

Hey, guys. I'm just in the process of editing the video that you're about to watch, and I thought I would drop a severe content warning right here. It's. It's a lot. Obviously, there's discussion of the murder of queer people. That's what the video's about. But there's also instances of audio that was taken from the killers, one of which they consistently refer to a trans woman as he made sure to keep any kind of dead naming or anything like that out of there. But I just wanted you to know that that's there. There's some violent shots. There's some a couple of kind of brutal images as well, because I really wanted to get the point across. So, you know, if you feel like you need to take a break watching it or anything like that, by all means. Also, for a lot of the victims, there's not a lot of pictures of them. There's not a lot of pictures. There's not a lot of it's definitely not a lot of video. So for a lot of instances I've used shots from movies that may have been made about the case. But you'll notice a lot, especially in the last section where I'm talking about attacks on trans women, that there's very little there's very few photos even.

And so it's a lot of me talking. It's not just me being full of myself. It's literally there was nothing else to show except for one instance for women. But you'll see that when it comes to it. And I also just really wanted to thank you all. This past year has been crazy, not just with COVID and all of that, but also for me personally, dealing with the situation with my mom and everything and being able to make videos has been a really nice a nice distraction.

And I wouldn't be able to do this if it wasn't for you guys. So thank you. Thank you so much. I appreciate you guys so much. I hope you have a really great holiday season. Whatever you celebrate and really happy New Year. And in January, I'll be putting out a video that is not as depressing as this one deals with poverty.

But so thank you guys for watching. Thank you guys for being patrons. I really, really I mean, I love you guys. Your you make my life a lot easier. So thank you. And I hope you enjoy this video. That was well, I don't know if enjoy is the right word, but I hope you take something away from this video that's been a year in the making.

Yeah.

In early February 2008, in Oxnard, California, a 15 year old named Larry asked a fellow eighth grader named Brandon to be their valentine. Somehow, our society had given Brandon the impression that this innocent request was tantamount to a criminal offense.

And so on February 12th, Brandon murdered Larry, shooting them twice in the back of the head. The first trial ended in a mistrial with several members of the jury agreeing with the defense's use of queer panic, stating that by Larry coming on to Brandon, they were essentially bullying him, leaving him with no choice but to kill the 15 year old.

A second trial saw Brandon sentenced to 21 years in prison for voluntary manslaughter, not murder. And the case was not prosecuted as a hate crime.

There was a surprise plea deal tonight in the case of a gay junior high student shot to death by a classmate. But he is going to spend the next 21 years of his life in prison. Some of the jurors in the first trial were here to support McInerney. And I was really kind of shocked, like 21 years, really no chance of parole. It really seems an awful long time for a kid who had no prior record.

The Queer Panic, or better known as gay or trans Panic. Defense has been a legal defense tactic for three quarters of a century in the United States and abroad. The murder of Larry in 2008 is just a recent and particularly venomous example and may actually fall under both gay and trans panic. Though Larry presented as a boy, many people who knew them stated after their death that they wanted to change their name to Latisha and possibly transition. We won't know if Larry would have ever done that, though, because they only spent 15 years on this earth before rabid hatred took them from us all. I wish Larry was the only example of this. I wish Queer Panic was an obscure mention in a dusty legal book somewhere. But there's a sad, dark history to this rationalization of hate masquerading as a legal defense. While there is more acceptance of the LGBTQ community today than there was even in 2008. It's worth noting that only nine months after Larry's murder, California voted to ban gay marriage. Queer people still experience significant amounts of prejudice and discrimination. Approximately 70% of gay men and women have been the victims of verbal abuse, with 30% being the victims of physical harm. While 80% of transgender people in America have reported being physically attacked in some way. Violence against the community is a problem, even in cities with sizable queer populations. In a survey of young adults in San Francisco, one in five men admitted to physically assaulting or at least threatening people they assumed to be gay or trans. When a heterosexual kills a gay man or woman or a cisgender person kills a transgender man or woman. A common defense strategy to use is the concept of queer panic. There is no officially recognized queer panic defense in the legal books, but many use the term to refer to defense strategies that rely on the notion that a criminal defendant should be excused or even justified if their violent actions were in response to the perceived sexual advances of a queer person. Such strategies include using queer panic to bolster claims of temporary insanity, diminished capacity, provocation and self-defense. So let's have a look at the history of this often derided but too often successful legal defense, why it exists, why it succeeds, and what can be done about it. The use of queer panic in murder cases has its roots in theories of latent homosexuality as a mental disorder. The term homosexual panic was coined by Dr. Edward Kempf, a clinical psychiatrist, in 1920 after treating many patients who exhibited similar characteristics. Kempf came to the conclusion that certain troubled individuals who thought of themselves as heterosexual males were actually latent homosexuals. These individuals suffered from an internal conflict between their feelings of attraction to people of the same sex and societal views of such feelings as perverse. They also experienced a heightened sense of anxiety in same sex

environments, caused by this tension. According to Kempf, the male patient afflicted with homosexual panic would be attracted to same sex associations and horrified by the amorous female. After heterosexual failure, the patient would become anxious, depressed and sometimes suicidal. Interestingly, separation from an individual of the same sex to whom the patient was attracted rather than a homosexual offense would precipitate a panicked state. The Diagnostic and Statistical Manual of Mental Disorders, the official list of psychiatric disorders published by the American Psychiatric Association, listed homosexual panic disorder in its 1952 edition. But the term has not appeared in the manual since then. While Kempf's original theory has been stretched almost beyond the breaking point in its use as a defense in the criminal courtroom today, modern support does exist for the idea that men who self-identify as straight and who express hostility toward queer people may actually be latent homosexuals themselves. In 1996, there was a study conducted to find out whether straight men who exhibited strong anti-gay sentiments would be aroused by gay porn. It included 64 participants who, after much testing, were broken up into two groups one for obvious homophobes and one for straight men who were more or less indifferent. A sensor was placed on the penises of each man before they were sat down to watch gay porn. The sensor recorded full erections only in the homophobic group. Kempf's study has since been used to back up the use of the queer panic defense that latent homosexuality is in and of itself a mental disorder. Therefore, excusing the defendant as being not in control of their own faculties by using the gay panic defense, they are essentially admitting to be latently queer themselves. A nuance many of the defendants, I'm sure, are unaware of. Gay panic in and of itself is a useless defense. It must be attached to something more meaty, something you can win over a jury with excuse or justification. An excuse defense is one in which the defendant's conduct is viewed as wrongful, but that he himself is not seen as morally at fault. A justification defense, on the other hand, focuses on the defendant's conduct more than his individual characteristics. A justification defense argues that the attacker's conduct was appropriate under the circumstances. Truthfully, it's difficult to argue that queer panic should be called either a justification or an excuse. Justification suggests the defendant did the right thing in killing the victim, that he did what society would have wanted him to do. And an excuse defense suggests that the killer is not as morally blameworthy as he would have been had he killed a straight man or a cisgender woman. Both, in my humble opinion, are bullshit. Even most defense attorneys know that, so they very rarely try to argue for either justification or excuse. Instead, they lean toward insanity. Heterosexual men charged with killing gay men have argued that the victim's homosexual advances triggered in them a violent, psychotic reaction, causing them to lose control over their mental abilities. But always, always in a temporary manner, they were perfectly sane again after they were done killing them. There are several problems with defense attempts to claim insanity linked to gay panic. First to be found NGI not guilty by

