State of California – The Resources Agency DEPARTMENT OF PARKS AND RECREATION OFFICE OF HISTORIC PRESERVATION

APPLICATION FOR REGISTRATION



NAME OF HISTORIC PROPERTY The Black Cat Tavern

ADDRESS		
3909 W. Sunset Blvd		
CITY/STATE/ZIP CODE		
Los Angeles, CA 90029		
	ASSESSOR'S PARCEL NO.	
	5429-013-020	
NAME OF OWNER OF HISTORIC PROPERTY		
David Cohen / RoCo Investr	nent Holdings	LLC
ADDRESS		
9903 Santa Monica Blvd #10	047	
Beverly Hills, CA 90212		
NAME OF APPLICANT		APPLICANT TELEPHONE NO.
Kyle Jarrett		(323) 430-1663
ADDRESS		
824 N. Citrus Ave		
CITY/STATE/ZIP CODE		
Los Angeles, CA 90038		
RECOMMENDED BY CHAIR, STATE HISTORICAL RESOURCES COMMISSION		DATE
APPROVED BY DIRECTOR, CALIFORNIA DEPARTMENT OF	PARKS AND RECREATION	DATE
DESIGNATION NO.		

State of California X The Resources Agency	Primary #	
DEPARTMENT OF PARKS AND RECREATION	HRI#	
PRIMARY RECORD	Trinomial	
	NRHP Status Code	

Other **Review Code**

Reviewer

Date

Listings

Page of P1. Other Identifier: *Resource Name or #: (Assigned by recorder) DRAFT

* P2.Location: □ Not for Publication @ Unrestricted

- ***a. County** Los Angeles and (P2c, P2e, and P2b or P2d. Attach a Location Map as necessary.)
- *b. USGS 7.5' Quad Hollywood Date 2018 T 8.65mi; R 7.18mi;___ 🛛 of ___ 🗅 of Sec___;_ ____B.M.
- c. Address 3909 W. Sunset Blvd. City Los Angeles, CA Zip 90029
- d. UTM: (Give more than one for large and/or linear resources) Zone Hollywood, 34.0921 mE/ -118.2798 mN
- e. Other Locational Data: (e.g., parcel #, directions to resource, elevation, decimal degrees, etc., as appropriate)

*P3a. Description: (Describe resource and its major elements. Include design, materials, condition, alterations, size, setting, and boundaries)

Quoted from City Cultural Monument nomination (2008) cited in Section P11. Portions in [brackets] have been updated to fit current state of the building in 2021.

"This one-story commercial building exhibits character defining features of the Art Deco style. Located on Sunset Boulevard, the subject building is rectangular in plan with a flat roof. The exterior is smooth stucco. Glass and steel storefront windows and entrances are angled inwards. The four bay upper façade features a stylized slightly apexed parapet with fluted vertical projections and geometric motifs. This feature wraps the east elevation for one bay and includes a storefront window facing a parking lot. The side elevations feature unadorned smooth stucco punctuated by fluted vertical pilasters. A flag sign is located



above the entry with a circular cat face in the upper portion and [The Black Cat] inscribed in rectangular portion. The subject building is currently partitioned into two separate commercial units, [a gastropub restaurant to the west, and a vacant unit to the east]."

*P3b. Resource Attributes: (List attributes and codes)

*P4. Resources Present: @ Building Structure

Object
Site
District Element of District

Other (Isolates, etc.)

P5b. Description of Photo: (view, date, front façade, accession #)

facing northwest, October 3, 2021

*P6. Date Constructed/Age and Source: 1939

@ Historic □ Prehistoric □ Both

State of California X The Resources Agency DEPARTMENT OF PARKS AND RECREATION **PRIMARY RECORD**

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Page_____ of____ P1. Other Identifier: __ *Resource Name or #: (Assigned by recorder)

***P7. Owner and Address:** David Cohen 9903 Santa Monica Blvd #1047 Beverly Hills, CA 90212

***P8. Recorded by:** Wes Joe and Charles J. Fisher Friends of the Black Cat 932 Maltman Avenue, #12 Los Angeles, CA 90026

*P9. Date Recorded: 2008 (exact date unrecorded)

*P10. Survey Type: (Describe) Unknown

*P11. Report Citation: (Cite survey report and other sources, or enter "none.") Joe, W., & Fisher, C. (2008, September). Historic-Cultural Monument Application for the THE BLACK CAT (CHC-2008-2708-HCM). Los Angeles Department of City Planning.

