

Hate crime reports on the rise

Despite changing attitudes, attacks on gays, lesbians still common in Boston

By Tom Witkowski
TAB Staff Writer

While Boston Police have not classified the November 1998 murder of Rita Hester in her Allston apartment a hate crime, members of Boston's lesbian, gay, bisexual and transgender community believe the brutality of the murder suggest a hate motive.

Hester, a 34-year-old transsexual, received multiple stab wounds to the chest. The investigation continues, although no arrests have been made.

Hester's murder is a brutal reminder that hate crimes against gays and lesbians are still happening in Boston and throughout Massachusetts. The number of hate-motivated

incidents reported to Boston police in the last year has risen dramatically — from 21 to 37 incidents, a 43 percent jump from 1997 to 1998, according to the Boston Police Department's Community Disorders Unit.

The Fenway Community Health Center, which tracks hate crimes against gay, lesbian, bisexual and transgender people, released its annual report for the state last week. Although the number of reports made to the center in 1998 decreased from the year before, that number is deceiving, because a program that helped track crimes in schools was discontinued last year, the center's senior advocate says. Further, the center has seen a 13 percent increase in violent attacks in the state against lesbian, gay, bisexual and transgender communities in the past year.

About half of all incidents reported statewide happened in Boston. In addition, Fenway officials have labeled two Boston murders as hate crimes, even though there is not enough evidence for Boston Police to con-

sider them hate crimes.

Despite the numbers, leaders of the gay community and people on the street say most gay people feel relatively safe in Boston. Still, the Fenway's statistics indicate that even though Boston may be farther ahead than the rest of the country in its tolerance for gay, lesbian, bisexual and transgender people, hate crimes still happen here. Even as the number of reports climb, police and Fenway officials believe many are still not reported.

About two months ago in broad daylight, for instance, Joseph DiStefano of Dorchester was walking on Tremont Street when he had a bad experience. He stared at what he thought was a car crash about to happen.

He did not see the two men approaching him.

"Two young guys dressed like construction workers or housepainters and really grimy came through my range of vision. Since my head kept looking at that car, it almost looked like I was cruising them," DiStefano said. "As