insanity. A defendant must not have understood the nature of his act or appreciated that what he was doing was wrong. In other words, either he did not know that he was stabbing, choking or kicking the victim, or he did not know that what he was doing was wrong. The male defendant claiming that a homosexual advance made him lose his self-control often cannot claim convincingly that he did not know that he was attacking the victim or that he did not understand that what he was doing was illegal or at least immoral. Second, to be found, NGI, the defendant, must have been suffering from a mental disease or defect at the time of his act. The defendant claiming that a gay or trans advance made him crazy often cannot prove he was suffering from a mental illness or defect at the time of his act. Because the American Psychiatric Association does not recognize homosexual panic disorder as an actual disorder, they do have one other option, though diminished capacity. Another hook for defendants charged with murdering a gay man or trans woman is the diminished capacity defense. Diminished capacity. A partial defense to murder generally requires proof that the defendant was acting under the influence of a psychological illness that made it impossible for him to premeditate the murder. Unlike excuse, justification or insanity. This argument will not have you set free, but it will at the very least remove the possible charge of first degree murder, which could result in life in prison or the death penalty. Now that we've taken a law class, it's time to take a history class. David Kammerer Though you likely know the names Jack Kerouac and William Burroughs as literary giants, the first time their names appeared in print was when they were arrested as material witnesses to the murder of David Kammerer by Lucien Carr. David Kammerer and Carr had met in Saint Louis at a summer camp for boys when Kammerer was an instructor, and Carr, a student from a middle class family. Kammerer earned a Ph.D. in English and had taught literature and physical education at Washington University. What started as an infatuation then turned into a decade long attraction. He followed the young Carr across the country, from Andover to the University of Chicago to Maine, before moving to New York City when Carr entered Columbia University. The Burroughs biographer, Ted Morgan, related that while many believed these moves reflected Carr's attempts to get away from Kammerer, others were dubious. For when you saw them together, they seemed to be the best of friends drinking and horsing around. The pair were friends with both Kerouac and Burroughs, who both reportedly had a crush on the young Carr. He was like a magnet for men struggling with their sexualities, not just Kammerer, Kerouac and Burroughs, but Allen Ginsberg as well. It was later postulated that this was because of Carr's feminine look. Kerouac in particular was torn. He was engaged to a wealthy heiress, Edie Parker, but head over heels for Carr. Kammerer had become intensely jealous when both Kerouac and Allen Ginsberg competed for Carr's affection. Ultimately, Kerouac and Carr formed a close relationship. Whether Carr engaged with any of these men sexually is still up for debate. He certainly drew their attention and seemed to have no problem flirting with them even in public. So it shouldn't have come as a shock when David

Kammerer finally made a move on him. Carr responded by digging his Boy Scout knife into Camera's heart multiple times. Once the man was dead on the ground, Carr tied his hands and feet, wrapped cameras, belt around his arms, weighted his body with rocks, and then dumped it in the nearby Hudson River. Carr fled to William Burroughs for help. Burroughs gave Carr some money and advised him to turn himself in. Baker went to see Kerouac instead. Kerouac helped Carr get rid of the knife and bury cameras, glasses. Two days later, Carr confessed to police. At first they didn't believe the young man's story. But the same day the Coast Guard found Kammerer, his body floating off 108th Street. Once in custody, Carr told police that over the years of their acquaintance, Kammerer had several times made improper advances to him, but that he had always rebuffed the older man. The phrase improper advances was not new to crime stories in the 1940s. Since the late 19th century, such terms were common in the press to describe verbal and physical assaults on women. They connoted criminal actions that simmered with sexual abuses, too shocking to make explicit. While the terms improper advance or indecent advance appeared in queer crime stories in the thirties, it was the post-World War two years when such terms came to embody the perceived threats of gay men. Initially, Assistant District Attorney Jacob Grimmatt had doubts about Carr's confession, telling the New York Times he was uncertain whether he was dealing with a slayer or a lunatic. Determining whether the crime was the work of a vulnerable teenager or a crazed, psychopathic queer lover would become the compelling question for detectives and journalists alike. Solving this mystery depended on solving the riddle of Carr's sexuality. Initial press accounts described Carr with a myriad of unmanly attributes, including a pale, slender youth, refined and a frail, blond youth whose frail, build and earnest expression might easily arouse sympathy. The New York tabloids presented the teen as a helpless victim of a psychotic homosexual attack. The Daily Mirror called the crime a twisted sex murder. The New York Daily News described Carr stabbing as an honor slaying. The Daily News contrasted the mild expression on Carr's young face against the 33 year old former English teacher, drawing this contrast between youthful innocence and sexual deviance. It was often difficult to discern who was the real victim of the crime. By September, when Carr entered a guilty plea of second degree manslaughter, the assistant district attorney believed the Carr had not intended to kill Kammerer, a homosexual. But the Kammerer for more than five years had persisted in making advances to Carr, which always were repulsed. Kammerer's persistence had made young Carr emotionally unstable. In her testimony, Mrs. Carr described Kammerer as a veritable iago who had corrupted her son purely for the love of evil. Carr served only two years in a reformatory. Whether Kammerer was a sexual predator, murdered in self-defense or Carr was mentally unstable, have both been argued ever since. Not long before the murder. Carr committing suicide by putting his head in an oven which he later swore was performance art and Kammerer did have a habit of popping up wherever Carr was, no matter how many times he moved. The facts

in this case are elastic, with too many contradicting stories over the last seven decades. But wherever the truth may lie, one thing is for sure, though the gay panic defense was not technically used in this case. It seeds were planted in the honor killing defense. The ability to more or less get away with murder. If you felt threatened by someone's sexuality, making the victim into the monster.

William T Simpson. Like most gay men at the time, William T Simpson lived a pretty modest life. He was 27 and was one of many gay men who worked for Eastern Airlines as a flight attendant. Eastern Airlines was based in Miami and was Dade County's largest employer at the time. He was a shy person by all accounts, often skipping the parties planned by his coworkers. He rarely visited the underground gay bars that existed in Miami at the time and mostly kept to himself with no family living nearby. Some looked at him as a loner, but he simply preferred the company of a good book. He'd come to Miami in 1951 from Louisville, Kentucky, for his career, and so that his sexuality wouldn't be quite so stifled. Though like most cities, the gay community of Miami was deeply secretive. It was one of the areas of the country with a reputation like New York or San Francisco. If you were a gay man living in America's South, you knew Miami was where you had to go if you wanted to have a life. And so Simpson lived a quiet, relatively happy life in the city. On the evening of August 2nd, 1954, Simpson landed at Miami International Airport after a final shift working aboard a flight from Detroit. For most of the flight, his colleague, fellow flight attendant Dorothy Hoover, remembered him being almost giddy, mentioning several times a date he had planned for that evening. Simpson reportedly left his apartment around 10 p.m., according to his landlord. 2 hours later, his body was found face down in some gravel by Dick Cline and his girlfriend Joan, at a spot near the Creek Bridge near Biscayne Boulevard. Today, a Flanagan's bar and grill marks the spot. But in the mid 1950s, this area was a lover's lane featuring a small, secluded beach area under the bridge where one could park right along the little Arch Creek waterway. Simpson never made it to his date. It is believed that on the way there he was propositioned by a young man named Charles Lawrence on the side of the road. Unknown to Simpson, Lawrence was notorious for rolling gay men, as local media called it, then luring them to a secluded spot where his accomplice, Lewis Killen, would jump out and help rob the victim. Usually, Killen would wait until Lawrence began engaging in sexual activity with the victim before attempting the robbery killing. And Lawrence would not kill their victim. But in Simpson's case, for reasons still not clear, something spooked Lawrence when Simpson didn't cooperate like the other victims had. Lawrence shot him in his left side and Simpson stumbling out of the car, Finally tossed over his keys and wallet before collapsing a few yards away. According to the North Miami police report, Lawrence and Killen made off with \$25 and claimed they thought Simpson would live. They said they were surprised when they found out the next day that he had died. Miami Daily News reporter Milt Susan was on