 *Attachments: □ NONE
 ®Location Map □ Continuation Sheet
 □ Building, Structure, and Object Record

 □ Archaeological Record
 □ District Record
 □ Linear Feature Record
 □ Milling Station Record
 □ Rock Art Record

 □ Artifact Record
 ®Photograph Record
 ®Other (List): Property Owner's Permission

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BUILDING,

STRUCTURE, AND OBJECT RECORD

*Resource Name or # (Assigned by recorder) Page_____of *NRHP Status Code

- B1. Historic Name: The Black Cat Tavern
- B2. Common Name: The Black Cat
- B3. Original Use: Gay bar and laundromat
- B4. Present Use: Upscale gastropub
- *B5. Architectural Style: <u>Art Deco</u>
- ***B6.** Construction History: (Construction date, alterations, and date of alterations)

Originally constructed in 1939 as a Safeway grocery store. Reimagined in 1964 as a gay bar and laundromat called The Black Cat. Underwent several name changes, such as Bushwhacker, Basgo's Disco, and Le Barcito until 2012 when it was reopened under its original name after being designated a Los Angeles Cultural Monument in 2008. The original black cat design has been a feature of its signs through all incarnations.^[1]

*B7. Moved? @ No 🗆 Yes 🗆 Unknown Date:______Original Location:_____

*B8. Related Features:

Currently displays a plaque placed in 2008 to demonstrate citywide significance.

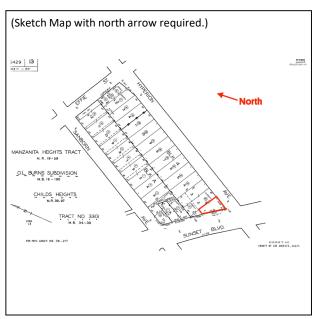
- B9a. Architect: Frank L. Stiff b. Builder: William D. Coffey
- *B10. Significance: Theme <u>Civil Rights, LGBT</u> Area <u>Silver Lake / Los Angeles</u> Period of Significance <u>1960s</u> Property Type <u>Commercial/restaurant</u> Applicable Criteria <u>Criteria 1</u> (Discuss importance in terms of historical or architectural context as defined by theme, period, and geographic scope. Also address integrity.)

To better understand the significance of the events at the Black Cat on New Year's Eve 1967, we must first understand the context of life as an LGBT person in 1960s California.

Today, the State of California has a reputation as safe haven for its 1,859,000 residents^[2] who identify as LGBT, one of the minority of states that legally protect employment, education, public accommodations, and housing.^[3] Each year, California can dependably erupt in golden poppies in spring and Pride festivals in summer. The 2019 LA Pride festival boasted an attendance of 250,000,^[4] while it's estimated that 750,000+ attended the 2019 San Francisco Pride.^[5]

But before California became the first state to perform a legal same-sex marriage in 2004, before WeHo and the Castro, where Gilbert Baker designed the iconic rainbow flag in 1978, the fledgling state of California's attitude toward those we now call LGBT people was summed up in a single line of the state's founding statutes (1850), nestled between rape and assault: "The infamous crime against nature, either with man or beast, shall subject the offender to be punished by imprisonment in the State

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Prison for a term not less than five years, and which may extend to life."[6]

Definitions of these crimes and their punishments expanded over the next century, and included consensual acts between adults:

- **1909:** California passes the nation's first law legalizing sterilization for inmates convicted of "moral and sexual depravity."^[7]
- **1921:** California lists "oral copulation" and "any act which[...]openly outrages public decency" as punishable offenses under law, with imprisonment "not to exceed 15 years."^[8]
- **1945:** California includes sodomy among the crimes meriting "imprisonment in the State prison for life" for repeat convictions.^[9]
- 1947: California passes the nation's first sex offender registry law, requiring anyone convicted of one of the aforementioned crimes to register with their local sheriff or chief of police.^[10]
- **1951:** Judge's ruling in *People v. Babb et al* equates "the infamous crime against nature" with vagrancy, permitting additional penalties of "a fine of not exceeding five hundred dollars (\$500), or by imprisonment in the county jail not exceeding six months, or by both such fine and imprisonment."^[11]