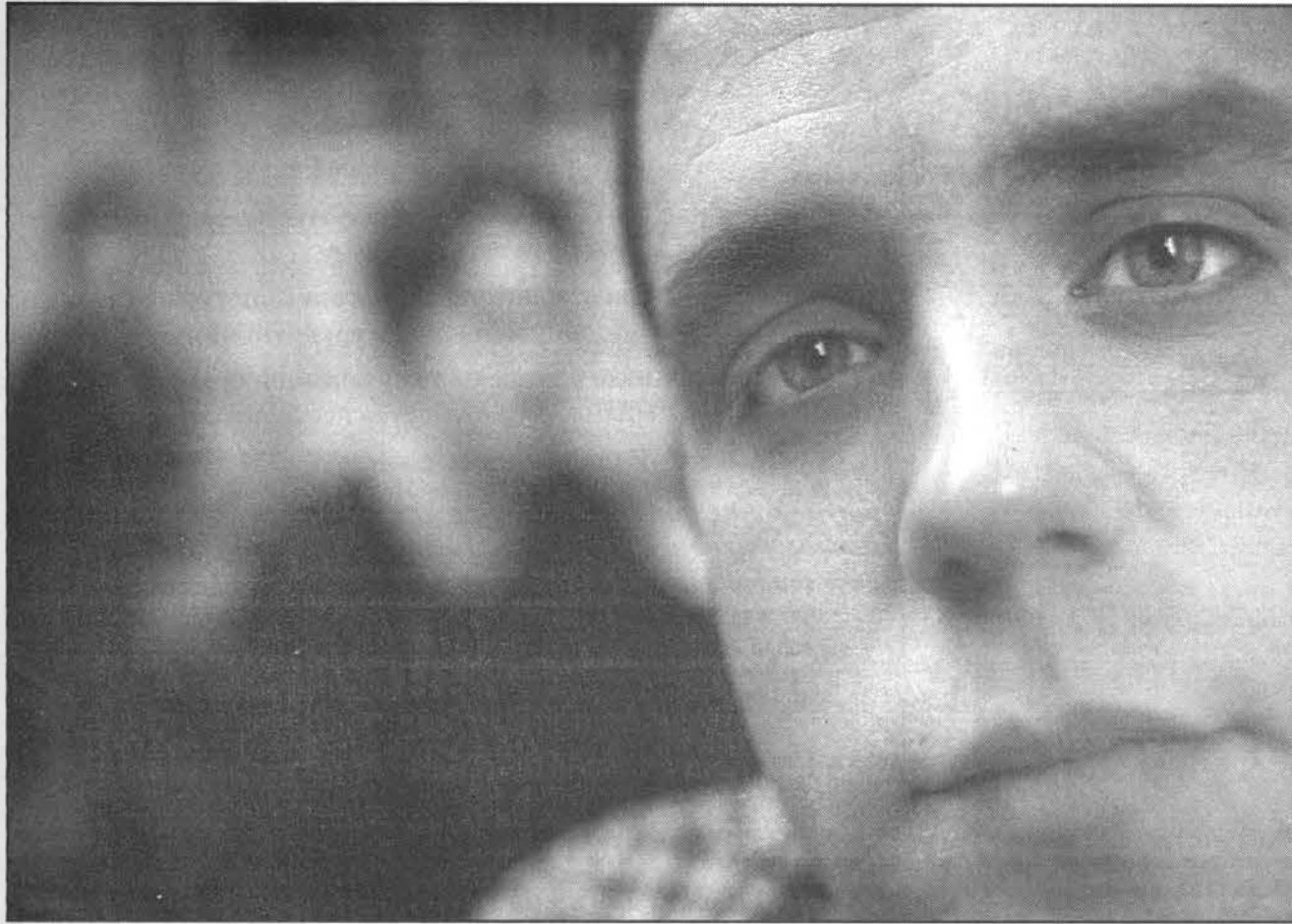
Allston's Rita Hester was one of two Bostonians who were killed in hate-crime attacks in 1998.

soon as they went past me, one kind of dug up a huge lung full of spit and spit back in my direction and it landed at the back of my heel.

"I felt endangered. If this kid is willing to spit, what the heck else is he willing to do? He spit, but he never said anything," DiStefano said, adding that the incident also led him to consider how a young heterosexual man might

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David Shannon, senior advocate at the Fenway Community Health Center, says he has witnessed a significant increase in reports of violent crimes against gays and lesbians in Boston. But Shannon cautions that the increase in the number of reports is not necessarily a result of more crime. Instead, he said the reports indicate that more people are willing to step forward when they are victimized.

Are gays and lesbians safe in Boston?

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feel being stared at by an older gay man in a predominantly gay neighborhood.

"I think a lot of people, gay and straight, are edgy — the appropriate word is sensitized — in something like sexual orientation. A straight male is going to be edgy, whether he acknowledges it or not, in the noticeable presence of what he perceives to be gays. The ones prone to violence are just going to be more quick on the draw," DiStefano said.

And the number of reported violent attacks is rising, according to the Fenway's report. For example, in that same South End neighborhood — though David Shannon, the Fenway's senior advocate, stresses these attacks happen in every neighborhood — a 27-year-old gay man was jumped by two males in their late 20s while on his way home in September 1997.

He was pulled into an alleyway and beaten by the two men, who yelled anti-gay epithets. One assailant pulled a knife and carved the letter "F" in the victim's shoulder. A passerby scared the attackers away, but the victim never reported the incident or sought medical help.

In the following months he became frightened and would not leave his house without a friend as an escort. Almost a year later, on Oct. 15, 1998, he surprised friends by showing up — on his own — at the candlelight vigil at the State House for Wyoming murder victim Matthew Shepard. That was the last they saw of the man until two days later, when a friend found him unconscious after a drug overdose.

