>117</sup> Marvin Camras, *Magnetic Recording Book*, (Heidelberg: Springer Netherlands, 1988): 462-3.

layman's terms, the base of the tape becomes sticky and eventually the oxide coating — what carries the information on the tape — flakes off. There is great debate on how to handle SSS in the archive. Many archives bake their tapes in dehydrators, a controversial process, as it is believed to be an irreversible and temporary remedy.<sup>118</sup> Other archives clean their tapes or use a combination of baking and cleaning. The solution in most archives used to be to duplicate their tapes onto tapes of the same format, or to migrate the tapes onto a different tape format. This is no longer considered to be a viable option for most archives as video mastering and playback equipment is becoming increasingly rare, and many companies have discontinued production of certain tapes. Betacam SP ceased production in the early 2000s, and Sony discontinued its High Definition (HD) tape formats in 2014,<sup>119</sup> soon after discontinuing its entire video recording line in March 2016.<sup>120</sup> As a result, most archives have switched to digitizing degrading or vulnerable magnetic tapes and implementing sound digital preservation practices to ensure that the new digital derivatives will continue to survive into the future. This is not an ideal situation, as digital records have an even shorter life span than magnetic tape does.<sup>121</sup>

With the relatively short lifespan of magnetic tape in mind, how do the tapes in the Tranny Fest Collection fare? From my condition assessment of a sample of eleven tapes in the collection,<sup>122</sup> the tapes are in fair to good condition. Though I did not observe any of the tapes actively deteriorating, they have yet to be rehoused into archival quality containers. Almost all

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<sup>118</sup> Charles A. Richardson, "The New 'Non-Baking' Cure for Sticky Shed Tapes: How Forensic Chemistry Saved the Annapolis Sounds Masters," *ARSC Journal* 44, no. 2 (Fall 2013): 225.

<sup>119</sup> Mike Casey, "Why Media Preservation Can't Wait: the Gathering Storm," *IASA Journal* 44 (January 2015): 16.

<sup>120</sup> *The Death of Videotape*, PDF, Covington, KY: Scenesavers, 2016.

<sup>121</sup> Jeff Rothenberg, *Ensuring the Longevity of Digital Information*, (Santa Monica: RAND, 1999): 3.

<sup>122</sup> See Appendix X.

the tapes require an archival wind and most need to be placed into cartons where they can be stored upright and vertical, rather than horizontal. These solutions are standard practice in the storage and preservation of magnetic media. Ideally, the tapes should also be stored in a cool storage vault at 12°C (or 54°F) and thirty to fifty percent relative humidity, to prolong the lifespan of the tapes. As it is, leaving the tapes at room temperature can lead to problems such as sticky shed syndrome or mold growth, and fluctuations in temperature and humidity can lead to spoking.<sup>123</sup>

Regardless of the current condition of the tapes, all magnetic media not stored under proper environmental control is actively degrading, and the ability to migrate these formats becomes more dire each year. Mike Casey lays out the following ‘evolution of obsolescence’ in his article “Why Media Preservation Can’t Wait: The Gathering Storm”

- End of manufacturing
- End of availability in the commercial marketplace
- End of bench technician expertise
- End of bench technician tools
- End of calibration and alignment tapes
- End of parts and supplies
- End of availability in the used marketplace

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<sup>123</sup> *The Film Preservation Guide: The Basics for Archives, Libraries and Museums*, (San Francisco: National Film Preservation Foundation, 2004), 60.

- End of playback expertise <sup>124</sup>

In Casey's evolution, the formats in the Tranny Fest Collection have quickly rocketed past the first two tiers. Retired audiovisual archivist Richard Wright estimated in 2013 that video digitization will no longer even be possible past 2023, now only five years away.<sup>125</sup> Degradation of the tapes aside, if the tapes are unreadable by machine or technician, then they are no more meaningful than a blank cassette on a shelf.

Digitization is central to the GLBT Historical Society Archives access practices for audiovisual material. Because The Archives has limited audiovisual playback equipment and expertise, most patrons that come to The Archives are only able to view digital derivatives of The Archives' audiovisual holdings. As a result of the aforementioned copyright issues associated with digitizing collections, The Archives has prioritized digitizing collections that they own the rights to. The unfortunate fallout of this decision is that the collections that The Archives does not own right or title to decay, regardless of the uniqueness of the material. The Archives is not at fault for this, the cost, time and labour associated with digitizing collections is too high for any archive to try and tackle digitizing the entirety of their collections. Moreover, it does not necessarily make financial sense for an archive to spend money digitizing a collection that it does not have rights to and cannot give wider access to than a collection that the archives owns and can give greater access to and/or financially exploit to further support its own operations.

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<sup>124</sup> Mike Casey, "Why Media Preservation Can't Wait: the Gathering Storm," *IASA Journal* 44 (January 2015): 16.

<sup>125</sup> Ibid.

There is a risk associated with digitizing collections, for preservation or access, that an institution does not own the rights to. Copyright infringement lawsuits can cost an institution up to one hundred and fifty thousand dollars *per item*.<sup>126</sup> In 2011, the Authors Guild filed a class action law suit against Google Inc. for digitizing and making available millions of books through Google Books.<sup>127</sup> That same year the Authors Guild also filed suit against Hathi Trust, a digital archive that represents a collaboration of more than sixty academic libraries.<sup>128</sup> John Wilkin, the Executive Director of Hathi Trust, has explicitly stated that the main intention behind the archive is for it to be a preservation method.<sup>129</sup> Fortunately, the courts ruled in favour of both Hathi Trust and Google Inc. finding that their uses constituted fair use, though the courts did not uphold Hathi Trust's argument that their digitization for preservation was legal.<sup>130</sup> As a community archive, the GLBT Historical Society has a different risk level than larger archives and corporations. On one hand, they are less likely to be sued due to their size and small budget. On the other hand, the Historical Society does not have a lawyer or legal team and cannot afford to fight a battle in court regardless of whether or not their use is determined to be fair.

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<sup>126</sup> James Somers, "Torching the Modern-Day Library of Alexandria," *The Atlantic*, April 20, 2017, accessed June 4, 2018, <https://www.theatlantic.com/technology/archive/2017/04/the-tragedy-of-google-books/523320/>.

<sup>127</sup> "Authors Guild v. Google, Inc.," Stanford University Libraries, October 16, 2015, accessed June 4, 2018, <https://fairuse.stanford.edu/case/authors-guild-v-google-inc/>.

<sup>128</sup> Julie Bosman, "Lawsuit Seeks the Removal of a Digital Book Collection," *The New York Times*, September 12, 2011, accessed June 4, 2018, <https://www.nytimes.com/2011/09/13/business/media/authors-sue-to-remove-books-from-digital-archive.html>.

<sup>129</sup> Julie Bosman, "Lawsuit Seeks the Removal of a Digital Book Collection," *The New York Times*, September 12, 2011, accessed June 4, 2018, <https://www.nytimes.com/2011/09/13/business/media/authors-sue-to-remove-books-from-digital-archive.html>.

<sup>130</sup> *Authors Guild, Inc. v. Hathi Trust*, 755 F.3d 87 (2d Cir. 2014).

Unfortunately, in the case of the Tranny Fest Collection the combination of legal restrictions on preservation, the instability of magnetic tape, and The Archives policies and financial restrictions have created a perfect storm that have put the films contained in the Tranny Fest Collection at risk. The unfortunate reality is that, according to the estimations of audiovisual archivists,<sup>131</sup> these tapes will not wait another ten years, let alone the amount of time it would take for their content to fall into the public domain. Due to the amount of time, money, and labour associated with digitization, and magnetic tape's short window of viability, archives will soon have to choose between following the law to the letter or very consciously choosing to digitize the most rare and vulnerable materials, regardless of the content's ownership status. If the films in the Tranny Fest Collection are going to continue to be accessible into the future, their only hope is to be digitized within the next five years.

The inaction over the preservation of the tapes in the Tranny Fest Collection is, in and of itself, an action. In his correspondence with the former Operations Manager of the Historical Society, Christopher Lee's intention for the collection is clear: that he wants it to be archived.<sup>132</sup> One can assume that preservation of the materials in the collection was part of Lee's intention, regardless of whether or not it was explicitly stated. As such, using the radical empathy archival framework, the Historical Society has a responsibility to the record creator to preserve the materials in the collection to the best of their ability. The Historical Society also has a responsibility to the affected community to make the collections as accessible as possible. Though the majority of the tapes in the collection are at least accessible through The Archives'

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<sup>131</sup> Mike Casey, "Why Media Preservation Can't Wait: the Gathering Storm," *IASA Journal* 44 (January 2015): 16.

<sup>132</sup> See Appendix VI.

reading room, the minority of the tapes in the collection that are stored on obsolete formats, such as the Hi8 tapes, are completely inaccessible as The Archives does not have the appropriate playback equipment. As Casey demonstrates, all of the tapes in the collection have an estimated five years before retrieval of the information is no longer possible.<sup>133</sup> Since the majority of the tapes in the collection are original or rare materials, The Archives has a responsibility not only to the record creators to preserve the materials but also to the affected community, as the trans community already has so few examples of accurate media representation.

## **9. Reprioritization**

The GLBT Historical Society is one of the longest running LGBT+ archives in North America and has continued to survive while many other community archives have folded, donated their collections elsewhere, or moved to university archives. Though the Historical Society was initially completely volunteer run, it now has a dedicated space, a modest staff with professional training, and even a museum. There are some, particularly in upper management, that feel that the professionalization of the Historical Society is unnecessary and would prefer that the organization regress back to being volunteer run. Some members of upper management and the board of directors do not understand the purpose of The Archives and do not support the work being carried out by The Archives. As the forward-facing aspect of the GLBT Historical Society, the GLBT History Museum now receives more attention, more funding, and more volunteer labour than The Archives. In an interview with Diana Wakimoto, former

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<sup>133</sup> Mike Casey, "Why Media Preservation Can't Wait: the Gathering Storm," *IASA Journal* 44 (January 2015): 16.

archivist Marjorie Byer stated “I think some people would prefer that we become a museum [...] archives don’t make money and the museum idea is sexier.”<sup>134</sup> Though the activist history of the Historical Society has had a significant impact on the foundations of The Archives, it has also led to the precarity of many of the collections, in both preservation and description. The devaluing of The Archives, and the work of the archivists, will have long-term effects on the access and preservation of the collections, particularly for collections with multiple complications, low access rates, or marginalized status. The Tranny Fest Collection (2006-26) at the GLBT Historical Society Archives has become a perfect storm, as it is faced with a number of legal issues and preservation concerns that impact its accessibility, which are exacerbated by the Historical Society’s own priorities and policies.

In many ways, the GLBT Historical Society Archives already employs a radical empathy archival framework. Collections are often restricted to respect the privacy of the record creators or to avoid outing subjects of the records. Many of the oral histories at The Archives are co-owned by the Historical Society and the interview subject so that the subject is also able to control the use or reuse of their interview. Even in cases where copyright has been signed over to The Archives, the archivists go out of their way to be mindful of the record creators far past any legal or professional obligation. The Archives are also flexible in description. With the exception of Lou Sullivan’s collection, all of the trans collections use correct pronouns and do not deadname their original creator.<sup>135</sup> Judy Freespirit, a writer and disability and fat activist, was a Jewish cis lesbian and started going by the last name Freespirit for personal reasons. The

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<sup>134</sup> Diana Wakimoto, “Queer Community Archives in California Since 1950,” (master’s thesis, Queensland University of Technology, 2012), 105.

<sup>135</sup> Sullivan is referred to with correct pronouns throughout his finding aid. Due to his close relationship with the Historical Society it is possible that he consented to being deadnamed.

finding aid for her collection uses her chosen name throughout and acknowledges the various traumas she faced throughout her life in a respectful manner. The GLBT Historical Society has also historically taken a more radical approach to access. Even before the GLBT History Museum existed the Historical Society held exhibits in their own space, put on lectures, and even temporarily lent whole collections to the San Francisco Public Library's James C. Hormel LGBTQIA Center to facilitate wider access.<sup>136</sup>

Cvetkovich's "archive of feelings" philosophy also reflects on the archives' relationship to the researcher, and to the community. Traditional archival thought sees the archivist as a neutral third party, which is challenged by the "archive of feelings" and community archiving philosophy. LGBT+ archives often preserve evidence of homophobia and oppression alongside other types of records, but there is no neutrality in this action. The act of preserving oppression, and thus trauma, is an emotional one. In the same sense, the collections in The Archives were initially personal collections, and were collected out of a sense of emotion and a need to preserve modes of being that were actively being erased.<sup>137</sup> Cifor and Caswell also examine this through their idea of "third affective responsibility," which considers the emotional impact of records and that the users of archives are no longer just academics.<sup>138</sup> This idea has always been baked into the GLBT Historical Society to a degree, and a large portion of the users of the Archive are not academics, many of whom have never been to an archive before. Unlike some archives, the Historical Society does not require any credentials from its

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<sup>136</sup> Aimee Brown, "How Queer "Pack Rats" and Activist Archivists Saved Our History," In *Serving LGBTIQ Library and Archives*, (Jefferson: McFarland & Company, Inc., Publishers, 2011): 128.