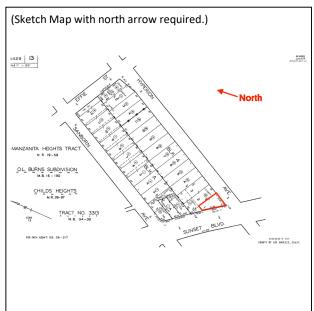
Owing to the aforementioned state laws, and the patchwork of county, city, and local laws prohibiting same-sex affection, cross-dressing, etc, secrecy was a part of daily life for the budding LGBT community in California. In Los Angeles, this secrecy is interwoven in its history. Before the city enacted its anti-masquerading ordinance in 1898, California Landmark #171 The Merced Theatre, hosted masked balls and served as a gay lodging house.^[12]

As gay men in particular faced ruination should their proclivities be discovered by family, neighbors, or landlords, secret gathering places around Los Angeles rose up in the early 1900s, from bars to clubs to bathhouses, each watched with interest by the LAPD Vice Squad. As the LGBT population of Los Angeles grew, thanks in part to the growth of the entertainment industry, so did the crackdowns on the behaviors associated with them. Post-War return to gender norms reinvigorated the Administrative Vice unit of the LAPD, led by William Parker, who measured their productivity by number of arrests. In 1947, the year the sex offender

registry law went into effect, 1,656 people were arrested in Los Angeles for "sexual perversion" or "lewd and lascivious conduct." This increased by 86.5% within three years.^[12]

Early resistance maintained its secrecy, with the Mattachine Society, founded by Harry Hay in 1951, incorporating oaths of secrecy in a mission to bridge boundaries between homo- and heterosexual communities. However, the police raids continued, and frustration built with them. In 1959, Cooper

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DPR 523B (9/2013)

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Do-nuts in Los Angeles saw the first outburst as two transgender people, two gay men, and

a hustler repelled arrest by throwing donuts, coffee, and trash at police, resulting in a nightlong riot.^[13] Seven years later, three trans women fought off arrest at Compton's Cafeteria in San Francisco, leading to overturned tables, a ruined police car, and a newsstand set on fire.^[14]

These two acts of resistance in California set the stage for New Year's Eve 1966 at the Black Cat Tavern in Silver Lake, where eight undercover LAPD officers revealed themselves at midnight to beat and arrest anyone caught kissing (considered a lewd act). They arrested fourteen men, who, under the 1947 law, had to register as sex offenders for kissing.^[15]

What happened next made the Black Cat Tavern a California first:

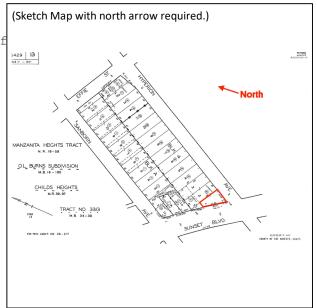
Landmark Criteria 1: The property is the first, last, only, or most significant historical property of its type in the region.

As discussed, before the Black Cat, the LGBT community had been forced into secrecy by oppressive laws, and while there had been instances of unplanned civil disobedience before 1967, outrage over the LAPD raid on the Black Cat resulted in an unprecedented level of organized resistance.

The ensuing protest was a collaboration between two new California gay rights groups, Personal Rights in Defense and Education (PRIDE) and the Southern California Council on Religion and the Homophile (SCCRH). The former is credited with introducing the word "PRIDE" into the lexicon of gay rights.

Through flyers and phone calls, these two groups co-organized California's first documented LGBT civil rights demonstration. On February 11, 1967, 200-600 protestors returned to the parking lot of the Black Cat with signs protesting entrapment, search and seizure, and arbitrary arrests by the LAPD. For the first time in California history, large group of gay and lesbian people stepped out together to reclaim their dignity from generations of unjust laws dating back to the start of California statehood. The personal risk of observation, photography, and arrest were not to be understated.

For the first time, defense of gay people against these laws almost made it to the Supreme Court. Talley v. California (1968)^[16] took up the case of Charles Talley and Benny Baker, who had to register as sex offenders, Talley for kissing another male at the Black Cat and Baker for kissing another male while dressed in women's clothing. To advocate for a gay defendant was a considerable risk to a legal career, but Herbert Selwyn took up the case, and for the first time in US history did not deny the homosexuality of his clients but instead defended



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their right to equal protection under the 14th Amendment.^[17] Though the Supreme Court declined the writ of certiorari on April 19, 1968, the case opened the floodgates for an entirely new civil rights strategy for the LGBT community.