the story from the moment it broke. He wrote his first front page article aptly titled Eagle Eastern Airlines Man is Slain on Lover's Lane, along with the headline, there was a picture of the head of Simpson's corpse. Susan suspected Simpson was gay because of the location in which the murder took place. Susan referenced the potential killer as a man and suggested that it was possibly a sex crime. The story immediately gained traction. But rather than trying to report on the heinous crime itself, Susan instead focused on Simpson's sexuality. At the time, homosexuality was rarely mentioned in mainstream media, so it made Susan's writing all the more salacious. Following the police investigation, Susan learned that the police were more interested in busting a colony of 500 gay men in the area than apprehending the murderers. Susan followed suit. The follow up front page story focused on Simpson's sexuality rather than the crime. In a story on August 9th, 1954, with the headline Pervert Colony uncovered in Simpson Slaying Probe, the article detailed that gay men congregated in a northeastern part of downtown Miami around where the Omni center is today. The article went on to further accuse Simpson of mixing with the wrong crowd and getting involved in gay drama, which it suggested might have been the motive behind the murder. One investigator quoted in the article even claimed the murder might have been because Simpson was looking to become the queen of the colony. There was no doubt about who committed the crime, though Lawrence and Killen both admitted to the murder. Testifying in November of 1954 that while they did like to roll gay men, Simpson took it too far. They claimed Simpson made them feel unsafe and made unwanted sexual advances toward Lawrence. The jury was reportedly so alarmed by the police and press stories of the gay colony that many covered their ears during testimony. The Miami Herald and Miami Daily News mostly ignored the trial, instead focusing on stories of homosexuality around the Miami community. Lawrence and Killen were eventually convicted of the lesser charge of manslaughter, with jurors reportedly furious when the judge sentenced them to 20 years in prison. Simpson's murder was the catalyst of what quickly seemed like endless homophobia in South Florida. Various Christian activist groups stepped up and called for Dade County politicians to rid the area of homosexuality by raiding known gay bars, clubs and hangout spots. WTVJ ran a documentary warning people of the dangers of gays in the mid 1960s. All three major newspapers in the area, the Miami Herald, Palm Beach Post and Fort Lauderdale News would run article after article throughout the sixties informing readers to be aware of their neighborhood surroundings and who their neighbors might be. In the event that one of them might be gay. In response to this panic, the state of Florida set up the Florida Legislative Investigative Committee, commonly known as John's Committee. This committee was responsible for distributing literature throughout the state, warning citizens of gay activity. The committee also targeted, interrogated and stripped suspected gay teachers of their credentials, spurring a nationwide campaign to protect the children, leading to a rise in gay murders across the state.



Robert Jackson. On the night of April 12th, 1968, a tow truck driver was flagged down by a man who appeared out of nowhere on the dark road. He told the driver that he'd been shot and needed to go to the hospital. The driver panicked, rushed Jackson to the nearest emergency room. Once there, he was able to give some details to the local police that on the way home from a scout meeting, he had been approached by a young man asking for a ride. He told police that the man had pulled a gun on him and shot, but he couldn't remember any other details. He only knew the man had stolen his car. Jackson was then rushed into surgery and an all points bulletin was put out for the vehicle. At 5:35 a.m., an officer found Jackson's car pulled into a parking lot with 19 year old John Stephen Parisie asleep inside. After finding Jackson's wallet on him, Parisie was arrested. Now in police custody. Parisie said that he had met Jackson a few days before when he had gone into Chetson Motors to look at used sports cars. Parisi told police that he had given Jackson his phone number so he could be contacted when new sports cars became available. A few days later, while walking downtown, Jackson drove up alongside him and offered Parisi a ride, which he said he accepted. Parisi said he thought that they would drive around Springfield Lake, but Jackson drove down a dark, secluded street instead. According to Parisie, Jackson stopped the car, pushed the driver's seat back and placing his hand on Parisie's crotch. Said John, I'd like to give you a blowjob, Parisie says. He declined the offer. Smiling, Jackson told him, If you don't let me do it, you'll have to walk back to town. Parisie He told police that the threat of being stranded in the middle of nowhere made him blow up and lose it. Parisie said he remembered some sort of struggle and gunshots, but all the other details were fuzzy. That morning, at 10:20 a.m.. Robert Jackson died from his injuries. He was 36 years old. The murder of Robert Jackson and the trial that followed helped to define how the Gay panic defense would be used in courts across America. It became tabloid fodder and even drew the attention of conservatives in the federal government who had been zeroing in on the LGBT community for decades. In the 1950s, during Joseph McCarthy's Red Scare, more gay men were fired from government jobs and suspected communists. The so-called lavender scare among lawmakers, lawyers and judges easily transformed into gay panic. What makes the John Parisi murder trial unique in the life of the queer panic defense is how his lawyers stuck to Dr. Edward Kemp's 1920 theory of homosexual panic as it applied to police's defense. First, they wanted to demonstrate that he was suffering from a mental illness. In this case, paranoid schizophrenia, which helped trigger a gay panic episode. The second part of the defense strategy was to show Robert Jackson's prior homosexual activity. Parisie's defense hinged on persuading the jury that his fear and revulsion of his own latent homosexuality collided with Robert Jackson, a married father, scout leader and successful businessman by day who led a secret life of sexual deviancy at night. That was the plan. But the entirety of this defense would never be heard by a jury. Two months prior to the trial, Robert Jackson's brother, Bert Jackson, a lawyer representing



the victim, and Jackson's widow, requested and were granted a private conversation with the trial judge. The family's attorney read this prepared statement. I represent the widow and three young children of the deceased and nature. I am informed and believe that the nature of the allegations will be devastating to the character and reputation of the deceased. They are untrue. The family asked the judge to exclude any evidence that Robert Jackson was ever involved in homosexual activities. The judge took the request under advisement and issued a ruling that said, although the court recognizes that evidence of homosexuality can be very important and would be admissible, that it would nevertheless enter an order prohibiting defense counsel from mentioning Jackson's homosexuality in the trial. This was a devastating blow to Parisie's defense. How does one persuade a jury that you killed a man in a gay panic? If you can't prove that the man you killed was gay. But things would get worse for the defense during the first day of the jury selection. The court asked members of the potential jury pool the following question. There may be some evidence in this case of homosexuality. If the evidence should show any person whose name comes up during the trial of this case was involved in acts of homosexuality, would that fact alone create prejudice or sympathy for that person? According to court records, one juror said, You can't expect me to say that this isn't going to make any difference to me if this man was a homosexual. The newspaper account said no jurors were choice one the first day of the trial. Instead of looking for new jurors, they removed the question from the screening process and moved forward, willfully allowing people who hated homosexuals onto the jury. Ladies and gentlemen of the jury, our client, John Parisie. The 19 year old boy that sits here at the table, has authorized us to tell you that his hand pulled the trigger of the gun that killed Robert Jackson. When John Parisie pulled the trigger of the gun that killed Robert Jackson. He did so while repulsing a homosexual attack. A court appointed clinical psychologist who examined Parisi found him to be highly delusional, paranoid schizophrenic who is bisexual, loner with a basic distrust of people who had suppressed his emotions, causing periodical blowups. He found Parisi to be a highly latent homosexual who would avoid homosexual situations like the plague with strong feelings of inferiority, and testified that severe stress of any type could result in an acute schizophrenic reaction with accompanying amnesia. During this schizophrenic reaction, the individual comes apart and becomes insane for a period of time. Parisi was only examined once This description of him was not an actual diagnosis. It was a word for word reproduction of Dr. Kemp's theory of homosexual panic. When prosecutors cross-examined the psychologist, they managed to have him admit that gay panic was not a mental illness, nor was it part of psychiatric nomenclature. They were using junk science to justify a murder. The jury audibly booed the prosecutor. With no intervention from the judge, Parisie hadn't even testified yet. But the trial was essentially over. Parisie was convicted of manslaughter, but upon appeal was set free. The appeals court stated that by not allowing more witnesses to testify that Robert Jackson was

homosexual, but allowing Jackson's wife to speak. The original judge allowed too much doubt to seep in. If the jury were completely convinced of his perversity, a full acquittal would have been likely. And so John, Steven Parisie was let back into the world, a world Robert Jackson no longer lived in. Over the next 20 years, the gay panic defense was used regularly in American courtrooms, but not just in the murder of gay men, because defendants often received reduced sentences when claiming gay panic. Many murderers began claiming gay panic even when the victim was, by all accounts, straight. It was an easy way to have a sentence reduced from murder to manslaughter, death penalties to prison time, a defense the prosecutors loathed that gay rights organizations fought to end the use of. But that was roundly ignored by the general population. Most people had never heard of gay panic or the gay panic defense. It was just a relatively obscure temporary insanity plea that most people would never need to know existed. But gay panic would eventually get national attention.