<sup>137</sup> Diana Wakimoto, et al, "Archivist as Activist: Lessons From Three Queer Community Archives in California," *Archival Science* 13, no 4 (December 2013): 307.

<sup>138</sup> Michelle Caswell and Marika Cifor, "From Human Rights to Feminist Ethics: Radical Empathy in the Archives," *Archivaria* 81 (Spring 2016): 38-9.

users. The Archives' reading room is open to non-members and users are only required to book an appointment and fill out a researcher form. Though most users are conducting some type of research, those that are simply interested in looking at an object or record are just as welcome.

Due to its geographical location and activist roots, the GLBT Historical Society Archives has a specific collection scope that has shifted over time. Located in the same state as the ONE National Archives, the GLBT Historical Society Archives has a geographical collection focus of Northern California, with the exception of records predating the 1970s due to their rarity. Like many LGBT+ community archives, The Archives' collection scope is relatively format agnostic, collecting manuscripts, periodicals, zines, photographs, audiovisual material, artwork and artifacts. This is in direct opposition with traditional archival principals, where published works like zines are considered to be "non-archival."<sup>139</sup> The collecting principles of the GLBT Historical Society Archives are more in line with Ann Cvetkovich's theory of the "archive of feelings," where LGBT+ archives, as archives of trauma, are tasked with preserving not only the historical record, but also emotional memory and feelings of loss, intimacy and sexuality.<sup>140</sup> This expands The Archives' collection scope to include a lot of ephemera, such as match books, pubic hair, and activist pins, that would not typically be collected in an archival repository.<sup>141</sup>

Prior to Susan Stryker's involvement as executive director, a common criticism of the GLBT Historical Society (then called the Gay and Lesbian Historical Society of Northern California) was

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<sup>139</sup> Rebecka Sheffield, "Community Archives," in *Currents of Archival Thinking*, 2<sup>nd</sup> ed., eds. Heather MacNeil and Terry Eastwood, (Westport: ABC-CLIO, LLC, 2017): 360.

<sup>140</sup> Ann Cvetkovich, "In the Archive of Lesbian Feelings," in *An Archive of Feelings*, (Durham and London: Duke University Press, 2003): 241.

<sup>141</sup> Rebecka Sheffield, "Community Archives," in *Currents of Archival Thinking*, 2<sup>nd</sup> ed., eds. Heather MacNeil and Terry Eastwood, (Westport: ABC-CLIO, LLC, 2017): 360.

that many trans and bisexual people did not feel represented by the institution and, as a result, did not feel motivated to donate their records to the institution. As a result, the Historical Society's mission statement changed to reflect this exclusion around 1999 to read:

over the past few years, we have become aware of the significance of identity formation, the inevitability of self-labeling, and the multidimensional nature of homosexuality. We believe that our history is linked to a wide range of behaviors that transgress socially sanctioned boundaries of gender and sexuality. Our collections and our historical interest embrace cross-dressing, transsexuality, homosexuality, queerness of all sorts, and a wide range of sexual interests and practice.<sup>142</sup>

This, in effect, opened up the Historical Society to a wider definition of sexual and gender diversity. This move has been seen increasingly in LGBTQ+ archives across North America, most recently at the Canadian Lesbian and Gay Archives, which approved of a new name in May 2018.<sup>143</sup> The GLBT Historical Society was very much ahead of its time in its radical inclusion of trans people and people of other varying gender and sexual experiences. A lot of this can be attributed to Stryker's leadership and personal experiences as a trans woman who was often excluded from ideas of queerness. In one article, she writes "people like me—trans people—were absolutely outside the frame of reference, unrepresented and unlooked for. [...] All I could think of was the violence of the exclusions through which a generation of cisgender gays and

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<sup>142</sup> Martin Meeker, "Archives Review: The Gay and Lesbian Historical Society of Northern California," *Journal of Gay, Lesbian, and Bisexual Identity* 4, no. 2 (1999): 201.

<sup>143</sup> "Moving Forward at the CLGA," Canadian Lesbian and Gay Archives, January 22, 2018, accessed June 6, 2018, <https://clga.ca/newsfeed/moving-forward-at-the-clga/>; "2018 CLGA Annual General Meeting," Canadian Lesbian and Gay Archives, May 24, 2018, accessed June 30, 2018, <https://clga.ca/newsfeed/2018-agm/>.

lesbians came to understand themselves as having nothing to do with trans folks.”<sup>144</sup> Stryker’s impact on the Historical Society was lasting, has introduced a new generation of trans youth to the information field, and has also bred a sense of trust between the Historical Society and the trans community. In order to retain this trust, and to build a similar sense of trust with other intersectionally marginalized communities, the Historical Society has to reprioritize The Archives and give the archivists enough resources so that they are able to not only accession and process collections, but to also resolve complicated collections within The Archives and perform significant outreach to underrepresented communities.

In more recent years The Archives’ collection policy has shifted to look at how its collections are reflecting the LGBT+ community as a whole. With more than eight hundred collections, The Archives does contain collections representing many different groups of people under the LGBT+ spectrum. However, the majority of the collections are still focused on the experience of white cis gay men. There are relatively few collections that relate to the experiences of trans and intersex people, people of colour or people with disabilities. Even fewer of these collections deal with intersecting marginalization. For example, most of the trans collections were donated by white trans people, and of the collections donated by people, or groups, of colour, few deal with black or indigenous people of colour. This has been a persistent problem and was the main critique in Martin Meeker’s 1999 Archives Review of the Historical Society.<sup>145</sup> Meeker astutely points out that this exclusion often stems from power relations relating to who is founding these institutions and who is doing the collecting, in this case primarily white, cisgender gay

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<sup>144</sup> Susan Stryker, “Locating Ourselves in the History of Sexuality,” *OUT/LOOK*, accessed June 30, 2018, <http://www.queeroutlook.org/portfolio/susan-stryker/>.

<sup>145</sup> Martin Meeker, “Archives Review: The Gay and Lesbian Historical Society of Northern California,” *Journal of Gay, Lesbian, and Bisexual Identity* 4, no. 2 (1999): 203.

men. As a result, collecting and digitizing materials from people or groups intersectionally marginalized within the LGBT+ community has become an important aspect of The Archives' policy, in order to redress this exclusion.<sup>146</sup> To a degree, this is dependent on funding and resources. In the spring of 2018, The Archives received a grant through the Bay Area Video Coalition's Preservation Access Program that covers up to eighty percent of the cost of conservation and digitization of magnetic tapes. Through this program The Archives is currently having the ¼" open reel tapes from the Judy Freespirit Collection digitized. The Freespirit Collection is one of the few collections in The Archives that focuses on disability issues and fat activism and the tapes in the collection were severely degraded and in desperate need of conservation. There are also other projects at The Archives that require resources, but very little funding. During my time at The Archives I set up an audio digitization station and basic workflow so that audio cassettes and ¼" open reel tapes can be digitized in-house. While at The Archives I digitized tapes from the Chana Wilson Audiotapes (2003-07) and M. J. Talbot Papers (1999-26), which are now widely accessible on the Internet Archive. The tapes in these collections include oral history interviews, conference recordings, public events, radio programs and music recordings from a number of intersectionally marginalized populations including women loving women, Indigenous people, Pacific Islanders, Latinx people, and people of African and Asian descent. In addition, the Dragon Fruit Project specifically collected oral histories and archival material from Asian and Pacific Islander queer women and trans elders.<sup>147</sup>

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<sup>146</sup> Diana Wakimoto, et al, "Archivist as Activist: Lessons From Three Queer Community Archives in California," *Archival Science* 13, no 4 (December 2013): 302.

<sup>147</sup> Don Romesburg, "Presenting the Queer Past: A Case for the GLBT History Museum," *Radical History Review* 120 (January 2014): 133.

The oral histories from this project have been on exhibit at the GLBT History Museum since 2014.<sup>148</sup>

The Museum has also attempted to redress past exclusions by holding exhibits and events that are more reflective of the LGBT+ community as a whole. In the past six months the GLBT History Museum has put on events such as: *Fighting Back: Queers and the Class Divide*; *We'wha: The Life & Times of a Traditional Two-Spirit*; *Fighting Back: Disability & the LGBTQ Community*; and *Foreign Bodies: Homophobia, Race & Immigration*.<sup>149</sup> One of the major exhibits at the GLBT History Museum in 2018 was *Angela Davis: OUTspoken*, curated by queer women of colour Lisbet Tellefsen and Amy Sueyoshi, which focused almost exclusively on Davis's role as a civil rights activist and subsequent wrongful arrest and imprisonment, rather than her queerness. These events and exhibits are a step forward in depicting a more accurate portrait of the LGBT+ community.

The GLBT History Museum almost exclusively displays holdings from the GLBT Historical Society Archives. Unfortunately, none of these events or exhibits utilized material from The Archives. All of the material used in the Angela Davis exhibit was from Tellefsen's personal collection. In this sense, the Museum's ability to exhibit intersectionally marginalized collections is directly affected by the lack of resources afforded to The Archives. If The Archives'

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<sup>148</sup> "Intergenerational Celebration, LGBT History Museum," APIQWTC, July 24, 2014, accessed July 31, 2018, <http://www.apiqwtc.org/tues-aug-5-intergenerational-celebration-lgbt-history-museum/>.

<sup>149</sup> The GLBT History Museum has a Director of Exhibitions and Museum Operations, but not a dedicated curator. Exhibit curation at the Museum is performed both by staff members of the Historical Society and community members through the Community Gallery Project, which has community members pitch or curate their own exhibits and/or partner with people associated with the Historical Society to co-curate an exhibit. Though the staff at the Historical Society are paid, there is no honorarium associated with the Community Gallery Project.

had the resources to process and prepare their collections without added financial assistance, some of these events could have had associated exhibitions. For example, in 2016 The Archives received the Joshua Dunn collection of LGBTQ Youth and American Indian Two-Spirit papers. This collection has yet to be processed but could have been exhibited, or promoted as a resource, alongside the *We'wha: The Life & Times of a Traditional Two-Spirit* event.

The problems associated with the Tranny Fest Collection are reflective of the issues that can arise when collection development is prioritized without considering what happens to the collection once it is in the archive. This is a problem generally seen with “diversity initiatives” that prioritize and perform outreach initially, and then do not provide institutional support after the fact. This critique has become increasingly common in recent years, particularly in regard to academic institutions and the tech industry.<sup>150</sup> Though implementing policies that increase the diversity of collections is incredibly necessary in creating a representative archive, policies need to be further reaching than this to make sure that “diverse” collections do not languish in the archive after being accessioned. The collections focusing on trans and intersex people, people of colour, indigenous people, and people with disabilities in the GLBT Historical

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<sup>150</sup> Megan Rose Dickey, “Hacking Diversity in Tech by Emphasizing Retention,” *TechCrunch*, August 3, 2015, accessed June 6, 2018, <https://techcrunch.com/2015/08/03/hacking-diversity-in-tech-by-emphasizing-retention/>; Megan Rose Dickey, “Intel’s Diversity Efforts are Somewhat Paying Off,” *TechCrunch*, February 28, 2017, accessed June 6, 2018, <https://techcrunch.com/2017/02/28/intels-diversity-efforts-are-somewhat-paying-off/>; Jessica Guynn, “Here’s Why Women, Blacks and Hispanics Are Leaving Tech,” *USA Today*, April 27, 2017, accessed June 6, 2018, <https://www.usatoday.com/story/tech/news/2017/04/27/toxic-workplaces-technology-women-minorities-retention/100977038/>; Joseph A. Whittaker, et al., “Retention of Underrepresented Minority Faculty: Strategic Initiatives for Institutional Value Proposition Based on Perspectives from a Range of Academic Institutions,” *Journal of Undergraduate Neuroscience Education* 13, no. 3 (Summer 2015): A136-45.; Colleen Flaherty, “Not Just ‘Musical Chairs’,” *Inside Higher Ed*, September 19, 2016, accessed June 6, 2018, <https://www.insidehighered.com/news/2016/09/19/beyond-well-funded-individual-campus-initiatives-experts-urge-collaboration>.

Society Archives are a minority and will only cease to be a minority through collection development. But in the meantime, the communities that belong to those identity categories can be better served through the amplification of the collections that already exist. As it stands now, the neglect of marginalized collections could be seen as “symbolic annihilation”<sup>151</sup> to their affected communities. Since the GLBT Historical Society Archives already has documentation of the collections with complicated access or ownership, what is required is a dedicated program to prioritize and address the problems associated with these collections. Even with low resources, this could be achieved through the hiring of a project archivist or intern. The need for this is the unfortunate aftermath of a legacy of improper processing and volunteer labour but needs to be addressed in order to ensure that these collections do not continue to go neglected.