While the protest at The Black Cat would be eclipsed by the Stonewall Rebellion in 1969, it laid the groundwork for California organizations to make the most of that new momentum. PRIDE would come to be synonymous with the movement, and that organization would go on to publish the nation's largest and longest-running LGBT magazine, known as *The Advocate*, in 1967. *The Advocate* would go on to sponsor the state's first 1,000-person "gay-in" at Griffith Park in 1968.^[18]

The 8-year fight to repeal California's sodomy laws^[19] began on February 11, 1967 in the parking lot of the Black Cat in Silver Lake. As one of the few properties in Southern California still structurally intact from the date of the historical events, it remains an optimal venue to keep this story alive. Already well recognized for its significance to the history of Los Angeles, the time has come to include the protest at the Black Cat among the great moments recognized by California's state landmark program.

B11. Additional Resource Attributes: (List attributes and codes) ________ *B12. References:

- [1] Los Angeles Conservancy. (n.d.-b). The Black Cat | Los Angeles Conservancy. Retrieved September 29, 2021, from https://www.laconservancy.org/locations/black-cat
- [2] Kastanis, A., Gates, G., Strieker, M., Goldberg, S., & Conron, K. (2019, January). LGBT Demographic Data Interactive. (January 2019). The Williams Institute, UCLA School of Law.

https://williamsinstitute.law.ucla.edu/vis ualization/lgbt-stats/?topic=LGBT#density [3] Conron, K., & Goldberg, S. (2020, April). LGBT PEOPLE IN THE US NOT PROTECTED BY STATE NON-DISCRIMINATION STATUTES. The Williams Institute, UCLA School of Law. (This space reserved for official comments.) Primary #

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https://williamsinstitute.law.ucla.edu/wp-content/uploads/LGBT-ND-Protections-Up

date-Apr-2020.pdf

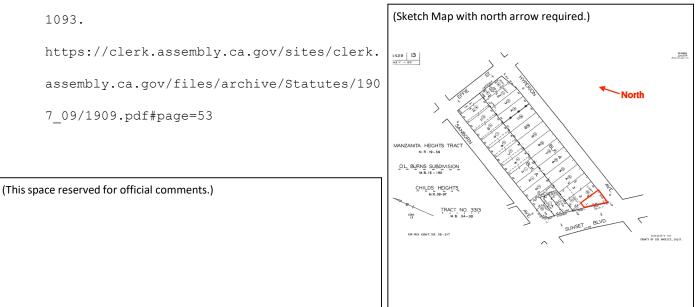
[4] Beacon Economics & Christopher Street West. (2019, June). 2019 L.A. Pride Economic and Fiscal Impact. Beacon Economics.

https://beaconecon.com/wp-content/uploads/2019/12/2019_LA_Pride_Impact_Rep
ort_Digital.pdf

[5] CBS San Francisco. (2019, June 30). Protesters Bring San Francisco Pride Parade To A Halt For An Hour. CBS SF BayArea.

https://sanfrancisco.cbslocal.com/2019/06/30/protesters-disrupt-san-francisco-pr ide-parade-police-make-arrests/

- [6] California State Assembly. (1850). The Statutes of California Passed at the First Session of the Legislature. California State Assembly Statutes, 1, 234. https://clerk.assembly.ca.gov/sites/clerk.assembly.ca.gov/files/archive/Statutes /1850/1850.pdf
- [7] California State Assembly. (1909). The Statutes of California Passed at the Thirty-Eighth Session of the Legislature. California State Assembly Statutes, 38,



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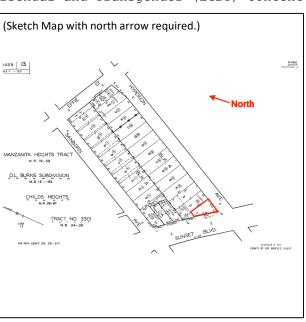
*NRHP Status Code