Scott Amedure. Scott Amedure was a military veteran who appeared on the Jenny Jones show in 1995 at the age of 32. The Jenny Jones Show was a daytime tabloid talk show that ran for 12 years between 1991 and 2003. Low ratings and early seasons led the show to pivot to voyeuristic, exploitive content inspired by successes from talk show hosts such as Jerry Springer and Maury Povich. For example, Jenny Jones would bring in a woman who slept with a married man and his wife, encouraging them to confront one another in front of her live studio audience. She'd surprise a couple with a paternity test result. On air, have spouses reveal affairs and break up with their partners. Bring in unruly teenagers who needed discipline and reveal secret same sex crushes. Jenny Jones, though, wasn't quite as popular as her contemporaries. The show had started out as a competitor to Oprah, but it switched gears to trash TV eventually on one episode that would never actually be aired. The show's premise was to shock straight men by having their gay friend admit to having a crush on them. It was on this episode that the world would have met Scott Amedure. The episode was taped on March 6th, 1995. On that day, Scott admitted to having a crush on his friend Jonathan Schmitz. Schmitz knew the premise of the episode was people admitting their secret crushes. But since it was between his friend Scott and a female friend, Donna, he assumed that it would be Donna. Especially after Scott swore it wasn't him the night before. Schmitz later stated that he participated in the show due to curiosity, and he claimed later that the producers implied before the show that his admirer was, in fact, the woman. Although the producers of the show claimed that they did tell Schmitz that the admirer could be anyone. The unaired episode begins with Jones asking Scott Amador to tell the audience about his fantasies involving the 24 year old Schmitz, who was backstage at the time, unable to hear. After Amadure was pressed to reveal a fantasy that involved Schmitz Hammock, strawberries and whipped cream, Jones brought out Schmitz, who awkwardly embraced Amadure before sitting down. After Jones revealed it was

Amedure who had the secret crush and played back. The audio of Amador was relatively tame fantasies. Schmitz professes his complete heterosexuality, smiling forcibly and laughing uncomfortably to raucous cheers from the audience. It was later stated by Donna that Amador and Schmitz went out drinking together that night after the taping and an alleged sexual encounter actually occurred. Though this has never actually been confirmed, after the trio flew home, Jonathan called his father to tell him what happened. Jonathan found it quite funny, but his father reportedly was not so easy going. In a later trial, his father admitted to telling his son that if he didn't do something about this, that people would think he was gay. Specifically, he had to kill Scott. Otherwise people would think he had been okay with the gay advances. Though he admitted under oath to coercing his son into committing murder. Jonathan's father was never tried. Other testimony said that when Jonathan returned home, he found a sexually suggestive note on his doorstep. Schmitz then drove to Amedure, his mobile home, to ask about whether the note was from him. When Amedure admitted that it was, Schmitz went to his car and returned to the door with a newly purchased 12 gauge shotgun. Schmitz shot Amador twice in the chest, killing him. He immediately called 911 to turn himself in. During the call, Schmitz was asked why he shot Amador, which he replied, Because he played a very fucking bad thing on me. He took me on Jenny Jones. Schmitz was charged with first degree murder and committing a felony with a firearm to convict him of first degree murder. Prosecutors had to prove that the murder was premeditated. If convicted of this charge, Schmitz faced life imprisonment without the possibility of parole. The prosecution argued that though Schmitz may have been embarrassed by the Jenny Jones taping. It did not justify his killing of Amedure. Schmitz drove to one store to purchase a shotgun, drove to another for ammunition, and then drove to Amedure his home before firing the fatal shots that demonstrated premeditation. Prosecutors contended that when Schmitz went to Amedure, his mobile home, Schmitz became violent. They said that the police report indicating an upturned chair at the crime scene shows that Amador was trying to defend himself. The state had an oral confession and a videotaped confession from Schmitz. In a pretrial hearing, however, the judge ruled that both confessions were inadmissible. Schmitz's attorneys argued the defense of diminished capacity. They claimed Schmitz lacked the mental state required to have committed premeditated murder when he shot Amador. According to the defense's theory, Schmitz simply snapped. After finding the note on his doorstep. Lawyers argued that the very idea of being perceived as gay broke SCHMITZ mentally, that it would do so to any man. But Schmitz, who apparently suffered from manic depression, was particularly vulnerable that he felt the world was falling down on him and that the only way he could stop his mental spiral was to kill Scott. This was years before his father admitted to demanding that he kill his friend. Everyone involved in the trial expected Schmitz to be convicted of first degree murder with a life sentence. So there was palpable shock when the jury did not convict of first degree murder, but

second degree murder with a sentence of 25 years. A sentence that was soon overturned. Schmitz was tried once again in 1999, where he was convicted and sentenced to 50 years in prison, though he was released in 2017. The murder of Scott Amedure should have brought the gay panic defense into public awareness, but it didn't really. The general public who knew about the case seemed to care more about Jonathan Schmitz. Jonathan was a good boy.

Jonathan never did anything in his whole life. He really is a good kid.

LGBT advocate groups fought hard to bring attention to the legally unsound gay panic defense that had been utilized. But people simply weren't interested. It had only been a few years since the supposedly liberal Clinton administration had banned gay men from serving in the military and banned same sex marriage federally to high approval ratings among the American public. In the late 1990s, there was far more sympathy for those who murdered queer people than there was for the queer people being murdered. A sad reality that was about to be shaken one night in Laramie, Wyoming.

Matthew Shepard, Aaron Kreifels inspected the twisted wheel of his mountain bike. He decided earlier that evening to take a ride on an old double rutted road just outside Laramie, Wyoming. Now, it didn't seem like such a good idea. He had fallen while struggling through deep sand, although he was unhurt. His bike was too badly damaged to ride home. Looking at the bent metal in his hands, he noticed something tied to a nearby fence. At first I thought it was a scarecrow, he said later. The scarecrow was Matthew Shepard, a 21 year old University of Wyoming student. Small and slightly built, he only five feet two inches tall and weighed some 105 pounds. Friends described him as a gentle person, passionately committed to human rights. Shepard was also bold, being openly gay in a conservative state. The night before to Laramie, roofers pretending to be gay had lured him out of a popular local bar, driving Shepard to the spot a mile outside town. They stopped their truck and turned on him, saying, Guess what? We're not gay and you just got jacked. They then bludgeoned him beyond recognition with the butt of a 357 magnum and tied him to the old wooden fence after finding Matthew's body. Aaron rifles rushed to get in touch with paramedics who got to the scene and thought Matthew was already dead. Finding a pulse shocked them into action and they rushed him to a nearby hospital. The story soon hit America's newspapers, TV networks and the Internet. In response, celebrities and politicians decried the attack. Thousands staged candlelight vigils while the media kept a 24 hour death watch outside Matthew's hospital room. On October 12th, Matthew let out his last breath. Suspects Aaron McKinney and Russell Henderson had been arrested shortly after the attack and were now charged with first degree murder. A media circus rose up around the murder and what the role of Shepard's sexual orientation played as a motive for the commission of the crime. Though obviously.