## **10. Conclusion**

Information professionals often pride themselves on being “neutral” and many consider this to be a core tenet of the profession.<sup>152</sup> Under the guise of neutrality, the neglect that the Tranny Fest Collection has faced can be chalked up to the fact that the work required to rectify these issues is overwhelming. Compared to other collections at the Historical Society, the research interest for the collection has been fairly low. For the most part this can be attributed to two factors: 1) this a contemporary collection that has yet to gain historical interest 2) there was little information about the collection available to researchers until the finding aid was

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<sup>151</sup> Michelle Caswell and Marika Cifor, “From Human Rights to Feminist Ethics: Radical Empathy in the Archives,” *Archivaria* 81 (Spring 2016): 39.

<sup>152</sup> Anne Gilliland, “Neutrality, Social Justice and the Obligations of Archival Education and Educators in the Twenty-First Century,” *Archival Science* 11 (2011): 197-198.

published in 2012. Under these considerations, it makes more sense to prioritize other collections with more tangible researcher interest. Tranny Fest was conceived for emotional reasons, and its collection survives for emotional reasons. The Tranny Fest Collection cannot be approached using a neutral lens but must be preserved through an “archive of feelings” framework. To quote Wakimoto, et al.: “Archivists need to shed the idea and stereotype that they are neutral, apolitical, and non-activist in their work. Instead, archivists have the opportunity to embrace their power to right historic imbalances in the archives and should be more mindful of how they describe and provide access to their different communities’ records.”<sup>153</sup> Using Cifor and Caswell’s radical empathy framework, the Historical Society has a responsibility to the affected community, in addition to the original record creators, to provide access to the collection. Many of the tapes in the collection are quite rare and the films in the collection are representative of the diversity of the trans experience. As a community archive, the GLBT Historical Society generally has closer ties to its designated community and a greater responsibility to them than a traditional archive. Since the Tranny Fest Collection is one of the few collections in The Archives that deals specifically with trans and gender nonconforming people it is especially important that the collection is prioritized for preservation and access. Though The Archives currently prioritizes the acquisition of intersectionally marginalized collections, a policy change is required that specifically prioritizes these collections *after* they have entered the archive, regardless of copyright status. Extending this prioritization to the processing, preservation and digitization of intersectionally marginalized collections would

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<sup>153</sup> Diana Wakimoto, et al., “Archivist as Activist: Lessons From Three Queer Community Archives in California,” *Archival Science* 13, no 4 (December 2013): 308.

strengthen the relationship between archive and record creator, as well as affected community, as the affects of which would be more visible to those outside of the organization.

In order for The Archives to fully implement this change in policy there are three other changes that first need to happen on an organizational level 1) the reprioritization of The Archives within the Historical Society 2) a deeper understanding of archival practice and the purpose of The Archives from upper management and the Board of Directors 3) increased financial and staff support for The Archives. As Don Romesburg observed in 2014 “To continue and expand its eclectic and queer approach, the [GLBT Historical Society] will require a substantially bigger archival footprint, more staffing, and costly space-efficient storage. This is not a simple problem to solve—to date, the museum’s success has not brought with it resources substantial enough to make such changes into reality.”<sup>154</sup> During the Spring of 2018, The Archives’ reading room was consistently booked at full capacity with researchers being turned away due to a lack of space and staff. As a result, the Director of Archives and Assistant Archivist end up spending almost all of their time organizing and performing reference, and little to no time processing or preserving collections. In addition, the Historical Society’s registrar ends up performing more reference duties than registration duties to help The Archives keep up. This problem could easily be rectified by upgrading the Assistant Archivist to full-time and hiring a Project Archivist to resolve the complicated collections in The Archives, such as the Tranny Fest Collection. In this sense, the Archivists are currently unable to fulfill

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<sup>154</sup> Don Romesburg, “Presenting the Queer Past: A Case for the GLBT History Museum,” *Radical History Review* 120 (January 2014): 135.

greater ethical responsibilities to their record creators, subjects and affected community without increased support from the organization.

The GLBT Historical Society has come a long way since its founding. Using Sheffield's Social Movement Organization model, it is in the third stage of its life cycle. The third stage sees community archives:

become highly organized and start building formal infrastructures, such as incorporating as a not-for-profit, establishing a board of directors or trustees, and better organizing labor. For community archives, bureaucratization can include the development of mandates or mission statements, governance structures, and acquisition policies.<sup>155</sup>

Community archives are often founded for political reasons and many LGBT+ archives sprung up as a direct result of the AIDS crisis. As Sheffield notes, not everyone in the community welcomes professionalization and/or institutionalization.<sup>156</sup> Both of the founders of the rukus! archive felt this way, stating in an interview "I'm very anti the notion of being institutionalized by any kind of organization, even by our own organization" and "I guess I like the idea of something being a lot more flexible and more fluid."<sup>157</sup> These are noble goals and marginalized people are not wrong for being suspicious of institutionalization. However, some level of professionalization and formal archival training is necessary. Politics and good intentions cannot slow chemical degradation. Without intervention the materials collected by these organizations will degrade or become obsolescent to the point of inaccessibility. Digital objects are

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<sup>155</sup> Rebecka Sheffield, "Community Archives," in *Currents of Archival Thinking*, 2<sup>nd</sup> ed., eds. Heather MacNeil and Terry Eastwood, (Westport: ABC-CLIO, LLC, 2017): 371.

<sup>156</sup> Ibid.

<sup>157</sup> Ajamu X, et al., "Love and Lubrication in the Archives, or rukus!: A Black Queer Archive for the United Kingdom," *Archivaria* 68 (Fall 2009): 289.

particularly volatile and require consistent upkeep.<sup>158</sup> For the most part, the Historical Society has artfully balanced its dual role as a community organization and archives. In this case, a regression from professionalization at the Historical Society would be extremely detrimental to the functioning of The Archives and would guarantee the degradation and loss of many of the archival collections. Further, this kind of loss would be a failure to fulfill the ethical responsibilities The Archives has to the record creators and affected communities who expect the Historical Society to effectively preserve their history for future generations.

Currently the tapes in the Tranny Fest Collection at the GLBT Historical Society Archives is in an inadequate state of preservation with limited accessibility. Though the Tranny Fest Collection comprises one of the largest transgender audiovisual collections, it more importantly contains films from a large number of filmmakers across the world. Unlike many other trans film collections, almost all of these films were made by trans people about their own experiences, rather than by cisgender people projecting their own ideas about trans lives. Tranny Fest directors Alex Austin and Christopher Lee were also staunchly anti-racist and anti-ableist and considered these to be core tenets of the festival. For this reason, I contend that the Tranny Fest Collection is potentially the richest and most diverse collection of transgender filmmaking currently in an archival repository. The loss of the collection, be it physical, intellectual, or chemical, would be a devastating blow to the trans community who have contended with a long history of active oppression and erasure.

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<sup>158</sup> Erin O'Meara and Kate Stratton, "Module 12: Preserving Digital Objects," in *Digital Preservation Essentials* (Chicago: Society of American Archivists, 2016): 56.

The issues currently facing the Tranny Fest Collection are common problems, particularly for community archives, and even more so for audiovisual collections. Community archives consistently have to contend with preserving their collections despite a lack of resources and funding. In his 1999 Archives Review, Meeker cites this as being the main issue that the GLBT Historical Society faces: that their collections outweigh their cash flow.<sup>159</sup> The same can be said for the Historical Society today. Audiovisual collections are notoriously hard to preserve due to their short lifespan, expensive storage, and numerous formats. Many archivists do not learn audiovisual preservation while pursuing their masters, as most information schools only provide one course in “alternate” formats, if any. The Tranny Fest Collection is far from being alone in the issues it faces and instead exists as one of many collections with complicated access and/or preservation concerns.

Despite having a number of major barriers to the collection’s access, the GLBT Historical Archives & Museum does have options when contending with these barriers. Through utilizing legal exceptions, precedent, and a more liberal interpretation of ownership The Archives is still able to provide access to this collection despite the immediate barriers it faces. Though the preservation concerns facing the collection do not appear to be as immediate as the physical and intellectual ownership concerns, they are more likely to have a drastic and permanent effect on the long-term accessibility of the collection. Utilizing the suggestions provided in this document could have a big impact on the accessibility of the Tranny Fest Collection, but the accessibility of similar collections in The Archives hinges on a bigger shift in the policies and

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<sup>159</sup> Martin Meeker, “Archives Review: The Gay and Lesbian Historical Society of Northern California,” *Journal of Gay, Lesbian, and Bisexual Identity* 4, no. 2 (1999): 203-204.

priorities of the organization as a whole. The bottom line is that nothing in The Archives will improve without proper support from the organization and its management.

## Appendix I

Title	Artist	Length	Year Produced	Year Screened at Festival	Distributor/Production Company	City/Country	Collection Format	Exhibition Format	Relation to Festival	Notes
Lavender Lounge "Travels Through Transgenderland"	Mark Lien	58 min	1993	1997		United states	VHS		festival film	Played as part of the video lounge.
Slap Drag Ons	Steve Grandell	5 minutes			Fever Films	New York city united states	VHS		submission	
XXXY	Porter Gale and Laleh Somekh	13 min	2000	2001		San Francisco United States	VHS		festival film	Two copies. Played on Saturday the 17th as part of the 8pm program.
Storme: Lady of the Jewel Box	Michelle Parkerson	21 min	1987	1997	Women Who Make Movies (distributor) Eye of the Storm Productions	New York city united states	VHS		festival film	Played as part of the 9pm program. "Intimate portrait of Storme DeLarverie, male impersonator with the legendary Jewel Box Revue in the 1940s." -via program
Tremblement de Chair	Mirha-Soleil Ross and Mark Kubrisky	3 min	2001	2001	Vtape	Toronto (or Montreal?) Canada	VHS		festival film	Played on Saturday the 17th as part of the 8pm program. "A poetic meditation of the beauty, perils & power of sexuality in a TS body." -via program
Border Crossing: the 12th Annual I.F. G.E. Convention 1998	Cat Grant and Boyd Kodak	4 min	1998	2001		90% sure the 98 convention was held in Toronto	VHS		festival film	Played as part of the video lounge. Description on back of tape: "Xpressions hosts the 12th annual International Foundation for Gender Education Convention for anyone who does not identify with traditional gender roles and all who support freedom of gender expression. In Canada, for the first time, Crossing Borders features some of the movers & shakers in TG land at work & play. Crossing social, economic, political and philosophical lines, everyone is bound together by a common desire to freely explore and express gender identities by transcending gender norms."
Shantay		20 min			World of Wonder	Hollywood United States	VHS		submission	Note on tape indicates the number 5 and 12:00
The Man From Venus	James Diamond	4 minutes	1999	2001	Video Out	Vancouver Canada	VHS		festival film	Two copies. San Francisco premiere. Played on Saturday the 17th as part of the 8pm program. "Smart, funny, generous, this experimental work tells it like it is for at least one man." -via front of case
Madame Lauraine's Transsexual Touch	Mirha-Soleil Ross, Monica Forrester, Viviane Namaste	34 minutes	2001	2001	PVC Productions (now defunct), Viape (Distribution)	Toronto Canada	VHS		festival film	Three copies. Played on Saturday the 17th as part of the Space Hook and Tow Porn Program. West Coast premiere. "Spend an evening at Madame Lauraine's transsexual whorehouse where you can either eat in or take out! After just one look - honey -Your life will never be the same." -via back of case. Note indicates it was played Saturday at 10:30, #3
Taste	Lisa Dromboski	22 minutes	2000	2001	Queer Screen Limited	Australia	VHS	16mm	festival film	Played as part of the video lounge. Part of a larger "My Queer Career 2001" compilation tape. Note on the side indicates Taste as #15. "Meet Suz, she's on a roller coaster with Pete. Meet Danny, a chef with a difference who wants to take her on another kind of ride." -via back of case
Scent uVa Butch	Shoshanna Rosenfeld	35 minutes	1998	1998	Blow-up Doll Productions	San Francisco, United States	VHS		festival film	Played as part of the 8:30 program. Documentary. "Find out what separates the butch from the boys and get an up-close look at the lives of over twenty butches: from a 23-year-old Texas charm school graduate to a 53-year-old mohawk-sporting diesel dyke. Scent uVa Butch is a sexy, groundbreaking documentary that gives us a whiff of the complexity, fluidity, and sensuality of dykes who choose to call themselves butch. Slip in the tape and celebrate the renaissance of gender-bending on the cutting edge of queer culture." -via back of case
Strait	Evie Leder	12 min.	1996				VHS	16mm	submission	"a charged voyeuristic dynamic develops as two couples wait for a train to take them to some unknown destination. The travel in question turns out to be along the axis of sexuality and gender, the seen and the unseen, the desired and the feared. / Strait initiates a dialogue on the representation of GENDER and sexuality and how acts of looking are always implicated in the economies of desire and power. Proceeding beyond the facile presentation of good vs. bad images of QUEER subjects, Strait instead investigates how sexual identities are performed, how they are received and recognized by the senses" -via back of case
The Changes Within	Max Valerio		2001				VHS		submission	
Tranny TV Clips we got moves you ain't even heard of ((part one))	Marla Leech	35 min	1998	1998		united states	VHS		festival film	Though the tape itself is supposed to be 35 min, only 25 min. screened at the festival. Played as part of the 8:30 program. "Retro TV Clips that will make you laugh and hiss." -via program
Glen or Glenda?	Clover Paek	11 min	1999	1999		Los Angeles United states	VHS		festival film	Played as part of the "Jack-off lantern" Tranny porn and more... 10:30pm program. "A Asian-Amer. faggot dyke's obsession with Ralph Macchio "Karate Kid" -via program
	Ed Wood						VHS		submission	Bootleg, not studio distributed
The Grass is Greener	Amanda Raine	15 min	1999	2001	Potent Pussy Productions	Bristol, United Kingdom	VHS	16mm	festival film	Played on Sunday the 18th as part of the 7pm Program. "In the last desperate bid for love, Tom and Mary, who have never met go on a singles gay caravan holiday in Wales. Mary is a butch lesbian who wants to wear slick suits, smoke cigars, and wine and dine beautiful woman. (sic) Tom is a gay man who wants to wear long flowing dresses, beautiful jewelry and be treated like a lady should. Mary is everything Tom detests about lesbians, and Tom is the epitome of all that Mary loathes about gay men. What they find is each other, one caravan and no way of getting home." -via back of case
T	Jude Fauconnier and Christa Rowland	10 min	1999			San Francisco United States	VHS		submission	"A transgendered western tale of a tranny consumed with her internal struggle of gender duality and the need for acceptance within the lesbian community" -via submission form
East	Shamiran Samano	9 min	1998	1998		San Francisco United States	VHS	16mm	festival film	Played as part of the 8:30 program. "A sensual, erotic depiction of Middle Eastern queer identity and community." -via program
Butch Body Blues	Aleada Minton	12 min	2002	2003		Syracuse New York United States	VHS		festival film	Played at 4pm as part of the Speeding the Passing Lane program. West Coast premiere. "A place in film where masculine women are celebrated, recognized and their own stories are told." -via program
3DME	Colleen Cruise	6 min	1998	1999		White Gum Valley Australia	VHS		festival film	Played as part of the 12pm program. "Gender construction in the form of a journey thru space and time." -via program
33	Vinsantos	10 min	2003	2003		United States	VHS		festival film	Two copies. Played at 6pm as part of the Chop Shop program. "Macabre sno and transandrogen. Vinsantos, having trouble coming to grips with inevitability of old age, embarks on a sinister hunt for the "Fountain of youth!" -via program
strangers in our sameness	Zane Thimmesch-Gill	55min	2003			Northampton, MA United States	VHS		submission	
Joanna Died and Went to Hell	Eric Brummer	10 min	1996	1997	Sub-Vision Films	Burbank United States	VHS		festival film	Played as part of the video lounge.

