

A Statement from Tourmaline (formerly known as Reina Gossett) and Sasha Wortzel, writers/directors/producers of *Happy Birthday, Marsha!*

For over a decade, we have worked in art & social movements around issues faced by trans & gender non-conforming people, people of color, HIV positive people, disabled people and people doing sex work. Over that time Reina was also researching, archiving, and writing about the lives of Marsha P Johnson, Sylvia Rivera, and STAR (Street Transvestite Action Revolutionaries). She collected writings, photographs, letters, and videos that very few people had seen, and then shared this work freely and publicly with people through her [speeches](#), website, [blog](#), [essays to incarcerated people](#) and Vimeo account. Inspired by Reina's research on Sylvia and Marsha, we decided to make a documentary film together that would uplift and share the work of Marsha and Sylvia and Street Transvestite Action Revolutionaries (STAR), and connect their legacy to present day queer and transgender movements for justice. We had years of research and archival material in place, so we began shooting interviews, researching more deeply, and collecting oral histories with Marsha and Sylvia's peers. The more we learned about Marsha, the clearer it became that her story wasn't well-documented—this was about anti-Blackness and transphobia, how they influence whose story gets written down, protected and archived. Sharing her story became deep life work for us.

In 2012 we were awarded a fellowship in Ira Sach's [Queer Art Mentorship program](#) which pairs emerging artists with established artists in their field for a year-long exchange. Mentees apply with a specific project. Ours was a documentary film about Marsha, Sylvia, and STAR. We were paired with filmmaker Kimberly Reed. For a year we met monthly with Reed to discuss our ongoing work. We shared our ideas, contacts, archival, and original interview footage.

In the spring of 2013, we submitted a video application to the Arcus Center for Social Justice Leadership seeking funding for our documentary. This is the moment we believe David France first learned about our film. The Executive Director of the Arcus Center for Social Justice Leadership, Jaime Grant, spoke to France about our project, urging him to put his support behind a trans-led film that was in progress. As Jaime Grant notes, not only did he choose not to, he said he was the right one for the project. Grant states:

“Reina Gossett and Sasha Wortzel applied in 2013 for the Kalamazoo/Arcus Center for Social Justice Leadership Global Prize for Transformative Leadership. Their application was an 8 minute video clip of a documentary film about Sylvia Rivera, Marsha P Johnson, and STAR. David France was visiting Kalamazoo during the period when their Prize submission was being reviewed by independent reviewers in the Kalamazoo community. I told David about Reina and Sasha's project and urged him to support it since they had been working on it for years. In my mind, in terms of the social justice leadership aspect of the work -- Reina's life experience and activism closely mirrored Sylvia and Marsha's lives and work and hers was a project where trans women of color were telling their own stories. David responded by saying that the 'right person should make it' -- meaning him. *How to Survive a Plague* had been winning awards all

year. He is a respected documentary-maker who has access resources, credentials, and a larger platform than Reina has and may ever have. I mean, it's 2017 and we still don't have a single, major trans women of color-created film about trans women of color. I think this is the moment where 'good' white people have to look at how easy it is for us to lean on our 'best intentions' when the outcomes continue to be that we take up scarce resources that build our careers on what are really sacred stories and cherished leaders in trans communities.”

France may have had some vague idea he might do a film about Marsha. We do not know what other ideas he may have discussed over email or typed on Word docs which did not ultimately become films once he learned of our project. What we do know is that from the moment he learned about our efforts, he engaged in a repeated pattern of behavior in which he followed our labor, swooped in with money and resources, and also badgered people to acquire materials we had worked with so as to include those materials in his film.

Footage belonging to College of Staten Island, CUNY professor and trans filmmaker Tara Mateik [appears in France's film without permission or attribution](#). David has claimed fair use of Mateik's footage even after Tara sent this explicit denial of permission. In an email to France in 2016, recently posted to facebook, Mateik writes:

“I've reached out to collective members from *Fenced Out* about the pier footage, and to be honest, they raised ethical concerns about how this footage was going to be used. As you know, there is a long history of exploiting trans people of color, and of documentary filmmakers using trendy social issue topics for their own gain, without a real and sustained commitment to these communities. I'm not making these charges against you, just letting you know that these are concerns raised by collective members about these types of requests. The members were not in favor of approving this request, and I don't have the authority to override them. In addition, prior to your request, we had been in contact with filmmakers from within the community working on a film on a similar subject.”

Shortly after receiving a rejection from Arcus, an employee working for France phoned Sasha at work asking for her contacts related to Marsha. She did not share them. When Sasha inquired as to who this person was and what this information was needed for, the employee responded that David France was in the early stages of exploring a possible documentary film about Sylvia and Marsha. Sasha informed the employee that our nearly identical project was already well underway, and explained we would like to be put in touch with France. In that phone call, we stated that it would be great if France would consider supporting us rather than making his own documentary film on the same topic. Again France had an opportunity to support our film, and he chose not to.