No way too early to know for a fact that.

This was not your typical gay bashing in the media's Matthew's boyish good looks, radiant smile and almost angelic presence allowed them to portray him as more than just another murdered queer. He was the boy next door, your daughter's best friend, the babysitter. Your kids loved Matthew's face never seemed to leave TV screens in the days after his death. Even Far-Right Christians, unable to reconcile their idea of homosexuality with Matthew's innocent face, called for retribution. Though there were some protests proclaiming that Matthew was in hell, they were far outnumbered by the opposition. The media paid rapt attention when the murder trial against Aaron McKinney and Russell Henderson began. During the trial, we learned that on the night of October 6th, 1998, Matthew was approached by McKinney and Henderson at the Fireside Lounge in Laramie. McKinney and Henderson decided to give him a ride home. They subsequently drove to a remote rural area and proceeded to rob, pistol whip and torture Matthew. His walk through the jungle right after he's already paid for. So many media reports contained the graphic account of the pistol whipping and his fractured skull. Matthew was beaten so brutally that his face was completely covered in blood, except for white streaks from his tears. The killer's girlfriends testified that neither McKinney nor Henderson was under the influence of alcohol or other drugs at the time of the attack. And that they had been persuaded to provide alibis for them and help them dispose of evidence. Matthew was in a coma when he had been found 18 hours after the attack. He had suffered fractures to the back of his head and in front of his right ear. He experienced severe brain stem damage, which affected his body's ability to regulate his heart, body temperature and other vital functions. There were also about a dozen small lacerations around his head, face and neck. His injuries were deemed too severe for doctors to operate. Sheppard was pronounced dead six days after the attack at 12:53 a.m. At McKinney's in November 1990 pretrial hearing. Sergeant Rob Debris testified that McKinney had stated in an interview on October 9th that he and Henderson had identified Sheppard as a robbery target and pretended to be gay to lure him out to their truck and that McKinney had attacked Sheppard after Matthew had put his hand on McKinney's knee. Henderson avoided going to trial when he pleaded guilty to murder and kidnaping charges in order to avoid the death penalty. He agreed to testify against McKinney and was sentenced to two consecutive life terms. In the opening remarks of the trial of Aaron McKinney in the fall of 1999, McKinney's defense launched an all out offense on the myth of Saint Matthew in a familiar pattern of the gay panic defense. They attacked Sheppard's conduct, his lifestyle, his sexual experiences, his morals and everything else that might sway a jury. The judge refused to even entertain the notion of gay panic. And so the defense team changed strategies. They would instead argue that Matthew's murder was justified publicly announcing that he was HIV positive and therefore a danger to the entire community that he was a sexual predator. But their smears weren't sticking. For McKinney's lawyers, the greatest threat to their defense was an emerging memory of Matthew Shepard as a valued, respected and likable

person. For the first time, legal professionals and the American public were wholly rejecting the gay panic defense. The far right Christians who had called for retribution early on were now actively protesting alongside the LGBT community. Outliers like the Westboro Baptist Church were shunned as Christians were forced to face the fact that their idea of hate the sin, love the sinner, was putting them on the wrong side of a social battle. Religious leaders also weighed in, although they could have framed Matthew and the attack using a religious perspective. They maintained a secular focus and avoided any religious language. Frank Griswold, presiding bishop of the Episcopal Church, described Sheppard as a member of our human community and as our brother, and decried a national climate of hate that makes such a crime possible. Dignity USA a Catholic organization, declared The murder of Matthew Shepard is an extreme example of a hate motivated crime. But neither organization called for people to pray for Matthew. After a grueling trial, the jury found McKinney not guilty of premeditated murder, but guilty of felony murder and began to deliberate on the death penalty. Shepard's parents brokered a deal that resulted in McKinney receiving two consecutive life terms without the possibility of parole. The death of Matthew did not fade from public memory. The Laramie Project, A play chronicling the murder and trial premiered in 2000. A film adaptation of the play was released in 2002, as well as a TV movie, The Matthew Shepard Story. Multiple books have been written about the event and countless documentaries and TV specials have told the story of Matthew's death. But it wasn't until his mother, Judy, published the book The Meaning of Matthew in 2010 that we really got to learn about his life. Multiple allegations against Matthew have risen in recent years, with many police officers working on the case early on, saying that it was not a hate crime but a drug murder. The Matthew was a meth dealer, though other officers vehemently disagree with this attack. In 2013, a book entitled The Book of Matt was released. The claimed Matthew to be a meth dealing, heroin addicted prostitute that had multiple sexual encounters with his killers. The author, Steven Jimenez, has been decried by LGBT rights organizations, politicians, media figures and everyone who knew Matt. In an interview, Jimenez said This does not make the perfect poster boy for the gay rights movement, which is a big part of the reason my book has been so trashed. The legacy of Matthew Shepard doesn't live on as a salacious book by a writer who first intended on writing a screenplay about the murder, though it lives on in the Matthew Shepard and James Byrd Jr Hate Crimes Prevention Act into law in October of 2009. The measure expands the 1969 United States federal hate crimes law to include crimes motivated by a victim's actual or perceived gender, sexual orientation or gender identity. There was hope after Matthew's murder that the country would wake up, that the LGBT community in America would no longer have to fear for their lives. But before Matthew's murderers even entered a courtroom, people's hopes would be sadly dashed.



Billy Jack Gaither, Sylacauga, Alabama, had less than 13,000 residents with seventy churches when Billy Jack lived there. Only around 100 gay people lived there, but most weren't open. Most would travel to bars in Birmingham to meet other gay people. All of his life, Billy was a faithful Baptist singing in the choir and never missing services. He especially loved gospel music. He kept a Bible on his nightstand, and a friend said he read from it every night. He was described as quiet and easy going. In school he was often bullied. He dropped out of high school in the 11th grade, later getting his GED. He acted as a sort of local anti bully fighting against racist, sexist whites and anyone who thought they could beat up on someone else. He enlisted in the Marines after getting his GED, but was honorably discharged soon after. Due to high blood pressure. When he was 19, his brother sat him down to talk to him about him being gay. He denied it even though they were fine with it. When his brother pressed that it was fine and that they'd stand up for him, he said, Well, maybe I'm bisexual. As he grew into his sexuality, he kept it hidden from his parents, who were both disabled and who he acted as caretaker for taking them to doctors appointments, buying the groceries, cooking the meals, cleaning their house, all while holding down a full time job. He wasn't a shut in, though. He had gay friends in other parts of the state and in North Florida and had at least two long term relationships, not including a woman he almost married, make his parents happy. When single he would go to gay or at least gay inclusive bars in more populated areas of the state. On February 19th, 1999, Billy Jack Gaither went to the Tavern, an Alabama nightclub where he had been friends with the owner, Marion Hammond, for 20 years. Gaither was a regular there, another regular, Steve Mullins, also started hanging out at the tavern. His presence, though, wasn't quite so benign. He sometimes showed up wearing racist t shirts and harassing African-American customers. He was known locally as a wannabe skinhead. People mentioned later that they saw Mullins and Gaither together at the bar a lot. Assuming that Gaither was talking him out of his borderline white supremacist ways, sometimes they would leave together, which made some people assume that they had a sexual relationship when in reality, Billy Jack was well known for driving his drunk friends home at the end of the night. Mullins had recently taken to hanging out with a man named Charles Butler. They'd known each other for years because Mullins had lived with Butler's cousin. The two were hanging out at the tavern one night when Billy Jack arrived a few hours later. No one was surprised when Billy Jack offered the pair drive home. What Billy Jack didn't know before he made the offer was that Mullins had told Butler that Billy Jack had propositioned him and that he was going to make sure it never happened again. From all accounts, the proposition never actually happened. Billy Jack never had encounters with men from Sylacauga for fear that word would get back to his parents. He only dated men from Birmingham and even admonished other gay men in local bars when they flirted too. Obviously. A friend said later that Billy was proud of being gay, but never expected anyone else to accept him. Mullins and Butler convinced Billy Jack to join