Straightboy Lessons	Ray Rea	8 min 30 sec	1999	1999		United States	VHS	16mm	festival film	Screened version was 10 min. Played as part of the 7:30pm program. "A primer from a non-trans friend and a celebration of friendship." -via program
Tranzinfo					Mastered by Gypsy Studios	Toronto??			submission	
Tranny Talk TV		2 min	1999				VHS		submission	Note indicates it played at 12pm and was #3 after "Frankenpooh"
Butch Girs, Reservoir Dykes and Faggot Whores	Ricky Lee	23 min 33 sec	1997	1997		San Francisco United states	VHS		festival film	Played as part of the 9pm program. "Need we say more?" -via program
No Dumb Questions							VHS		submission	
Latin Queens: Unfinished Stories of Our Lives	Anton Wagner	55 min	2000	2001	Anton Wagner Productions Inc.	Toronto Canada	VHS		festival film	looks like they went to York. Played as part of the video lounge. San francisco premiere. "The powerful docuementary tells the story about gays, female impersonators, and transgendered persons from Latin American struggling to survive and find a new home in the gay community in Toronto." -via program
Skoundx/ Counting Past 2 '99/ Shih Tzu Happens	Cat Grant and Boyd Kodak	4 min 30 sec/ 4 min/ 6 min	2000/1999/2001	2001	Gypsy Studios	Toronto Canada	VHS		festival film	Shih Tzu Happens played in 2001 on Saturday (the 17th) at 2pm as part of the Family and Youth Program. US Premiere. Counting Past 2 '99 and Skoundx also played in 2001 as part of the video lounge. Tape 1: Appears to be two films on one tape. Skoundx is #13 Counting Past 2 is #3 Tape 2: Shih Tzu Happens: "Lilith crashes brother Bemies hopes for a romantic evening with pop idol Blisstina Artfullera" Counting Past 2 '99: "4 days in 4 minutes sets the pace for this look at Toronto's transsexual/transgender Feast." Skoundx: "A transensual femme catches sight of a fim on the beach and has chroma colour fantasies." Important to note that the festival Counting Past 2 was founded and run by Mirha-Soleil Ross, who features heavily in this collection.
M! Mom, Madonna & Me	ATIF/SIDDIQI	53 min 50 sec	2001	2001	BURQA Films	Montreal Canada	VHS		festival film	Played as part of the video lounge. "An autobiographical Pakistani-American docu-drama, the filmmaker journeys throug to past fulfilling his own, his mother's and Madonna's dreams" -via program
The Ride	Bill Basquin	8 min	2000	2001	Eye of the Needle Productions	San Francisco United States	VHS		festival film	Played as part of the video lounge. "A tense and poetic cab ride shared between a transgender driver and a potentially penniless passenger." -via program
Whitney: Mama's Little Baby- The Series	Lawrence Elbert	120 min	2001	2001	Elbro Productions	Los Angeles United States	VHS		festival film	Copy 1: Note indicates this play Saturday at 8pm spot #2. assigned #5. Also appears they only played a 25 second promo at the festival called "This Pipe" Copy 2: also played Saturday at 8pm, assigned #9. 2 min 20 sec. Episode #13 "Parking Lot Crawl" Copy 3: Promo #1 "Theme Song" 20 sec. played saturday at 8pm #3. Played on Saturday the 17th as part of the 8pm program. West Coast premiere. "A shocking parody of one of the world's most famous vocalist" -via program
Sex Becomes Her: The Story of Chi-Chi LaRue	Mike Aho	65 min 11 sec	2000	2001	Rapido TV	United kingdom	VHS		festival film	Played as part of the video lounge. "Profile and inside story of Los Angeles based gay male porn director, drag queen, Chi chi LaRue." -via program
Death of Game	Patty Chang	2 min 20 sec	2000	2001		United States	VHS		festival film	Played on Saturday the 17th as part of the 6pm program. West coast premiere. "Remake of the infamous fight scene between Bruce Lee and Kareem Abdul Jabar." -via program
Charlie! the movie	Pietro Cuevas	45 min					VHS		submission	
New Humans	Dina L. Boyer	6 min	2003				VHS		submission	
Inori no Ordori (Dance of Requiem)	Gilyak Amagasaki	69 min 24 sec	2000?			Tokyo Japan	VHS	16mm	submission	documentary
Let me die a Woman							VHS		submission	
Groucho	Michael La Rocco	6 min 36 sec	2003		Guilt Trip Pictures		VHS		submission	"Psychotherapy will never be the same when Tina Rivera, a Latina Lesbian, finds herself in 'group' therapy with her family. Once the cat is out of the bag - Tina's split personality appears in the form of the legendary comedian Groucho Marx. And if Groucho wasn't enough - gender confusion, political satire, and parental pressure follows, making up for one hilarious, side splitting, fruitloop nightmare." -via back of case
Summer Thunder	Spencer Lee Schilly	81 min	2002			Long Island New York United States	VHS		submission	"A washed up gay teen porn star is forced to confront his true identity as Blood Billy: the boy who had his penis shredded in a bizarre and highly publicized hot tub filter accident as a pre-teen in Mississippi" -via submission form
Dysfunctional	Mirha-Soleil Ross	9 min	1997	1997	Vtape	Toronto or Montreal Canada	Umatic		festival film	San Francisco premiere. Two copies? Played as part of the 3pm program. "Transsexual sexuality w/ 19th-century accordion twist." -via program
Trannyfest 1997 Trailer	J. Carranza, Christopher Lee, Elise Hurwitz, Alyssa Izen	32 sec	1997	1997	BVAC	San Francisco United States	Umatic, Betacam SP, DAT, VHS		Trailer	Five copies (two umatic)
Boys Don't Cry Trailer "B"		2 in 18 sec	1999		Fox Searchlight		Umatic		Trailer	Appears to be a legitimate screener
Mother's Day 1999 Tranny Fest Trailer	David Quantic	19 min	2003		Qubed Pictures	Los Angeles United States	VHS	16mm	submission	
Season of the Troll	Joshua Grannell	13 min	1999			San Francisco United States	VHS		Trailer	
A Man in a Dress		50 min			Telezam		VHS		submission	
Proud Lives	Mark Kubrisky and Mirha-Soleil Ross	5 min	2002		Vtape	Toronto or Montreal Canada	VHS		submission	"In 2001, transsexual activist, sex worker, and performance artist Mirha-Soleil Ross was elected Grand Marshall for Toronto's annual LGBT Pride Parade. This was done in recognition of her hard work on behalf of the transsexual, transgender, and sex worker communities.  Dressed as the Lady of the Beasts, she emerged from the deep urban woods with her pack of coyotes to lead a performance celebrating the actions and victories of the underground Animal Liberation Front and to show support for all the courageous activists who every year risk their freedom to liberate animals from places of abuse and exploitation." -via vtape
Raised by Drag Queens	Maria Breaux	12 min	2002	2003	Ragamuff Productions	United States	VHS		festival film	Played at 1pm as part of the Family and Youth show. "Three San Francisco drag queens find a baby on their front step and raise her into womanhood as only they know how." -via program
Trans' verse							VHS		submission	
True Spirit	Tobaron Waxman	20 min	2001				VHS		submission	"untitled self portrait" (9 min) is on the same tape
The Alligator Boy's Little Mermaid	Glenn Webb	12 min				Stony Brook New York United States	VHS		submission	"[...] My unsavory alter ego, the Alligator Boy, is plunged underwater world of this fairytale classic. My interpretation of the narrative is a tender, sometimes funny, meditation on forbidden romance, since and subjectivity. 'The Alligator Boy's Little Mermaid' delves into emotions of alienation and longing when the Little Mermaid, played by the Alligator Boy, commits the greatest taboo in her society and falls in love with a man. Positioned between the worlds of convention and fantasy, the video morphs back and forth between campy female impersonation and the harsher reality of life at the margins." -via back of case
A Big Fat Girly Problem	Jon Davies	16 min 35 sec				Toronto Canada	VHS		submission	