In 2014, Arcus Foundation at the Sundance Institute awarded France funding to [develop a documentary](#). Then titled *Sylvia and Marsha*, his film had an alarmingly similar logline to ours:

“*Sylvia & Marsha* celebrates the first modern transgender activists who together, co-founded STAR (Street Transvestite Action Revolutionaries) and set in motion a profound cultural shift carried on today by trans people asserting their rights.”

France then hired our Queer Art mentor Kimberly Reed as a [producer](#) on his own Marsha film. Reed had intimate access to our research, process, contacts and ideas. We met with Reed and expressed our alarm about her working with France. Reed is credited as a producer on France’s film.

We were frustrated that years into production with many more years prior spent on research, we were still struggling, but did not give up. We changed course, deciding to pursue a narrative short that could serve as proof of concept for a feature. We wrote the script for *Happy Birthday, Marsha!*, launched a Kickstarter, were overwhelmed by an outpouring of support and donations from our queer and trans community, and created an ambitious narrative period film about Marsha in the hours leading up to the Stonewall riots.

While we were editing the film, journalist Diana Tourjee connected us with Darrel Wilson, a film professor at NYU. He had footage of Marsha that he and his friend had shot in his basement in 1991, and he wanted to share it with us because of the work we were doing. This footage had never been made available to the public. After watching this beautiful document in a dark room together, he donated the footage to us, and we began integrating it into our narrative film. The footage is interwoven throughout.

On October 10th, [Mother Jones reported](#) that France has never seen any of Gossett’s writing “or any of her work product from her research over years—the history of STAR and the history and/or Marsha or Sylvia.” But the very next day in a follow up piece by [Mother Jones](#) France admits that the contents of Reina’s Vimeo were “one of several that his crew examined during the course of their filmmaking process and video from that channel may have appeared on their ledger to keep track of available footage.” France is quoted as saying “The deeper question is: Did we learn anything from finding those videos on her Vimeo page? And that answer is no.””

Janet Mock responded to France in [Allure](#): “Having myself gained so much from Gossett’s publicly accessible archival work, it’s difficult to believe that a filmmaker making a documentary about Marsha P. Johnson would not have “learned anything” from Gossett’s archives. She is the preeminent and foremost scholar on Marsha P. Johnson”

Kamran Shahraray, an archival assistant who worked on France’s film, [confirms that France benefited from Reina’s research](#):

“As someone ‘who knows the archives better than anyone else here’ by David’s own admission, Reina’s account confirms many suspicions that had come up for me whilst going through the archival footage and research. Reina’s entire Vimeo was on the hard drives, down to the exact resolution and clip length and her name appeared throughout other materials. Based on what I

have seen, undoubtedly someone at some point made heavy usage of her work and research, and to say this didn't happen is a bold-faced lie which flies in the face of all available evidence.”

In November 2015 France attended a presentation we gave on our work at the Cooper Union as part of the exhibition “Bring Your Own Body.” We publicly shared several excerpts from our film in progress for the very first time. This presentation included unveiling the archival we had acquired from Wilson. Reina also read a personal letter she had received from Kitty Ratolo who was one of the last people to see Marsha alive.

Following our presentation, France reached out and filmed Ratolo for his own film and sought out the archival footage we had shared from Wilson. It appears in his own film. Clearly France has seen and learned from our work.

Though France may wish the unfolding story would focus on copyright laws and ownership to prove he did nothing wrong, ultimately we believe no one owns Marsha's story. In fact the whole notion of someone owning Marsha is part of the same violent ideology our work seeks to challenge. 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. This is the very violence that Sylvia Rivera forced her way on stage to decry in 1973 at the Christopher Street Liberation Day.

David France's actions have implications beyond just us— about who has access to resources to tell stories, and how this can reinforce the very power structures that our heroes like Marsha P Johnson worked to break down. France isn't the only filmmaker who has seen an opportunity to collaborate with directly affected people but passed up that opportunity in favor of personal gain. This is the cycle of extraction and erasure we wish to interrupt. These are the conditions that create a world where trans women of color may have visibility, but are not supported to tell our own stories. We are dedicated to creating art that celebrates the most vulnerable people in our communities and neither erases nor attempts to make their lives more palatable. We use art to transform oppression. Marsha did that too.

We are so proud of the film we have just picture locked and the community that has supported us, held us, and continues to believe in us. Marginalized artists rarely receive this kind of support. We look forward to premiering [Happy Birthday, Marsha!](#) in 2018, and encourage those in New York to see our video installation [Lost in the Music \(2017\)](#) currently on view at the New Museum.