them near a creek where they could talk and drink, and according to several people at the bar, implied that more than just that would happen. Billy's sister would later say that Billy would never drive out there because you had to take a gravel road. He loved his car too much for that. Though accounts for Mullins and Butler differ. We know that once they had arrived at the creek, the two began beating Billy, striking him over the head until he fell to the ground. Butler reportedly urinated on Billy once he was on the ground and then Mullins cut his throat with a dull pocket knife. The dullness of the knife, though, meant Billy was bleeding, but not dead. Clutching his throat, he begged for his life. The two men picked him up and dumped him in the trunk of his car. Mullins threw the knife in a creek before the two men drove the car back to Butler's trailer. They got two old tires, matches and a can of kerosene and an ax handle. They then drove to an embankment in neighboring Coosa County. Then they pulled Billy out of the trunk of the car. He took his chance, pushing Mullins down the embankment. Butler was much smaller than Billy got scared and ran into the woods. Billy jumped into the car, hands slick with blood and tried to escape, but in a scene right out of a horror movie. Mullins climbed up the embankment. Keys held aloft. He dragged Billy out of the car and beat him to death with the ax handle. Butler back to the car. Once he saw that Billy was down. Helped to set up the tires and lit them on fire. Mullins then tossed Billy's body onto the flames. The two watched Billy in the flames for 5 minutes before leaving in his car. The smell of burning flesh was easily covered by the smell of burning rubber. When Billy didn't return home by the morning, his friends started searching for him and called the police. It wasn't long before they tied. The missing person reports to the reports of black smoke that morning. When they arrived, they found teeth and hair on the ground. And then Billy's charred body. His skull was split open, His nose had been caved in and his face was described as barely human. An autopsy came to the conclusion that, thankfully, Billy was dead before his body hit the flames. Butler's father later said that when his son returned home the night of the murder, he said, I've got to tell you something. We killed somebody. We kicked the queers ass. Butler said he'd turn himself in if his father went with him, but his father refused, saying he would never turn his own son in. But about a week later, Butler's father did tell a friend about what happened, and his friend went to the police. Butler confessed, saying God told him to do it. Later, Mullins said he did it because he did not trust homosexuals. Both men were arrested for murder. Neither men were charged with a hate crime because Alabama did not consider murdering a queer person a hate crime. Butler claimed the gay panic defense, telling the police, Well, sir, he started talking, you know, queer stuff, you know, And I just didn't want no part of it. The judge refused to accept it. Both men were sentenced to life in prison. And in 2019, 20 years after he beat Billy Jack Gaither to death, Stephen Mullins was stabbed to death in prison. Charles Butler remains in prison. Ever since his death, there has been a memorial held in honor of Billy Jack on the steps of the Alabama State House. State reps and congresspeople fought for almost 20 years to have the murder of LGBT

people considered a hate crime in Alabama. As of November 2021, according to state law, murdering a gay man in Alabama is still not considered a hate crime. Weeks after Billy Jack's death, Terrence Houser was murdered by his next door neighbor, Joseph Biederman, after he found out he was gay. In a now rare case of the gay panic defense working, Biederman was fully acquitted of the crime. The jury decided it was strictly self-defense. As mentioned in My Monsters in the Closet video, James Miller of Austin, Texas, used the gay panic defense at his trial following the killing of his neighbor, Daniel Spencer, in September of 2015. The two were playing guitar together and drinking, and Miller testified he thought Spencer had propositioned him. The prosecution stated that Miller had stabbed Spencer in the back. In April 2018, a jury found Miller guilty of criminally negligent homicide, but not guilty of manslaughter or murder. Miller received a sentence of six months jail time, ten years probation, and 100 hours of community service. The gay men have not been the only victims of the queer panic defense, often ignored by the media of the murders of trans women, especially trans women of color. Though in many cases their killers are never caught and in some cases never even really looked for. Sometimes these women's killers do end up in court where queer panic becomes the backbone of their defense. I debated whether to keep the following section in the video as transgender people begin to be acknowledged by society. They've also received the entirely wrong kind of attention, especially trans women of color. And I cannot speak for those women. My life experience as a cisgender gay man who passes for straight is all too different. Though I have feared the wrath of homophobes from time to time. I've never had to live with the all encompassing fear of violence that so many trans women deal with every day. The murder of trans women has become all too frequent, and much like gun violence, they're rarely reported by the media. Their deaths are left painfully vague to the point where it's easier to find information on their killers than on the women themselves. In many cases, they go unreported entirely because the police investigating the murders identify these women by their birth sex and dead names. Essentially erasing them from public record. These women fight to be accepted for who they truly are in life. Just to have that taken away from them in death. A final blow from a society so unwilling to acknowledge them. I cannot begin to relate to the fear that these women live with every day. That a sideways glance from a man on the street might mean their death. But I know so many women deal with this fear on a daily basis, and so many others aren't here anymore to tell us about it. And so I decided that though I may be an imperfect messenger, that I need to tell their stories so that more people will know their names.

Gwen Ariyo Gwen, often called a woman, was really just a 90 pound, 17 year old girl with no chance against the man who murdered her. Gwen grew up in Newark, California. By all accounts, she was a happy and energetic child who expressed the desire to be female from a very early age. She came out as trans in 1999 at the age of 14 and began using the name Gwen after her favorite singer, Gwen Stefani. It was

around this time that she began to be bullied at school. As the bullying intensified, she transferred out of public school and into alternative school. Her family didn't have the money for the hormone treatments and surgeries she required, so she began looking for work. But finding a job as a trans girl in the early 2000s wasn't easy. According to her family, her happy, bubbly demeanor started to fade, and she dropped out of school at the beginning of her senior year. It was around this time that she met a circle of friends. The group of young adults was a mix of races and genders and enjoyed playing dominoes at the house they shared. Four men in the group Michael Magidson, Jose Merel, Jaron Nabors and Jason Cazares took a particular shine to Gwen. A few weeks into the friendship, she was invited to a party they were planning at the party on October 3rd, 22. It was discovered by forced inspection that Gwen had a penis. Quickly, two of the men she befriended became extremely agitated. One of them, Madison, began choking her in the hallway of the house. People began fleeing, but Jose, Maria Elena and neighbors remained. Jason Cazares claimed to go outside at this point. However, he didn't leave because. Madison had driven him there, and apparently he couldn't fathom walking home. Inside, the three assailants continued assaulting Gwen. She was brutally beaten for 5 hours. Josie Morrell beat her over the head with a frying pan and then struck her again with a can of tomatoes. Mike Magidson need her in the head against the living room wall with such force that it left an indentation in the plaster. After this, Gwen was taken to the garage and strangled with a rope. She was then hogtied, wrapped in a blanket and placed in the bed of a pickup truck. The three assailants, plus Jason Cazares, drove her body to Parkland in El Dorado County, a wooded area in the foothills of the Sierra Nevada, known as Silver Fork, where she was finally buried in a shallow grave. It's not clear at what point during this sequence of events Gwen actually died. However, the autopsy did show that she left us before being buried. Nearly two weeks passed before Gwen's body was discovered by the authorities for fear of reprisal. The partygoers did not report the crime, and the assailants all agreed not to say a word to anyone. Later, however, Jaron Nabors began talking to a friend about what happened. The friend called the police and neighbors later detained and questioned. Under interrogation, he disclosed the location of Gwen's body. Alameda County Sheriff's Office dispatched four crime scene investigators and two detectives who discovered the body at the gravesite. The deputies were led there on October 16th, 2000, to by Jaron Nabors, the youngest of the four individuals. The four accused of the murder were Michael Magidson, Jaron Nabors, Jose Merel and Paul Merel, Jose's older brother. Paul Merel was quickly released, though, because his girlfriend came forward to the police telling them that Paul had left the party with her. Paul and his girlfriend were never charged and became witnesses for the prosecution. Nabors later testified against the other three in a deal with the D.A. for a lesser charge of manslaughter. Jason Cazares was arrested over a month after the other defendants and only after Nabors implicated him in their first trial. Some of the defendants used a variant of the gay panic