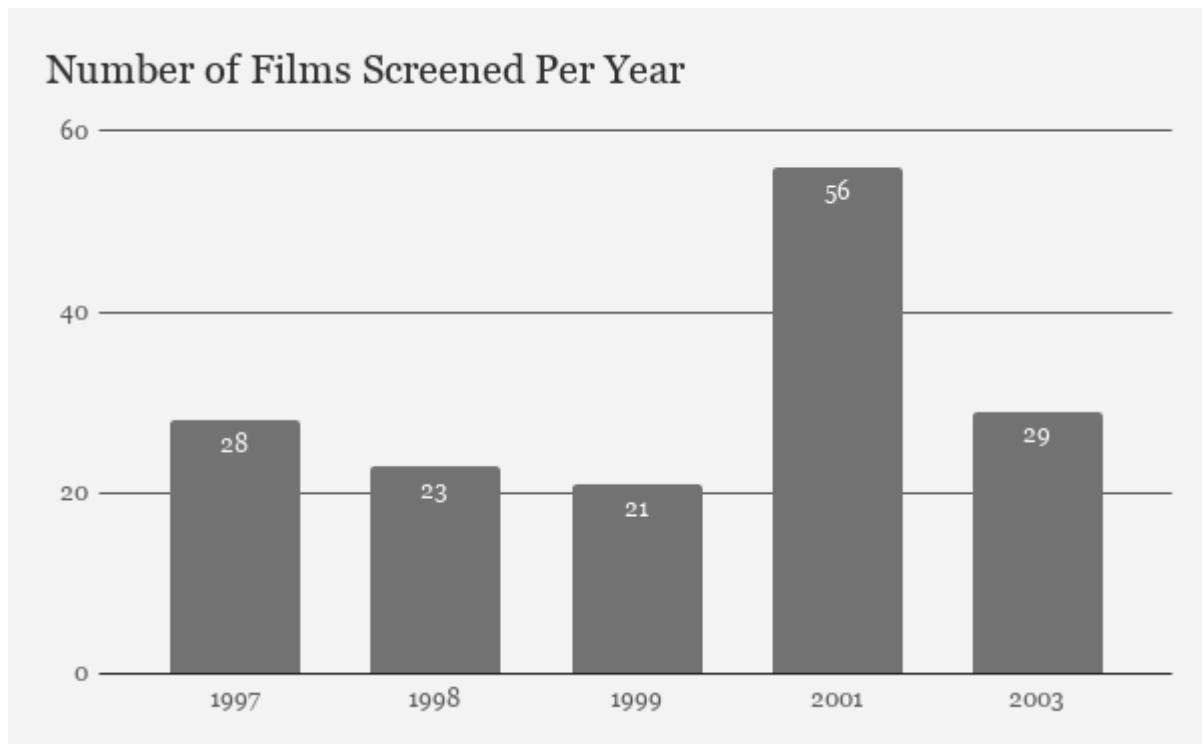
ORLAN, Camal Art	Stephan Oriach	75 min	2001	2001	Myriapodus Films	Paris France	VHS	35mm	festival film	Played on Saturday the 17th as part of the 4pm program. US Premiere. "Famous Artist Orlan from Paris uses surgery for the sake of Art with her eyes and mind wide open." -via program
Third Antenna	Freddie Fagula and Hellery Homosex	90 min	2001		A Dragattack Cabaret Production	Olympia, WA United States	VHS		submission	"Beyond female or male impersonation and gender opposites, Third Antenna focuses on drag and gender performance that doesn't usually get the spotlight it deserves, drag that is challenging, empowering, and radical by its existence outside the boundaries of passing and entertaining." -via back of case
Product: Diary of a Disco Dolly			2002-2003		Sterile Cowboys & Co.		VHS		submission	"a monthly sub/cultural video magazine" "kill me but make me beautiful technology/sexuality/art/commerce" -via back of case
Sirens of The 23rd Century	Jennifer M. Kroot	86 min	2003		Tigerlily Pictures LLC	San Francisco United States	VHS		submission	Note from filmmakers says that the exhibition format is 35mm, unclear if this happened.
Materstina	Mark Kubrisky and Miha-Soleil Ross	12 min	2003	2003	Vtape	Toronto or Montreal Canada	VHS		festival film	Played at 6pm as part of the Chop Shop program. Though on the tape is credits the film as being made by Ross and Kubrisky, only Ross is credited in the program. West Coast premiere. "A czech woman speaks about her exile in Canada and about her sense of loss as it relates to language and her relationship with her children" -via back of case
Small Town America	Candy Kitty (John Davis?)	4 min 28 sec					VHS		submission	
Shotgun	Jordy Jones	23 min	1997	1997		San Francisco? United States	Umatic		festival film	Two copies. Played as part of the 1 pm children's program. "Sentimental & beautiful intersex wedding in Oakland." -via program
St. Pelagius the Penitent and Other Stories	Jason Barker	10 min	1997	1997		United Kingdom	VHS	16mm	festival film	United States premiere. Played as part of the 9pm program. "The stories of five friends, each on a unique gender adventure and one of their long-lost ancestors, a medieval saint." -via back of case
this is a party	Dara Sklar	6 min	2002			San Francisco, United States	VHS		submission	
Creature	Parris Patton	56 min	1998	1998	Seventh Art Releasing, Cordish Media Inc	Los Angeles United States	VHS	16mm	festival film	Rough cut screener. Played as part of the 12pm program. Tape is 56 min., screened version was 61 min. "North Carolina runaway transforms into "Stacey Hollywood" - via program
3 boys 2 boys							VHS		submission	fine cut
Burnout: tragedy in the Trenches	Meredith Peters	24 min	2003	2003		United States	VHS		festival film	rough final cut. Tape is longer than screened version, which was only 13 min. Played at 6pm as part of the Chop Shop program. World Premiere. "A meditation on Wittgenstein's Tractatus Logico. Philosophicus, metaphysic, Burnout, follows in the timeless tale of one independent filmmaker's fall from grace." -via program
Butch Body Blues	Aleada Minton	12 min					VHS		submission	
Through the Skin	Elyse Montague	18 min	2002		Women Make Movies		VHS		submission	"This experimental biography exposes the trauma of an androgynous child on the brink of puberty. Filmmaker L'Eyde Montague graphically illustrates her struggle with gender deviance in the face of misunderstanding parents and a misdiagnosis of bipolar disorder at the age of 13. Through the Skin traces the complex process of a maturing relationship between parent and child and the raw, challenging journey of self-acceptance." -via back of case. Screened at 16th MIX festival (NYC), 2002 Paris Gay/Lesbian film fest, 5th Vancouver Underground Film festival
Phileas Slipped	Kerie Oakie	15 min	2002	2003	Postcode Productions	United States	VHS		festival film	"A Boy's school class and their teacher discuss romance in literature. Each boy has his own interpretation on this. The film is one of the first genderqueer versions of schoolboy fantasies, played by genny boys, trans boys and butches." -via program
Hart, Schnell und Schon (Hard, Fast & Beautiful)	Machiko Saito	7 min	2003	2003		United States/Germany	VHS		festival film	Played at 10 pm as part of the Four on the Floor-Power Drive program. World Premiere. "Racy inter-racial romps thru a frantic female psyche rapidly collide inside hard-hitting techno-erotic beats of Berlin and San Francisco." -via program
Boyhood Dreams	Dorothy VanDeCarr (sp)	11 min 40 sec	2003	2003		Texas United States	VHS		festival film	documentary. West Coast Premiere. Played at 1pm as part of the Family and Youth show. "Meet 'Xavier', a 15 year-old FTM Transsexual, his mother and his girlfriend. Hear accounts of his daily struggle to embrace his natural self." -via program
Fucking Video!	Yvette Choy	5 min	2002				VHS			
6PM in America! Praise the Mays/ Pimp & Ho Trilogy/ Public Gender Announcements	Mark Kenneth Woods	4 min/ 3 min/ 40 min/ 3 min	2003/ 2003/ 2001-2002/ 2002	2003		Canada	VHS		festival film	6PM in American is the festival film. Played at 6pm as part of the Chop Shop program. "This video is a clever spoof that takes on the mainstream news media and questions the media as a reliable source of information." -via program
A Short Story About Ants	Indy Turan	3 min	1998	2003		United States	VHS		festival film	World Premiere. Played at 8pm as part of the Full Throttle program. "A beautiful crafted narrated animation Whose main character is exposed to a vision of humanity and his own future." -via program
A Nightmare On Castro Street	Joshua Grannell	16 min					VHS		submission	
You Wish/ Buff...n Muffin/ Small Town America	John Davis/Candy Kitty	3 min/ 3 min 48 sec/ 5 min	2001	2001		South Haven, Michigan United States	VHS		festival film	You Wish screened in 2001. World Premiere. Played on Saturday the 17th as part of the Space Hook and Tow Porn Program. "A smooth Transgender shows it off and creates fantasies for you." -via program
Between	Hyunseung Lee	33 min	2002		Yoonhee Choi	Korea	VHS		submission	"Passive Jwon is always forced, by her parents, to an unwanted marriage meeting. One day a young lady called Ami, who only gives lighters to women, comes to Jwon's record shop. After becoming drawn to each other, they naturally starts a relationship." -via submission form
Soul Searching	Lala Endara	6 min	2003			New York City United States	VHS		submission	
A Dandy at My Door	Amy Kamchanapee	11 min 30 sec					VHS		submission	
Passionate Spectator	Del LaGrace Volcano	10 min	2003	2003		United Kingdom	VHS		festival film	French, english and spanish language. Played at 6pm as part of the Chop Shop program. "The work provides a queer twist to the way in which the 'flaneur' is conceptualized." -via program
Gyno Choppin/ Playing with the Kiddies	Rex Rude	6 min 25 sec/ 5 min 17 sec	2003	2003		United States	VHS		festival film	Gyno Choppin' is described as an "experimental narrative" and Playing w/the Kiddies as "experimental documythbiography". Gyno Choppin' was accepted to the festival. Played at 6pm as part of the Chop Shop program. San Francisco Premiere. "A 'male' identified tranny has a visit with the Gynecologist." -via program
I Am Who I Am: My Life as a Transsexual	Ji Hoon Park	57 min	2003	2003		Pennsylvania United States	VHS		festival film	World premiere. Played at 8pm as part of the Full Throttle program. "Twelve FTM and MTF transsexuals living in Pennsylvania and New Jersey areas share their life stories and talk about problems they face in their everyday lives." -via program
New Humans	Dina L. Boyer	5 min	2003	2003		United states	VHS		festival film	world premiere. Played at 10 pm as part of the Four on the Floor-Power Drive program. "The world's first alien invasion was actually a radio broadcast, or was it? They're here!" -via program
Nina	Rolmar Baldanado	9 min 44 sec	2002	2003		Australia	VHS		festival film	Played at 2pm as part of the Island Thunder program. "Nina yeams to be a special girl and to meet the man of her dreams; this video of a Filipino transsexual in Sydney in a truly courageous and moving portrait." -via program
Isn't It Obvious	Shelly Prevost	9 min 10 sec	2003	2003		Fremont CA United States	VHS		festival film	Played at 8pm as part of the Full Throttle program. "Gwen's Aruajo's family in person. Memorial video for the murdered 17 year-old Latina transgendered youth, Gwen Araujo." -via program
Tranny Force- The Movie	Angello Floresco	80 minutes	2002		AJR Productions	Vancouver	VHS	Digital 8	submission	pre-release version
Esme Seeking	Angela Cheng	4 min	2002	2003	Iron Egg Films	Brooklyn NY United States	VHS		festival film	Played at 1pm as part of the Family and Youth show. "After a mishap at a wedding, a bridesmaid makes a choice to search for a different kind of community." -via program

Daddy-O	A. Rosser Goodman	5 min	2002	2003	KGB films	Los Angeles United States	VHS	Betacam SP	festival film	documentary. Played at 1pm as part of the Family and Youth show. "A father sounds off about his love for fishing, fatherhood and his gay daughter on a weekend getaway together." -via program
The Last Day of November	Bill Basquin	4 min	2001	2003		United States	VHS	16mm	festival film	Played at 6pm as part of the Chop Shop program. "A brief look at masculinity and family in the context of de/hunting and through the eyes of a transgendered queer artist." -via program
Lullaby	Mirha-Soleil Ross	4 min			Vtape	Toronto Canada	VHS		submission	"LULLABY was created by MIRHA-SOLEIL ROSS for the SEXIN' CHANGE Conference October 12-14 (Toronto, Canada) as part of her 9 month long performance art PREGNANT PROJECT. The PREGNANT PROJECT explores transsexual women's relationship to the personal and institutional aspects of motherhood and hopes to foster community discussion about the ethical and political implications of "controversial" reproductive technologies such as surrogacy, female reproductive organ transplant, and cloning." -via back of case
Yapping Out Loud: Contagious Thoughts from an Unrepentant Whore	Mirha-Soleil Ross	74 min	2002		vtape	Toronto Canada	VHS		submission	Funded by the canada council for the arts
Hollywood Operation	George Willis	2 min	2002	2003		United States	VHS		festival film	West Coast Premiere. Played at 1 pm as part of Family and Youth show. "What do Pamela Anderson, Cher & Michael Jackson all have in common? They all play this celebrity surgery game" -via program
Allo Performance!	Mark Kubrisky and Mirha-Soleil Rossq	13 min	2002		vtape	Toronto or Montreal Canada	VHS		submission	french with english subtitles
Transit	Heather Cameron	19 min	1999	2001		Berlin, Germany	VHS		festival film	German with english subs. Played on Saturday the 17th as part of the 6pm program. "The rebuilding of Berlin provides a backdrop and the driving metaphor for a Boy under construction." -via program
Pink Eye	Machiko Saito	7 min	2000	2001		United States	VHS		festival film	San Francisco premiere. Played on Saturday the 17th as part of the 8pm program. "A Real-Girl-dragon-queen's sexual satisfaction & oral gratification with broken camera parts." -via program
Ladyup	Lynne Chan	15min	1999				VHS		submission	
Transanimals	Amy Hill	18 min	2001	2001	Liminal Criminals Productions	Oakland United States	VHS		festival film	West Coast Premiere. Played on Sunday the 18th as part of the 2pm Program. "A mockumentary that uses humor as a vehicle and animals as a metaphor to sensitively explore real issues." -via program
Benjamin Smoke	Jem Cohen and Pete Sillen	80 min	2000	2001	Cowboy Booking International	New York City United States	VHS		festival film	Played as part of the video lounge. "A powerful documentary which poetically captures the life and times of an extraordinary artist, speed freak and occasional drag queen simply known as 'Benjamin'" -via program
Candy Kitty Screen Test Tape							VHS		submission	
Transgenic Hairsheet	Dale Hoyt	4 min	2001				VHS		submission	
King Rule (Part I)	Scooter Jenkins	18 min					VHS		submission	
Shut Up White Boy	Vu Thu Ha	2 min	2001	2001		United States	VHS	16mm	festival film	Played on Sunday the 18th as part of the 9pm Program. World premiere. "White boy fantasy of lesbo/Trans girl gang in orientalist drag that kicks some ass!" -via program
Alexandra Pomaluna	Gloria Monsalve	36 min	1998	2001		Colombia	VHS		festival film	Spanish with subtitles. San Francisco premiere. Played on Sunday the 18th as part of the 7pm Program. "A MTF struggles to set up shop as a hairdresser in the hard streets of Medellin." -via program
Faggotdyke docksucking whore	Sade Huron	5 min	2000			San Francisco United States	VHS		submission	described as an experimental short
Tranny Talk	Dina L. Boyer	44 min	2001	2001		San Francisco United States	VHS		festival film	Played as part of the video lounge. West Coast premiere. Unclear if the same/related to Tranny Talk TV. "Tranny TV founded two years ago, is aired every month on San Francisco's public access channel 29." -via program
Youth Outloud!	Becky Burklee and Kathy Hines	20 min	2000	2001	Sun & Moon Vision Productions	San Diego United States	VHS		festival film	Played Saturday (the 17th) at 1pm as part of the Family and Youth Program. "A documentary addressing lesbian, gay, bisexual and transgender youth issues in our schools" -via front of case
To Or Not To Profile/ Attack of the Cake Mixer	Caroline Divine	16 min 45 sec					VHS		submission	
Sir: Just a Normal Guy	Melanie LaRosa	57 min	2001	2001		Berkeley United States	VHS		festival film	2 copies. Played as part of the video lounge. "Sir" follows Jay Snider over a 15 months period of his Female-to-Male transition, exploring the many physical and psychological changes. this video also includes interviews with his former husband and current Lesbian identified partner." -via program
I Am Your Sister	Lashambi Britton	35 min	2000	2001		United states	VHS		festival film	Played on Saturday the 17th as part of the 8pm program. San Francisco premiere. "Nine Transwomen tell their stories of passion, pain, violence and triumph." -via program
Unhung Heroes Trailer	Jessica Lawless and Ilya Pearlman	1 min 25 sec	2001	2001		United states	VHS		festival film	World premiere. Played on Sunday the 18th as part of the 9pm Program. "A fast paced action comedy about five FTM guys and a scheme to come up with a million in surgery money." -via program
Intersexion	A. Sophia	10 min 30 sec	2001	2001	Pearl Forest Studio	Boulder, CO United States	VHS		festival film	Played on Sunday the 18th as part of the 9pm Program. "This experimental film is a imagicist and personal exploration of the effects of surgery on Intersexed children." -via program
Breeder Feeders	Reg Saiz	7 min 7 sec	2000	2001	Homo-cidal productions	Los Angeles United States	VHS		festival film	Played on Saturday the 17th as part of the Space Hook and Tow Pom Program. San Francisco premiere. "Making babies is like dinner served with a smile." -via program
Sunflowers	Shawn Hainsworth	50 min				San Francisco United States	VHS		submission	
JJ Chinois	Lynne Chan	5 min	2001	2001		United States	VHS		festival film	West Coast Premiere. Played on Sunday the 18th as part of the 4:30pm Program. "Pop star JJ Chinois, the ideal combination of talent an virility without bios in either diction." -via program
Life's a Butch!	A. Rosser Goodman	14 min		2001	KGB Films	Los Angeles United States	VHS	Mini DV or Betacam SP	festival film	Played on Sunday the 18th as part of the 9pm Program. "A comedy about a femme who loves femmes only to ind gender bending truth about butch/femme dating!" -via program
The Shape of the Gaze/ Clamp/ Site Visit	Maia Cybelle Carpenter	7 min/ 10 min/ 10 min	2000/ 2000/ 1999			United States	VHS		submission	The Shape of the Gaze: originally shot on 16mm, color, silent. Clamp: originally shot on digital video, black and white, sound. Site Visit: originally shot on 16mm, color, sound.
Untitled (my mama)/ Faggot/Cholo/ life-size	Lynne Chan	10 min/ 5min/ 10 min	----/1996/----	1998		United States	VHS		festival film	life-size played in 98 as part of the 12pm program. "part love letter part obsessional fantasy (sic) about a gun-smacking New Jersey Girl." -via program Faggot/Cholo played in 98 as part of the 1:30 program. "A personal homage to gay porno faggot imagery." -via program
Behind the True Biography: Dionne	Lawrence Elbert	14 min 14 sec			Elbro Productions	Los Angeles United States	VHS		submission	
Tranny Fest 98 music tape							audio cassette		submission	
Tranny Fest '99 TARC Performance Event		60 min	1999	1999			hi8		submission	

