

Press Release

June 22, 2004

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Justice for Gwen Delayed, Not Denied

Coalition of Eight Local, State, and National LGBT Groups
Frustrated by Mistrial, But Optimistic

San Francisco, CA – Twenty months after the brutal slaying of Gwen Araujo, a transgender teenager from Newark, the jury deadlocked on whether her attackers were guilty of first or second degree murder. According to Alameda County District Attorney's Office, none of the jurors were willing to settle for the lesser offense of manslaughter – despite efforts by defense attorneys in the case to argue that Gwen's killers were somehow justified because she did not disclose her transgender identity to them. The prosecutor already has stated that he will re-try the three defendants, Michael Magidson, Jose Merel, and Jason Cazares, for murder.

“Because the defense team tried to make this a trial about Gwen's gender identity instead of the defendants' conduct, a lot of us were anxious about this verdict,” said Christopher Daley, Co-Director of the Transgender Law Center. “Even though I am disappointed by the delay in achieving justice for Gwen, I am heartened that these jurors refused to let these young men escape responsibility for their horrific choices.”

Representatives from Community United Against Violence, Equality California, Gay-Straight Alliance Network, The Horizons Foundation, National Center for Lesbian Rights, National Coalition of Anti-Violence Programs, San Francisco LGBT Community Center, and the Transgender Law Center thank the Alameda County District Attorneys office for their diligent efforts in prosecuting Gwen's murderers and their determination not to rest until justice is done.

“We are relieved that the prosecutor is committed to retrying these defendants,” said Tina D'Elia, Hate Violence Prevention Program Director at Community United Against Violence. “This is the first prosecution of a hate crime against a transgender person under California's hate crime statute,” D'Elia added. “This case confirms the need for such a law. I am sure that the jury's refusal to buy into the so-called “transgender panic” defense will offer some comfort to Gwen's family because the jury recognized Gwen's humanity and stayed focused on the facts.”

This case also highlights the importance of protecting transgender youth. “One of the most profound messages that must be learned from Gwen's murder is that hate crimes are preventable and education is the key to prevention,” said Carolyn Laub, Executive Director of the Gay Straight Alliance Network. “Students, parents, teachers, administrators, and advocates need to continue to push California school districts to implement effective transgender inclusive anti-bias curriculum at all age levels.”

People interested in supporting efforts to eliminate anti-transgender bias from Bay Area public schools are encouraged to make financial contribution to the Gwen Araujo Memorial Fund by visiting www.horizonsfoundation.org or calling Julie Dorf at (415) 398-2333 ext. 103.

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Information About Coalition Members can be found at:

Community United Against Violence (cuav.org)	National Center for Lesbian Rights (nclrights.org)
Equality California (eqca.org)	National Coalition of Anti-Violence Programs
Gay-Straight Alliance Network (gsanetwork.org)	(ncavp.org)
The Horizons Foundation (horizonsfoundation.org)	San Francisco LGBT Community Center (sfcenter.org)
	Transgender Law Center (transgenderlawcenter.org)