- [8] California State Assembly. (1921). The Statutes of California Passed at the Forty-Fourth Session of the Legislature. California State Assembly Statutes, 44, 74-87. https://clerk.assembly.ca.gov/sites/clerk.assembly.ca.gov/files/archive/Statutes /1921/21Vol1 Chapters.pdf
- [9] California State Assembly. (1945). The Statutes of California Passed at the Fifty-Sixth Session of the Legislature. California State Assembly Statutes, 56, 1747. https://clerk.assembly.ca.gov/sites/clerk.assembly.ca.gov/files/archive/Statutes /1921/21Vol1 Chapters.pdf
- [10] California State Assembly. (1947). The Statutes of California Passed at the Fifty-Seventh Session of the Legislature. California State Assembly Statutes, 57, 2562.

https://clerk.assembly.ca.gov/sites/clerk.assembly.ca.gov/files/archive/Statutes /1947/47Vol1 Chapters.pdf#page=2

- [11] FindLaw. (1951, April 9). People v. Babb. FindLaw's California Court of Appeal Case and Opinions. https://caselaw.findlaw.com/ca-court-of-appeal/1799056.html
- [12] SurveyLA. (2014, September). Lesbian, Gay, Bisexual and Transgender (LGBT) Context (Sketch Map with north arrow required.) Statement. Los Angeles City Planning. https://planning.lacity.org/odocument/23b4 5429 **I3** 12V515 99c0-1f2e-49cc-842e-8744c439acf6/LosAngele North s LGBT HistoricContext.pdf ITA HEIGHTS

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[13] Los Angeles Almanac. (2021, March 31). LGBTQ History in Los Angeles: Cooper Do-Nuts

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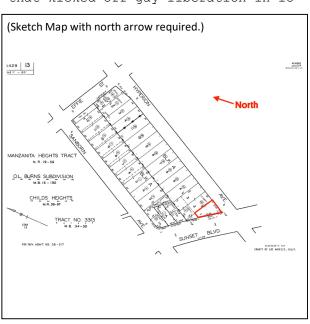
and Black Cat Tavern. http://www.laalmanac.com/history/hi712.php

[14] Levin, S. (2019, June 22). Compton's Cafeteria riot: a historic act of trans resistance, three years before Stonewall. The Guardian. https://www.theguardian.com/lifeandstyle/2019/jun/21/stonewall-san-francisco-rio t-tenderloin-neighborhood-trans-women

- [15] Joe, W., & Fisher, C. (2008, September). Historic-Cultural Monument Application for the THE BLACK CAT (CHC-2008-2708-HCM). Los Angeles Department of City Planning.
- [16] Stein, M., & Springate, M. (1969). LGBTQ America: A Theme Study of Lesbian, Gay, Bisexual, Transgender, and Queer History. National Park Service. https://www.nps.gov/subjects/lgbtqheritage/upload/lgbtqtheme-law.pdf
- [17] Marcus, E. (2018, November 6). Herb Selwyn. Making Gay History. https://makinggayhistory.com/podcast/episode-17-herb-selwyn/
- [18] Wiener, J., & Davis, M. (2021, April 15). The Lesser-Known Protest that Kicked Off Gay Liberation in Los Angeles. Lit Hub. https://lithub.com/the-lesser-known-protest-that-kicked-off-gay-liberation-in-lo s-angeles/
 (Sketch Map with north arrow required.)

[19] American Civil Liberties Union. (n.d.). Getting Rid of Sodomy Laws: History and Strategy that Led to the. Retrieved October 4, 2021, from

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https://www.aclu.org/other/getting-rid-sodomy-laws-history-and-strategy-led-lawr

ence-decision

MISC:

California State Legislature. (2021, January 1). California Law >>> Code section.

California Legislative Information.

https://leginfo.legislature.ca.gov/faces/codes displaySection.xhtml?sectionNum=6

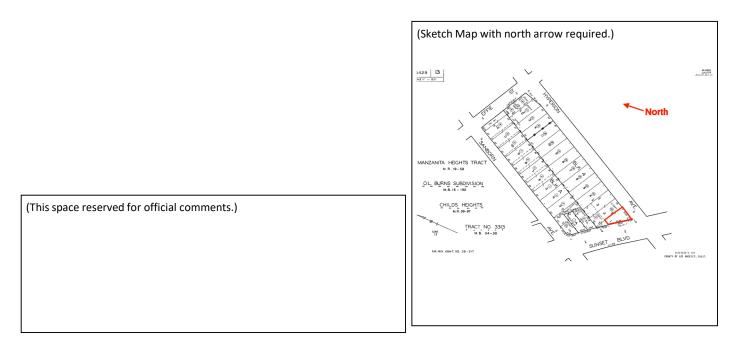
47.&lawCode=PEN

Library of Congress. (n.d.). Research Guides: LGBTQIA+ Studies: A Resource Guide: Before Stonewall: The Homophile Movement. Retrieved September 29, 2021, from

https://guides.loc.gov/lgbtq-studies/before-stonewall

B13. Remarks:

*B14. Evaluator: *Date of Evaluation:



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PHOTOGRAPH RECORD

Primary HRI

Trinomial

Page				Project Name:		Year
	mera Format:				Ler	is Size:
Mo.	Day	Time	Exp./Frame	Subject/Description	View Toward	Accession #
02	11	N/A	Unknown	Historic photo of PRIDE protestors in front of The Black Cat 2/11/67. Sourced from USC Digital Library. http://doi.org/10.25549/one-c4-5842	Main entrance of bar, SE looking NE	UC12273672
				Image: State of the state		
				Sourced from USC Digital Library. http://doi.org/10.25549/one-c4-5845		
02	11	N/A	Unknown	BLACK BLACK CAT NO MORE BEER ABUSE OF ABUSE OF OUR RIGHTS DIGNITION DIGNITION DIGNITION	Main entrance of bar, SE looking NE	UC12273674

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PHOTOGRAPH RECORD

Primary HRI

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Page	of Project Name:				Year	
Mo.	Day	Time	Exp./Frame	Subject/Description	View Toward	Accession #
10	03	16:00	N/A	The Black Cat as it appears in 2021 with same sign as in 1969. Public entrance to restaurant now for employees only due to COVID-19 precautions. All dining is outdoors in the parking lot. Taken on an iPhone SE.	Main entrance of restaurant, SE looking NE	N/A

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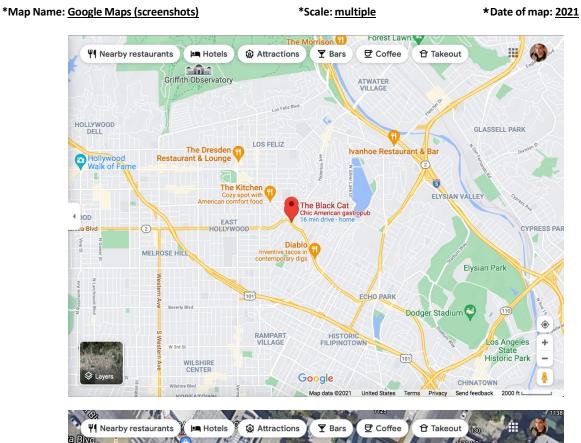
LOCATION MAP

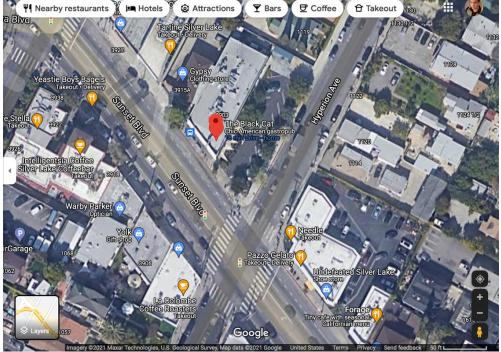
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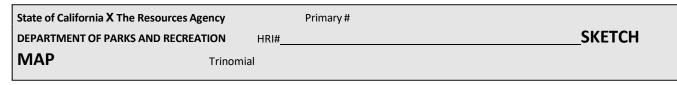
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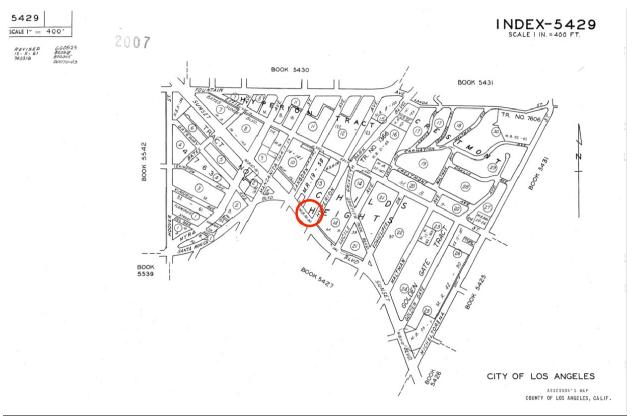