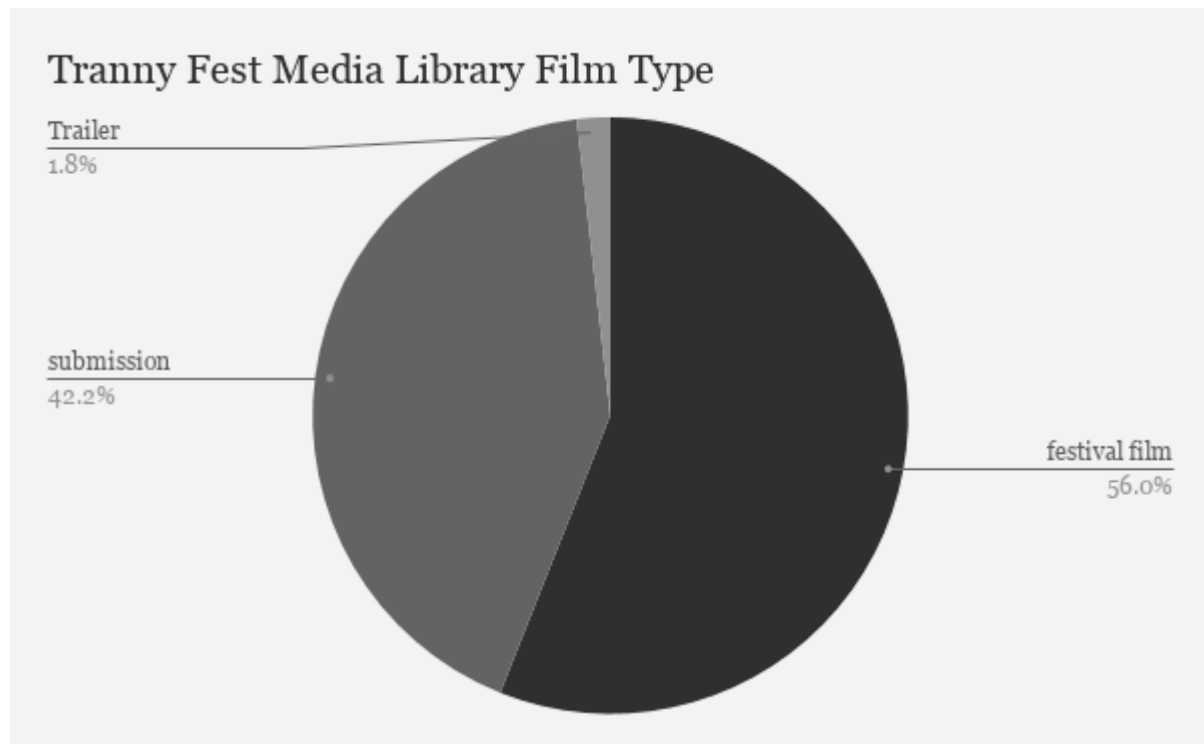
Tranny Fest 98 Victoria			1998	1998			hi8		submission	
Tricky or Tranny?/ The Millenium		120 min	1999	1999			hi8		submission	
1st Tranny Fest			1997	1997			hi8		submission	
Bite Me Again	Scooter Jenkins and Jesse G Merri	42 min	1999	1999		San Francisco United States	VHS		festival film	Played as part of the "Jack-off lantern" Tranny porn and more... 10:30pm program. "A short clip from a sexy video of performance." -via program
Hans New Film	Lucia Davis	5 min 50 sec	1997	1997	Esoteric Pix Productions	United states	VHS		festival film	Work in progress. Played as part of the video lounge.
Whispers from the Grandmothers: Indigenous Perceptions of Gender	Aiyana Maracle	19 min	2001	2001		Vancouver United States	VHS		festival film	Played on Sunday the 18th as part of the 7pm Program. San Francisco premiere. "Profile of the artist Aiyana Maracle, a Mohawk grandmother, a Transformed woman who loves women." -via program Played on Sunday the 18th as part of the 9pm Program. English language. "A cyberspace encounter turns into a trans-polysexual-vegan-docu-porno featuring urban veggie lovers speaking out on dating, intimacy, and sex in a meat-centered culture." -via correspondence from Ross
G-SPRuT!	Mirha-Soleil Ross and Mark Kubrisky	12 min	2000	2001	vtape	montreal or toronto canada	VHS		festival film	
Bombay Eunuch	Alexandra Shiva	71 min	2001	2001	Gidalya Pictures	New York city united states	VHS		festival film	Played on Sunday the 18th as part of the 4:30pm Program. "A surrogate family of Eunuchs explores the challenges facing many in India's Eunuch community." -via program
Cookie Hopkins, 1976	Christopher Crandall	4 min 30 sec	2001	2001		San Francisco United States	VHS		festival film	Played on Sunday the 18th as part of the 2pm Program. "A drag queen cookie Hopkins recounts the roots of her inspiration and the pivotal event that shaped her destiny." -via program
Thank You Kate Bornstein	Mark Kenneth Woods	4 min	2000	2001	vtape	canada	VHS		festival film	Played as part of the video lounge. San Francisco premiere. "When is a man, and what is a woman? inspired by the works of transgendered performance artist Kate Bornstein." -via program
Beautiful Bones	Matt Wolf	5 min		2001		New York City United States	VHS		festival film	Played Saturday (the 17th) at 2pm as part of the Family and Youth Program. Wolf was attending NYU at the time. San Francisco premiere. "An Experimental Narrative about family gender roles" -via program
Forbidden Fruit: Unfinished Stories of Our Lives	Anton Wagner	27 min	1999	2001	Anton Wagner Productions Inc.	Toronto Canada	VHS		festival film	Played on Saturday the 17th as part of the 6pm program. San Francisco premiere. "A documentary that explores the rich history of female impersonators in Toronto from the '40s-now." -via program
how long has it been	Tobaron Waxman	7 min	2001				VHS		submission	
Assembly at Dyke High	Scooter Jenkins	20 min	1986				VHS		submission	
Untitled work-in-progress	Anne Schukat	25 min	1997	1997		United states	VHS		festival film	documentary, rough cut. Played as part of the video lounge. "a documentary about the unique perspectives of three transsexuals. Gender being a core issue in their lives. Katherine, Matt and Yosenio share what it means for them to be female or male, and through her experience, allow the audience to raise questions, and explore their own identities as woman and men." -via submission form
In Memory of Rita	Gordene MacKenzie and Nancy Nangeroni	4 min 45 sec	2001	2001	Yellow Panther Productions	United States	VHS		festival film	Played on Sunday the 18th as part of the 9pm Program. West Coast Premiere. "Rita Hester, an African American TS was brutally killed. Her family and friends hold this vigil for her." -via program
Lady Boys						Thailand	VHS		submission	
Ladylike	Anne Alvergue	8 min.	1999	1999		California United States	VHS	Beta	festival film	Played as part of the 7:30pm program. "San Jose to L.A. lifestyles of a unique group of heterosexual cross-dressers." -via program.
Tinky Tricks	Marilyn Bull and Ellen Ferwerda						VHS		submission	
Linda Les & Annie: The First Female-to-Male Transsexual Love Story	Al Jaccoma, Johnny Armstrong, and Annie Sprinkle						VHS		submission	"A fun, unique, sexy and infomative video docu-drama about Les Nichols, a woman who became a man (and is now actually a surgically made hermaphrodite). It includes an intimate view of the night he and Annie Sprinkle tried out his new, surgically constructed penis for the first time. His dual-genitalia and all of their functions are shown in graphic detail. Revealing interviews and explicit medical photographs have made this film sought after by sex therapists, film buffs, pom fans and connoisseurs of the unusual alike. See it to believe it!" -via front of case
Joumee Internationale du Transsexualisme	Mirha-Soleil Ross					Quebec Canada	VHS		submission	
Premenstrual Spotting	Machiko Saito	12 min	1996	1997	Pro Dom Productions	united states	VHS		festival film	Played as part of the 9pm program. San Francisco Premiere. "Explores the worlds of alcoholism, abuse, fetishes, and showtunes." -via program
Stop Staring and Listen	Catherine McCollum	16 min	1998		Video Out Distribution	Vancouver Canada	VHS		submission	"The Bearded Lady tells the gay mainstream to shut the fuck up and listen, turn its scrutinizing eyes on their own transphobia, racism and poorbashing, and to think hard about their misuse of the term "community". Sure to offend/empowe (sic)/validate/piss off (something for everyone! Including lots of gratuitous bear and tit shots)." -via front of case
Mommie Dearest Monster	Mike Twain	8 min	1998				VHS	1/2"	submission	"Everybody's favorite mommie is back, but this time she's even bitchier. Watch as she punishes Christina for having wire hangers, the final punishment!" -via submission form
Lez B Friends: A Biker Bitch Hate Story	Uncle Steak and Auntie Lou	20 min				San Francisco	VHS		submission	"A Hot Biker/Dyke Gange cruises the city for new recruits and playthings... Upon returning to the Puss-Pad with their new victims, all hell breaks loose. Hot Sex Kittens are Shaving, Bathing, Electrocuting, Raping, Baby Selling and giving up enough ass shots to set your pussy on fire. After enough torture anyone can snap. Careful cuz they're still out searching, and YOU could be next!!!" -via back of case
bridgeland zwei	Bridge Markland	45 min	1997			Berlin Germany	VHS		submission	"A piece in which nothing stays as it appears to be. Identities are changed like underwear." -via back of case
no dumb questions	Melissa Regan	25 min	2001	2001	Epiphany Productions	United States	VHS		festival film	Played Saturday (the 17th) at 1pm as part of the Family and Youth Program. "Follow three sisters as they struggle to understand why and how Uncle bill will become Aunt Barbara. A funny and touching story of a family that insists there are no dumb questions." -via back of case. documentary.
The Passenger	Dan Flanagan	5 min	2001	2001	4Alarm Films	United states	VHS		festival film	Played as part of the video lounge. "You meet interesting people in airports. When a wearing business traveler is subjected to a stranger's confessional sotry, what a surprising story it turns out to be." -via program.
Remembrance : December 6th	David McPherson and Chris McCune	8 min	1997		High Risk Project Society	Vancouver Canada	VHS		submission	
Homocore Minneapolis	Lisa Ganser	17 min 30 sec	1999	1999	Lookit My Shorts	Minneapolis United States	VHS		festival film	Played as part of the 5pm program. "Ed Varga's punk rock showcase in Minneapolis." -via program
San Francisco Dodger	Lucia Davis	8 min	1998		Esoteric Pix Production		VHS		submission	
Homecoming Queen	Charles Bracewell	45 min	1999	2001		New South Wales, Australia	VHS		festival film	Played as part of the video lounge. "A famous singing gnder illusionist returns to small town home of put on a show." -via program