defense. The trans panic defense. Magidson's defense involved an implicit acknowledgment of his role in Gwen's death, but argued that he acted in the heat of passion. The discovering that Gwen was transgender caused him to spiral into a fit of uncontrollable rage. And therefore, he should be found guilty of manslaughter, not murder, under California law. Merel's attorney denied any involvement by Merel in the killing. Cazares, the only defendant to actually testify at the first trial, denied involvement in the murder, but admitted to helping bury her. All three attacked Nabors' credibility, arguing that he minimized his own role in Gwen's death and had the most to gain by lying. The jury deadlocked on all three defendants, with the case ending in a mistrial. They were free. However, they were tried a second time. In contrast to the first trial where only Cazares testified, all three defendants testified in this trial and blamed each other as well as neighbors. Prosecutor Chris Lamiero appeared to abandon the strategy that the prosecution employed in the first trial, blaming all three defendants equally for the crime and arguing heard only for first degree murder and instead concentrated his argument against Magidson, calling him a pathetic, despicable excuse for a man. As for Cazares, Lemieux argued that his assistance made him just as culpable as Madison for murder. The defense, on the other hand, continued to claim trans panic. On September 8th, the jury announced that it had reached verdicts on two of the three defendants. On September 12th, after the jury announced that it had deadlocked on the third defendant, the verdicts were announced. As it turned out, the defendant that the jury had deadlocked on was Cazares, while Magidson, Merel were each convicted of second degree murder. But the jury found that the murder was not a hate crime. Later on, a juror went on the record saying that members of the jury did not believe a hate crime had been committed because it was just a bunch of boys being boys. Those who knew Gwen were joined by hundreds of sympathizers for her funeral located at St Edward's Catholic Church in Newark. Following the ceremonies there was a march through the main streets leading to the community's mall, attended by community dignitaries and leaders. Eventually, California would pass the Gwen Arapaho Justice for Victims Act legislation that would eventually lead to the banning of the queer panic defense in California. At her mother's request, a judge posthumously changed Gwen's legal name. on June 23rd, 2004.

Angie Zapata, those who followed the murder trial of 18 year old Angie Zapata in 2009 found out a lot about her life in the days directly surrounding her murder. How two of her sisters found her on July 17, lying on the living room floor of her one bedroom apartment, her stiff body covered with a bloodstained blanket. How three days earlier, she'd borrowed her mother's car to pick up a man in Thornton. How she hadn't told friends or family who he was. The man was Allan Andrade, an unemployed 31 year old who Angie had met online. Andrade spent three days with Angie, and on the third day, Angie went to babysit her sister, Monica's three kids. Andrade had spent the day alone in Angie's apartment and later told police that he'd begun to grow suspicious of Andie's

gender after looking at the photographs that decorated her living room. That night, Andrade demanded Angie prove she was a woman. She refused. So he did it himself, grabbing her crotch. She froze as he began beating her until she fell down. Then he grabbed a fire extinguisher from the kitchen wall and hit her twice in the head. After that, he covered her with a blanket and began cleaning up. But Angie wasn't dead. Andrada told the police he heard gurgling sounds coming from underneath the blanket and saw her struggling to sit up. So he hit her in the head with the fire extinguisher once more. Then grabbed his stuff and left. Those are the grisly details of Angie's murder, the ones that made her family sob in the courtroom that prosecutors diagramed that defense attorneys tried to invalidate, that a jury used to convict Andrade of first degree murder, the first time in American history that a man was convicted of first degree murder for the death of a trans woman. But these details only describe the end of Angie's life. They don't reveal who she was. Angie Zapata was born on August 5th, 1989, assigned male at birth and was one of six children. Much of the media coverage of Angie used her dead name and often referred to her with the wrong pronouns. Regardless, she talked with her family and close friends about her gender identity, and they started calling her Angie at a young age. Zapata began living as a woman full time when she was 16 years old. She was loved and accepted as a woman by her family and her friends because she had been bullied in school and was at times troubled and lonely. She dropped out of school and moved into her own apartment. She was meticulous about her appearance and loved to go out dancing. Most of the time, she was upbeat and excited about her future. According to Angie's sister Monica, Angie had dreams of moving to Denver to work as a cosmetologist. She was looking for the love of someone who could be proud of who she was. When that became all too hard to find, she began hanging around with a rough crowd and dating dangerous men. This is what led her to Allan Andrade. Her murder was in a rare occurrence at the time, immediately taken seriously by the police, though it was less likely because of her gender identity and more likely the fact that Andrade had a criminal background and they could put a known offender behind bars. Andrade was arrested not long after the discovery of Angie's body. The trial lasted only a week. The defense did not deny that Andrade had killed Zapata, but said that nothing was premeditated. They claimed that Zapata had misled Andrade, and after meeting her and discovering that she was transgender, he simply snapped like so many men before him he simply couldn't control himself in the presence of a queer person. The jury, consisting of four women and eight men, deliberated for only 2 hours before finding him guilty of first degree murder and also of a hate crime. He would spend the remainder of his natural life in prison without the possibility of parole, plus an extra 60 years for good measure. Unlike many transgender women who disappear or are murdered, Angie had not been abandoned by her family. She was deeply loved by them and her countless friends. People loved her immediately upon meeting her. She was, as some described after her death, a sweet soul whose greatest was to be happy and help others. Angie is



sorely missed, most by her mother, but by friends and family as well, by coworkers and acquaintances but she'll always be remembered not just as the sweet soul that she was in life, but in the lingering impact of her death being the first time that the murder of a trans woman was tried as a hate crime and saw a successful conviction that she cracked that already shaky bedrock on which the trans panic defense rests. Though it was far from shattered

Islan Nettles. Finally, I would like to take a moment to talk about Nettles. On August 17th, 2013, she was walking home from work when she was spotted by James Dixon and his friends on Frederick Douglass Boulevard in Harlem. Dixon crossed the street and began talking to her, asking her for her name and where she was from. His friends began mocking him for flirting with Nettles, saying that's a Guy.

I happened to cross the street thinking that the two other people were female, which they weren't. And we engaged in conversation. And I guess a friend of mine must have realize that was a guy instead of a girl. He yelled out, You know, what it was. And as I pushed away, you know, trying to leave. I guess he must push back. You know, I was drunk so I got enraged, you know, then I attacked.