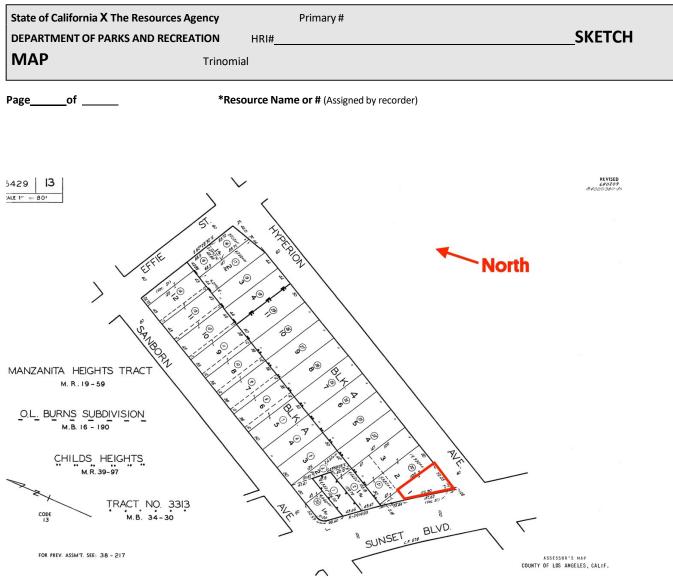
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*Drawn by: Los Angeles County Assessor *Date of map: 12/5/61



Sourced from https://portal.assessor.lacounty.gov/parceldetail/5429013020



Sourced from https://portal.assessor.lacounty.gov/parceldetail/5429013020

Subject Fwd: The Black Cat Restaurant

From California Landmark Foundation <savethelandmarks@gmail.com>To

<namesake@kylejarrett.com>

Date 2021-07-19 16:36



From: **California Landmark Foundation** <<u>savethelandmarks@gmail.com</u>>Date: Mon, Jul 19, 2021, 4:33 PM Subject: Re: The Black Cat Restaurant To: David Cohen <<u>davidco99@yahoo.com</u>>

David,

Thank you so much! Sorry for the delayed reply. I'm currently in Yellowstone National Park with my family, it is anamazing place, we have never been here before. I'm very excited to start the application process and I will keep you updated on the status a long the way. Again, thank you for your support and I hope to talk to you soon.

Ray Najera Executive Director California Landmark Foundation (800) 398-7532 SaveTheLandmarks.org

On Mon, Jul 19, 2021, 12:41 PM David Cohen < davidco99@yahoo.com > wrote:

Ray,

You have my permission to go ahead and nominate the Black Cat building as a state historical landmark.

you can call me if you have any questions (310)430-3734.

Sincerely,

David Cohen RoCo Investment Holdings LLC 9903 Santa Monica Blvd#1047 BH, CA 90212

On Tuesday, July 13, 2021, 10:17:06 AM PDT, California Landmark Foundation <<u>savethelandmarks@gmail.com</u>> wrote:

Mr. Cohen,

My name is Ray Najera, and I am the Executive Director of The California Landmark Foundation. We are a community-based, 501(c)(3) organization focused on maintaining and preserving California historical landmarks for future generations. I am writing to request permission to nominate The Black Cat Restaurant, owned by ROCO Investment Holdings, as a state historical

landmark.

Already a Los Angeles Cultural Monument, the Black Cat has recently crossed the 50-year threshold making it eligible for recognition at the state level. On February 11th, 1967 a crowd of 300-600 individuals gathered in front of The Black Cat and held a peaceful demonstration. This peaceful demonstration was California's first LGBT rights protest and led to America's firstcourt case in which gay men were defended as equal under the Constitution.

If approved, this would be California's first state landmark related to the LGBT rights movement and we anticipate a big media following for this historic dedication. With the designation a bronze plaque would be placed onsite. The designation also provides opportunities for property tax reduction under the Mills Act of 1972 as a historic property.

Permission could be given in any written form, including email and the location for mounting the plaque could be discussed at a further time. I look forward to hearing from you soon.

Sincerely,

Ray Najera Executive Director California Landmark Foundation (800) 398-7532 SaveTheLandmarks.org