"I Would Never Have Known": A Conversation with Peter Dunnigan	Mirha-Soleil Ross	25 min	1997	1997	vtape	Toronto or Montreal Canada	VHS		festival film	documentary. Played as part of the video lounge. "A conversation with Toronto community activist and female-to-male transsexual Peter Dunnigan. He speaks openly about addiction, recovery, sexuality, and life as a gender outcast. More than an educational tool for a general audience, this video is a call for transsexuals, both female-to-males and male-to-females, to unite, heal, and resist." -via vtape
An Adventure in Tucking with Jeanne B.	Mirha-Soleil Ross	9 min	1993	1998	vtape	Toronto or Montreal Canada	VHS		festival film	Played as part of the "PAY AT THE PUMP" Trannyporn XXX and more.... 10:45 program. "A candid home video capturing a transsexual hooker in a very sticky situation." -via vtape
Out & About	Nickolaos Stagias	25 min	1999	1999		Vancouver Canada	VHS	16mm	festival film	Played as part of the 2:15pm program. "Canadian border interrogation runs wil with Grag & Kinki" -via program
Freaks of Nature #2		120 min			Raunch-O-Rama		VHS		submission	
Phallosy	Jay Sennett	3 min 19 sec	2000	2001	Mr. Fancy Productions	Mississippi United States	VHS		festival film	Played on Saturday the 17th as part of the 4pm program. Originally shot on 16mm. "How does a 32-year-old lesbian become a man? Phallosy is an autobiographical film using spoken word, music and experimental techniques to explore the struggles of a female-to-male transsexual. The double-exposed, sepia-toned footage and sharp editing create the mood for the filmmaker's confrontation with living as female-bodied man." -via front of case
Stand By Your Man	Minnie St-Laurent/Stephan St-Laurent	11 min	1998		Video Out	Vancouver Canada	VHS		submission	"An anxious and overzealous drag queen attempts to perform a lip sync of Tammy Wynette's <i>Stand by Your Man</i> , out takes and all. The videotape raises many questions on the desirability and exoticism of transvestites. It is also an homage to songstress Wynette, the queen of tragedies." -via front of case
Everything is Drag	Leng Loh and Amy Shuba	35 min	1993	1997	EspressoBean Productions	San Francisco United States	VHS		festival film	Played as part of the video lounge. "Hunter, a drag performer, describes what it takes to create the illusion of drag, an what drag has meant to his own gender identity. Combining interviews and tongue-in-cheek objectification shots with humor and feminist commentary, two queer videographers question the ideals of the femininity of drag queens -- as well as their own." -via submission form
Third	Rae Rea	8 min 20 sec	1996	1997		San Francisco United States	VHS	16mm	festival film	Played as part of the 5pm program. "An experimental narrative using utch camp to tell the story of one third-gendered character's escape." -via program
Law of Desire	Jennifer Reeder	17 min 49 sec	1996	1997		united states	VHS		festival film	San Francisco premiere. Played as part of the 3pm program. "Action thriller story of Trelita, a Mexican sex worker and single mother suspected of murder." -via program
Crimson	Gino T and Byung K	4 min	1999	1999	Dredge Kang API Wellness Center?	San Francisco United States	VHS		festival film	Played as part of the 7:30pm program. "Swashbuckler changes from a femme boy to butch dyke." -via program
Tattu	Terry Rothlein	14 min	1998		Fever Films	New York City United States	VHS	Super8	submission	
Take Her Down!: Lesbian Erotic Oil Wrestling Party	Sondra Goodwin		2002		Fatale Media	California United States	VHS		submission	
Wanted Alive	Teresita La Campesina	21 min	1997	1997		united states	VHS		festival film	Played as part of the 3pm program "Personal portrait of Mission diva/singing legend Teresita." -via program
Full Load	Barbara Genevieve	11 min	2002	2003	Fatale Media	California United States	VHS		festival film	Played at 10 pm as part of the Four on the Floor-Power Drive program World premiere. "this hot video clip from the full length video FULL LOAD; scenes from sss.spread.com. stars sexy butches, Angel and Dragon, they give use a steamy and intimate treat to remember." -via program

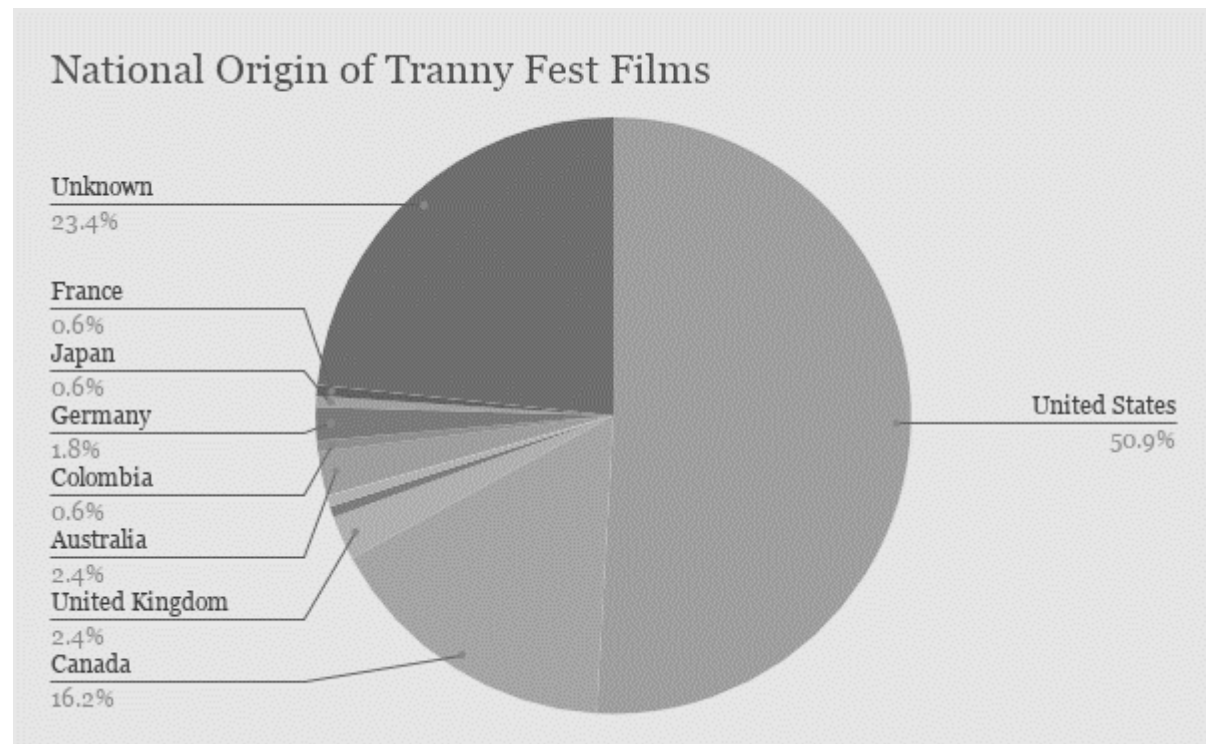
## Appendix II



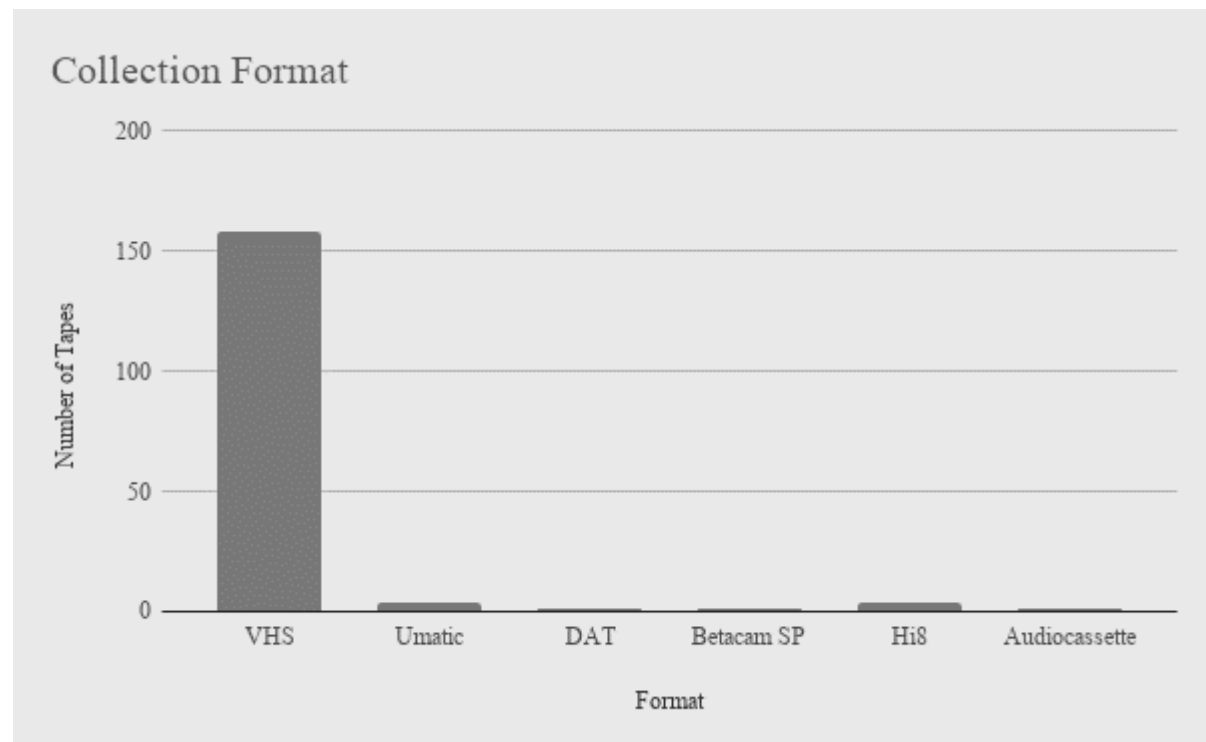
### Appendix III



## Appendix IV



## Appendix V



## Appendix VI

### Jacob Richards

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**From:** [REDACTED]  
**Sent:** Saturday, June 17, 2006 1:22 PM  
**To:** Jacob Richards  
**Cc:** [REDACTED]  
**Subject:** re: Tranny Fest Archives Donation/ Media Library List from Christopher Lee

Dear Jacob,  
Thank you for receiving our Tranny Fest Media Library on Tuesday June 13, 2006. We are honored to be in the GLBT SF History Archives. Here is the list attached of Videos & DVD in the several boxes I delivered. This donation came from myself Al Austin- Co-Founder/Co-Director and Co-Founder Elise Hurwitz. Please make any paperwork designating the donors with their names as well, although I will be signing and in charge of physically donating this and further materials to be archived. All of the materials donated are from the year Tranny Fest was conceived 1997 to 2003.

Shawna Virago has become the new Director of Tranny Fest in 2005. She Co-Directed with us in our transition period for the 2003 Festival as well produced Tranny Fest 2005 herself.  
Thank you very much for your attention time and consideration to this information.

The one other box contains the following:  
1999 Tranny Fest Film Festival Movie Poster  
1997-2003 Tranny Fest press articles including magazine covers  
Tranny Fest Programs and Badges from 1997-2003  
Co-presenters and event party info  
Tranny Fest Movie attendee ticket stubs  
Basic information about Tranny Fest

I look forward to seeing you on my next round of Tranny Fest donations of memorabilia in mid-late July. Thank you again.

