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## **5 Facts Missing from Discussions about the Murder of Gwen Araujo**

LGBT Community Organizations Set the Record Straight

### **1. Gwen Araujo was *not* deceiving people by telling them she was a woman**

Transgender people are not deceiving others by expressing their gender identity. When Gwen began living as a woman, it was not an act of deceit. She was expressing her true self to the world and deserved to be recognized for the bravery of that. An estimated thousands of transgender people throughout California go through this transition every year.

### **2. Gwen was in *no way* responsible for her murder**

Except for self-defense, the actions of a murder victim are never relevant to the motivations of their attacker. Gwen was a victim of a violent murder. Nothing she did justifies what was done to her. As a society, we have moved beyond the point of blaming women for the violence that men commit against them. No justifiable reason exists to treat this crime any differently.

### **3. "Transgender Panic" is *not* a valid defense**

Murdering someone because you discover that they are transgender is never a justifiable or understandable response. The "heat of passion" defense is only valid if the actions of the defendant are ones that the "average" person would have taken. The average person would not murder a young woman simply because she is transgender. The men who killed Gwen had a number of legitimate options open to them (including telling Gwen to leave their house and never speak to them again). Instead, Gwen's attackers chose to beat, strangle, and murder a young woman simply for being her true self.

### **4. Gwen *did not* steal Michael Magidson and Jose Merrill's "right" to be heterosexual**

Any sexual conduct in which Magidson or Merrill engaged with Gwen was completely consensual. If these young men had sex with Gwen, they did so because they found her attractive. Being attracted to a transgender woman does not mean that a heterosexual man is bisexual or gay. To conclude that it does demonstrates a misunderstanding of Gwen's identity and sexual orientation.

### **5. Exposure to education about transgender people *could have* prevented Gwen's murder**

Effective school-based curriculum about transgender people and gender identity might have prevented this tragedy. Age appropriate education about transgender people and gender identity would have introduced Gwen's attackers to information that could have helped them to act more responsibly. Discrimination and harassment of students based on gender identity or expression is illegal in California schools, but most schools provide no anti-bias education that could help prevent discrimination and harassment. Anti-bias education about transgender people could have helped Gwen's attackers learn to act respectfully toward transgender people.

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#### **Organizational Information can be found at:**

Community United Against Violence [www.cuav.org](http://www.cuav.org) Transgender Law Center [www.transgenderlawcenter.org](http://www.transgenderlawcenter.org)

The Horizon's Foundation [www.horizonsfoundation.org](http://www.horizonsfoundation.org) GSA Network [www.gsanetwork.org](http://www.gsanetwork.org)