Dixon's attack left her comatose. Her face battered beyond recognition. She died five days later in hospital. Three days after the assault, Dixon turned himself in to the police and confessed, telling a detective that he had flown into a blind fury when he discovered that he was talking to a transgender person. The next morning, he was videotaped repeating a story for prosecutors. Confession notwithstanding, he was not indicted until March of 2015. A year and a half after the murder, despite public outcry and a personal plea from Islan's mother, Dolores, the state of New York refused to charge Dixon with a hate crime. Nearly three years after the murder, Dixon was finally sentenced to 12 years with the possibility of parole. When the media announced the verdict most headlines, simply read Transgender Woman's Killer Sentenced to 12 Years. The New York Times. NBC News. The New York Post. The Cut Bcom. The New York Daily News. None of them put his name in the headline. Transgender woman thought she was just another dead trans woman of color whose life had been stolen. Not for anything she had done, but because of who she was. In 2020 and 2021 years in which most people have barely left their houses. More trans and gender nonconforming people have been murdered in America than in any year prior. These people were killed by people they knew, people they loved and people they'd never met before. Some have been arrested and charged. Others have yet to be identified. Some of these cases involve clear transphobic women, while in others the victims where gender identity may have put them at risk due to unemployment, poverty and homelessness. Dozens of trans people are murdered every year in the United States, and these are conservative members. The police have a tendency to misgender victims who are not ID'd or to identify them by their dead names. When They can be ID'd. So the real number of trans people lost to us each year is difficult, if not impossible, to ascertain. In 2013, the American Bar Association

unanimously passed a resolution imploring states to ban the use of the queer panic defense. But as of December 2021, only 11 states have done so. Though I've only discussed the queer panic defense within America. It is by no means a uniquely American problem. Australia, New Zealand, the Philippines and the UK also have their own versions of the defense with varying rates of success and legality. Many judges today reject the defense immediately, and many juries will hold it against the defense for trying to use it. There's a stigma against the defense now, even if it is still perfectly legal in 39 states. But just because jurors and judges may dismiss the use of queer panic, it's not a sure thing. The only way to ensure that justice is achieved in the murder of queer people is to enact a legislative ban on the gay and trans panic defenses, something 11 states have done. But what of the other 39? The Biden administration should put forward a bill flat out banning the use of the defense. Do away with it once and for all to show the homophobic and transphobic, hateful bigots that know it is not okay to kill people for being gay or lesbian or bisexual or transgender or gender non-conforming. Our lives mean just as much as everyone else's. You will not get away with killing us. You will not get a reduced sentence for killing us. Every year across America, people are killed for being who they are. They're killed because of the fragile masculinity of little men. Their lives ended in brutal, ugly nightmares because some their lives are worth nothing. That they won't be missed. That once they're dead and gone, their names will fade into obscurity. Because for decades, centuries, that's what's happened. Our names were lost, our lives forgotten. But we will not forget. We cannot forget the names. Lives of the people lost to homophobia and transphobia. The sons and daughters whose parents will never see grow up. The people who have fallen to these crimes, the so-called panic. They were already taken away from US ones. We have to make sure it doesn't happen again. So mourn their deaths and celebrate their lives, and most importantly, remember their names. Because now is the time to mourn those we've lost and fight like hell for those we've still got.

Based on credit: Reggie, Graham Brunk, James Polchin, Lauren Kranc, Jeremy Gray, Malaika Fraley, Melanie Asmar, Yanan Wang

1:

[https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://scholarship.law.gwu.edu/cgi/viewcontent.cgi%3Farticle%3D1796%26context%3Dfaculty\\_publications&ved=2ahUKEwieupXbjlyEAXIm4kEHapWDM0QFnoECBAQAQ&usg=AOvVaw0NeJLTCN8lqPh6v2hQd7vz](https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://scholarship.law.gwu.edu/cgi/viewcontent.cgi%3Farticle%3D1796%26context%3Dfaculty_publications&ved=2ahUKEwieupXbjlyEAXIm4kEHapWDM0QFnoECBAQAQ&usg=AOvVaw0NeJLTCN8lqPh6v2hQd7vz)

2:

<https://www.theparisreview.org/blog/2019/06/27/the-queer-crime-that-launched-the-beats/>



3:

<https://jenb-writing.medium.com/the-truth-behind-david-kammerers-murder-ea628152ae47>

4:

<https://www.eriegaynews.com/news/article.php?recordid=201711williamtsimpson>

5:

Podcast: <https://www.youtube.com/watch?v=0ZZCjInvg0M>

Transcript

<https://www.google.com/url?sa=t&source=web&rct=j&opi=89978449&url=https://reggiedeepeepdive.com/wp-content/uploads/2020/03/Panic-A-Killer-Defense-Part-Two.pdf&ved=2ahUKEwjBjJDG-4uEAXW0omoFHaWOBMgQFnoECBYQAQ&usg=AOvVaw2t-6gweeer3odPUQNjVb7wT>

I think James use both sources, the Podcast goes into more detail with the murder, while he used the transcript for the trial.

I think this is the case for him winning his retrial, not his freedom

<https://law.justia.com/cases/federal/appellate-courts/F2/671/1011/442659/>

Page 231 describes all the trials for John Stephan Parisie. If you search online there is another John Stephan Parisie who is arrested in Mississippi, but he was arrested for assaulting police officers, the one James is talking about is in Illinois, I don't think they are related.

[https://pure.manchester.ac.uk/ws/portalfiles/portal/54513052/FULL\\_TEXT.PDF](https://pure.manchester.ac.uk/ws/portalfiles/portal/54513052/FULL_TEXT.PDF)

6:

<https://www.esquire.com/entertainment/tv/a32416884/jonathan-schmitz-scott-amedure-murder-trial-by-media-true-story-jenny-jones-show/>

7:

<https://murderpedia.org/male.S/s/schmitz-jonathan.htm>

8:

<https://www.cambridge.org/core/journals/religion-and-american-culture/article/abs/last-night-i-prayed-to-matthew-matthew-shepard-homosexuality-and-popular-martyrdom-in-contemporary-america/4F55D8B7130E1B5FDB7980025167B3DE>

9:

[https://en.wikipedia.org/w/index.php?title=Matthew\\_Shepard&oldid=1058975842](https://en.wikipedia.org/w/index.php?title=Matthew_Shepard&oldid=1058975842)

10: I would like a source for the claim that far right Christians marched in support for LGBT rights, James shortly go on to say Christians talked about the event secularly.

Also from Wikipedia the claim that the murder was due to drug came from ABC's 20/20 segment in 2004, not the police.

<https://abcnews.go.com/US/matthew-shepard-legacy-gay-college-student-20-years/story?id=277685>

11:

<https://www.spreaker.com/episode/100-small-town-hate-the-murder-of-billy-jack-gaither-30718574>

The podcast doesn't mention Gaither going to North Florida.

12:

<https://www.newspapers.com/article/birmingham-post-herald-defense-butler-n/130503681/>

Butler urinated outside the car, not on Billy.

13: James seems to think 'weeks later' means a decade, because Terrance Hauser was killed in 2009

<https://www.nbcnews.com/feature/nbc-out/alleged-gay-panic-defense-texas-murder-trial-stuns-advocates-n870571>

14:

<https://www.eastbaytimes.com/2016/10/14/the-murder-of-gwen-araujo/>

15:

[https://en.wikipedia.org/w/index.php?title=Murder\\_of\\_Gwen\\_Araujo&oldid=1056817039](https://en.wikipedia.org/w/index.php?title=Murder_of_Gwen_Araujo&oldid=1056817039)

16: <https://t-vox.org/history/people/gwen-araujo>

The jury did not think it was "just a bunch of boys being boys." According to T-vox it was "because the situation got out of hand."

17:

<https://www.westword.com/news/who-was-angie-zapata-her-murderers-trial-didnt-tell-the-whole-story-5103955>

Islan Nettles: Yanan Wang

18:

<https://www.washingtonpost.com/news/morning-mix/wp/2016/04/04/the-islan-nettles-killing-what-the-trial-means-to-a-transgender-community-anxious-for-a-reckoning/>

19: <https://www.youtube.com/watch?v=XrbDpePgYkM> 1:16 background music is identical

20.

<https://www.hrc.org/resources/fatal-violence-against-the-transgender-and-gender-expansive-community-in-2021>

21: [https://en.wikipedia.org/w/index.php?title=Gay\\_panic\\_defense&oldid=1056614978](https://en.wikipedia.org/w/index.php?title=Gay_panic_defense&oldid=1056614978)

He probably used this considering every trans example is also listed on Wikipedia. At the time of the video's release, more than 11 states had banned the gay panic defense: Vermont, Virginia, Maryland and Oregon banned it in 2021.

???

The only relevant Jeremy Gray article I found

<https://www.al.com/news/2019/02/billy-jack-gaither-was-savagely-murdered-20-years-a-go-today-because-he-was-gay-in-alabama.html>