Best regards,  
Christopher Lee  
Co-Founder/Co-Director Tranny Fest Film Festival  
1997-2003

Jacob Richards  
> Christopher-  
>  
> Here's my email. Give me a call if it's still bouncing back to you.  
>  
> Jacob  
>  
>  
>  
> \_\_\_\_\_  
> Jacob Richards  
> Operations Manager  
> GLBT Historical Society  
> [REDACTED]  
>  
>  
>  
> The GLBT Historical Society is devoted to increasing public understanding,  
> appreciation and affirmation of the history and culture of gay, lesbian,  
> bisexual, transgender and other sexual minority individuals and

## Appendix VII

### GLBT Historical Society | San Francisco, California | Accession Record

Collection #	2006-26
Collection Title	Tranny Fest Collection
Size	4 cartons/Tubs
Dates of Creation of Materials	<del>1970-1990</del> the mid 90's to the early 2000's
Type of Materials (list ones that predominate or are significant in some other way)	Newspapers, articles, videotapes, catalogs of the Fest, Flyers/Posters, photos, Trailers <sup>of the films</sup>
Description (continue on reverse if additional room needed)	Promotional materials, Press info, Submission forms,
Donor	Christopher Lee
Date of Donation	6-13-06
Shelving Location	end of VII

<b>Notes on Collection Creator</b>	
<b>Notes on Major Topics in Collection</b>	Trans Film
<b>Materials Removed During Accessioning</b>	Removed award certificates from frames

**Rough Box List and Additional Notes:**

## Appendix VIII

### Marjorie Bryer

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**From:** Marjorie Bryer [REDACTED]  
**Sent:** Wednesday, March 20, 2013 11:55 AM  
**To:** 'Shawna Virago'  
**Subject:** RE: Tranny Fest Collection at the GLBT Historical Society

Hi Shawna,

Thanks for writing back. I'm going to see The Secret History of Love (thanks to TXS) and am looking forward to it—good luck preparing for the show.

I'll get back in touch with you in late April.

Take care,

Marjorie Bryer, Ph.D.  
Managing Archivist  
GLBT Historical Society  
[REDACTED]

**From:** Shawna Virago [REDACTED]  
**Sent:** Monday, March 18, 2013 5:46 PM  
**To:** Marjorie Bryer  
**Subject:** Re: Tranny Fest Collection at the GLBT Historical Society

Hi Marjorie,

I would love to chat and follow-up with this in a few weeks. We're getting ready for Sean's upcoming show and I'll be on tour for the first part of April.

I'll start going through my film fest stuff and getting it organized.

See you soon!  
best,  
Shawna

On Thu, Mar 14, 2013 at 3:48 PM, Marjorie Bryer [REDACTED] wrote:

Hi Shawna,

I am finally getting around to following up with you about a deed of gift for the Tranny Fest collection. Typically, we ask folks to sign a deed that gives us the right to dispose of unwanted materials as we deem appropriate. However, if you want us to return the items we don't want to you, we can do that. I mentioned this in my last email but, typically, unwanted materials consist of duplicates, large quantities of minor financial records (such as bank statements), publications available in local libraries and personnel and medical records. Most of the material we weeded out are duplicates.

Aside from the disposition of materials, the deed determines access. We prefer that collections come without restrictions but do understand there are privacy concerns and are willing to put short term restrictions on collections. Please think about whether you want to restrict anything, e.g. there are mailing lists—do you want to restrict those? Also, I suspect that you might not want to transfer copyright to all the materials. We can amend the deed to reflect your wishes.

In addition to signing the deed and letting us know whether you want us to return materials to you, I had a few other questions. First, do you have a list of the films that you gave us? It would be really helpful to have an inventory. Second, I should clarify the name of the collection with you. I know you mentioned in your email to me that you had some more flyers and posters to donate. That is great, as we would love to get more materials. Currently, we are referring to the donation as the Tranny Fest Collection, because all records came from 1997-2003, before the name change. But if you are donating materials from the San Francisco Transgender Film Festival we will follow archival standards and change the name to the SF Transgender Film Festival Collection. We do have a description of, and a guide to, the collection online, but it needs to be modified. (For one thing, I found some additional materials and added them to the collection; for another, depending on what we decide, we may have to change the name of the collection). You can see that description and guide by doing a keyword search on our research page: <http://glbthistory.org/research/index.html>

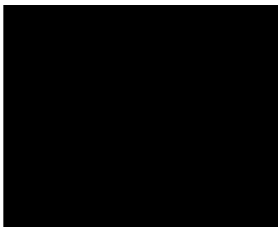
I'll attach the updated guide here, along with the two versions of our deed of gift so you can review them. Please feel free to make any comments about the guide, and let me know if you have additional questions about the deed. I'm happy to make revisions. If you decide that you'd like materials returned to you we can then make arrangements for you to get them back. Also, we can talk a bit about what other kinds of materials you'd like to donate. If we do that before you drop records off it saves us all some time.

Thanks very much for your time and for your support of the Historical Society. And for your great film festival.

Marjorie Bryer, Ph.D.

Managing Archivist

GLBT Historical Society



## Appendix IX

7/5/2018

GLBT Historical Society & Museum Mail - Tranny Fest Collection



Magnus Berg [REDACTED]

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### Tranny Fest Collection

4 messages

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Magnus Berg [REDACTED]

Thu, Mar 8, 2018 at 4:38 PM

To: [REDACTED]

Hi Shawna,

My name is Magnus Berg and I'm a film preservation graduate student doing my residency at the GLBT Historical Society Archives. I am writing my thesis on the preservation and access of the Tranny Fest Collection and found out that the collection does not have a deed of gift. If you have the time, I would love to sit down with you and get a deed of gift signed for the collection and ask you a couple of questions about the festival for my research. I'm sure you're very busy and completely understand if you don't have room in your schedule, so let me know if you can't accommodate my request.

Thank you for your time,  
Magnus Berg

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Shawna Virago [REDACTED]

Thu, Mar 8, 2018 at 6:26 PM

To: Magnus Berg [REDACTED]

Hi Mangus,  
Thanks for contacting us. I am going to let Tranny Fest co-founder Alex Austin know about this. He would be the person to ask!  
Good luck with this and check in with me to let me know how it works out.  
best,  
Shawna  
[Quoted text hidden]

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alexlaurantaustin [REDACTED]

Thu, Mar 8, 2018 at 10:06 PM

To: Shawna Virago [REDACTED]

Cc: Magnus Berg [REDACTED]

Thanks, Shawna! Hi Mangus, feel free to contact me anytime.  
Best,  
Alex

Sent from my (not so) smart phone. Please forgive any errors and lapses in judgment.  
[Quoted text hidden]

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Magnus Berg [REDACTED]

Fri, Mar 9, 2018 at 12:07 PM

To: alexlaurantaustin [REDACTED]

Hi Alex,

Thanks so much for reaching out! Would you be able to meet with me at some point over the next couple months to sign the deed of gift and potentially answer some questions for my research (if you're comfortable)?

Let me know and have a lovely weekend.

Thanks,  
Magnus  
[Quoted text hidden]



Magnus Berg [REDACTED]

## Tranny Fest Collection

1 message

Magnus Berg [REDACTED]  
To: Alex Austin [REDACTED]

Mon, Apr 16, 2018 at 2:17 PM

Hi Alex,

I never heard back from you, did you receive an email from me after Shawna connected us?

If you have the time, I would like to meet up with you so that we can get a deed of gift signed for the Tranny Fest Collection. If your schedule can't accommodate that right now, let me know and we can figure out an alternative method.

Thanks for your time,  
Magnus Berg

## Appendix X

Title	Collection Format	Overall Condition	Housing Condition	Wind Condition	Pack Condition	Notes
Storme: Lady of the Jewel Box	VHS	Excellent	Good, housed in an archival quality container	Poor, requires an archival wind	Good	
Madame Lauraine's Transsexual Touch	VHS	Excellent	Good, housed in an archival quality container	Poor, requires an archival wind	Good	
Latin Queens: Unfinished Stories of Our Lives	VHS	Okay	Poor, needs to be rehoused	Poor, requires an archival wind	Good	
New Humans	VHS	Okay	Poor, needs to be rehoused	Poor, requires an archival wind	Good	
Homocore Minneapolis	VHS	Good	Good, housed in an archival quality container	Poor, requires an archival wind	Good	
San Francisco Dodger	VHS	Excellent	Good, housed in an archival quality container	Good	Good	
Bombay Eunuch	VHS	Okay	Poor, needs to be rehoused	Poor, requires an archival wind	Fair, has a minor pack slip	
Pink Eye	VHS	Good	Poor, needs to be rehoused	Good	Good	
Fucking Video!	VHS	Okay	Poor, needs to be rehoused	Poor, requires an archival wind	Good	
A Nightmare On Castro Street	VHS	Okay-Poor	Poor, needs to be rehoused	Poor, requires an archival wind	Good	Tape has early stage lubricant breakdown
Trannyfest 1997 Trailer	Umatic	Excellent	in an archival quality container	Good	Good	

## Rights Analysis

### **Stormé, The Lady of the Jewel Box (1987)**

*Stormé, The Lady of the Jewel Box* was produced in 1987 and screened at Tranny Fest as part of the 9:00 pm program in 1997. The film was made by Eye of the Storm Productions and is distributed by Women Make Movies in New York. Eye of the Storm Productions was a production company based out of Washington, D.C., but appears to now be defunct. Documentation inside the Tranny Fest Collection indicates that Eye of the Storm Productions owned world rights. It is likely that rights are currently held by filmmaker Michelle Parkerson as she made the film and operated Eye of the Storm Productions. Parkerson's contact info could not be located, though it should be attainable through Women Make Movies.

### **Madame Lauraine's Transsexual Touch (2001)**

*Madame Lauraine's Transsexual Touch* was produced in 2001 and screened at Tranny Fest as part of the Space Hook and Tow Porn Program the same year. The film was produced by PVC Productions, a now defunct production company, and distributed by Vtape in Toronto. The film was directed by Mirha-Soleil Ross, Viviane Namaste, and Monica Forrester, who still own copyright. Contact information available.

### **Latin Queens: Unfinished Stories of Our Lives (2000)**

*Latin Queens: Unfinished Stories of Our Lives* was produced in 2000 and screened at Tranny Fest the same year as part of the video lounge. The film was directed by Anton Wagner through their production company Anton Wagner Productions Inc. The film is currently distributed through the Canadian Filmmakers Distribution Center in Toronto. Anton Wagner Productions Inc. appears to still be in business and it is highly likely Wagner is the copyright holder. Contact information is available.

### **New Humans (2003)**

*New Humans* was directed by Dina L. Boyer in 2003 and was submitted to Tranny Fest but not accepted. Contact information available.

### **Homocore Minneapolis (1999)**

*Homocore Minneapolis* was produced in 1999 and screened at Tranny Fest the same year as part of the 5:00 pm program. The film was directed and produced by Lisa Ganser with no attached production companies or distributors. Ganser would still hold copyright and contact information is available. Though the film is copy protected, a document in the collection states that there is no fee to screen the film and that all the musicians in the film signed releases.<sup>160</sup>

### **San Francisco Dodger (1998)**

*San Francisco Dodger* was produced by Lucia Davis and submitted to Tranny Fest but was not accepted. The film was produced by the production company Esoterik Pix, which is now defunct. Copyright would fall back to Davis; whose contact information is available.

### **Bombay Eunuch (2001)**

*Bombay Eunuch* was produced in 2001 by Gidalya Pictures and screened at Tranny Fest the same year as part of the Sunday 4:30 pm program. The film played on the festival circuit but appears to have not been picked up for distribution. The film was directed and produced by Alexandra Shiva, who is also the founder of Gidalya Pictures. Gidalya Pictures is still in operation and continues to distribute the film.

### **Pink Eye (2000)**

*Pink Eye* was directed by Machiko Saito in 2000 and screened at Tranny Fest in 2001 as part of the Saturday 8:00 pm program. The film is currently being digitally exhibited through Freewaves online archives. *Pink Eye* was produced by PRO DOM PRODUCTIONS, which appears to now be defunct. Highly likely that Saito still holds the rights herself. Current contact information could not be located, though it might be available through Freewaves.

### **Fucking Video! (2002)**

*Fucking Video!* Was produced by Yvette Choy in 2002. It was submitted for consideration in the 2003 Tranny Fest but was not accepted. It is highly likely that Choy continues to be the sole rights holder. Contact information is available.

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<sup>160</sup> Tranny Fest Collection. 2006-26. Carton 2, Folder 17. GLBT Historical Society Archives & Museum.

### **A Nightmare on Castro Street (2002)**

*A Nightmare on Castro Street* was directed by Peaches Christ in 2002. It was submitted to Tranny Fest but was not accepted. Christ is still active as a drag performer, contact information is available.

### **Tranny Fest 1997 Trailer (1997)**

The trailer for the 1997 edition of Tranny Fest was made by J. Carranza, Christopher Lee, Elise Hurwitz, and Alyssa Izen. The Bay Area Video Coalition had some kind of involvement in its production, though the exact role is unclear. If the rights to the Tranny Fest Collection do end up being signed over the GLBT Historical Society, it could be assumed that the rights to this trailer would transfer with it.

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