He died six days later, according to a friend, Jeremy Mahoney. While police cannot consider this death hate crime-related, his friends and the Fenway Community Health Center do.

The center has seen a 13 percent increase in reports of this type of violent crime — the "people who have been kicked to the ground, beaten in the head with steel poles, slashed with bottles," said Shannon.

"The increase the findings are showing does not mean the climate in Boston is getting tougher, but the number of reports is increasing. It is critical that people understand the danger and attacks we've all experienced have been there. There are murders that happen all

the time," said Shannon.

Don Gorton has been the chairperson of the Anti-Violence Project, an organization that raises money to help prosecute hate crimes against gay, lesbian, bisexual and transgender people, since 1994. The group did not receive any requests for assistance from 1992-96. Then in 1997, seven requests came in. Five of those cases have since been sponsored by the Anti-Violence Project, Gorton said.

"It used to be we'd have one case and we'd pursue that doggedly for a number of years. Now we have multiple cases," he said.

Changing attitudes within the gay and lesbian community are partly responsible for the increased number of reports, experts say.

"It would seem to us, one of the contributing factors to the increase in reporting crimes in the gay community is the relieving of the fear of making those reports," said Lt. Detective David Aldrich, commander of the police department's Community Disorders Unit.

"Sometimes that fear gets enhanced when they have a feeling police are not responsive. The police are very serious, especially in Boston. Because the fear level has been reduced and the feeling something is going to get done about this, people are coming forward and reporting the crime," said Aldrich.

More than 90 percent of the cases brought to the CDU are resolved, either through prosecution, mediation or some other solution, Aldrich said.

The response of the police department in recent years and the state's hate crimes laws do provide a safer atmosphere for the gay community, leaders say.

"Boston is almost a case study in successful hate crimes law. I think Boston, with the exception of a couple of neighborhoods, has gotten the message that hate crimes are not tolerated," said Gorton.

Still, even with the appearance that Boston is a safe city, individuals should still be aware of their surroundings, said Michael Kelley, the mayor's liaison to the lesbian, gay, bisexual and transgender community and South End neighborhood coordinator.

"I feel safe in Boston. I think Boston, as anywhere in the country, times have changed for the better, but we're not where we want to be. Many of us need to be innately conscious of our safety levels in our surroundings," he said.

For DiStefano, the man who was spat at in the South End, that has always been the case, even before the recent incident.

"When I am with friends who do feel a much more obvious gay style, I do feel uncomfortable because of our safety. I would not feel comfortable in most neighborhoods," he said. □

Advocates: report all incidents

David Shannon, senior advocate for the Fenway Community Health Center's Violence Recovery program, and Boston Police stress the importance of reporting all hate crimes. In Boston, police have been trained to recognize bias indicators — words like "faggot" or "dyke" — used during a crime. But even if a victim does not need police assistance or thinks the crime is not serious enough, reporting the incident keeps the Fenway and police aware of where such things are occurring, officials say.

Reporting attacks also can benefit the victim, Shannon said. Had the 27-year-old man who later committed suicide reported his attack, he might have

found counseling, said Shannon.

"Josh [the victim] never reported that incident, and so first and foremost and most importantly he was never able to make a connection to a system like the Fenway," said Shannon.

The Violence Recovery Program could have offered Josh validation after his experience and someone who could have helped him recognize that the attack was wrong, not his sexuality, Shannon said.

"There are many other Joshes in the city of Boston," Shannon said.

The Violence Recovery Program offers counseling, advocacy, support groups and information. It can be reached at 1-800-834-3242. □

The hate crimes of 1998

By Tom Witkowski
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Last June 11, at about 1 a.m. on a Thursday, a 41-year-old gay man and two male friends hailed a cab outside a gay nightclub. When the gay man complained about the route the driver was taking, the cab ride turned into an odyssey that included an argument and a physical attack and is now in Suffolk Superior Court.

Kenneth Burke, a 53-year-old Boston Cab Association taxi driver from Dorchester, was indicted on assault and battery with a weapon (a shod foot) charges and three counts of civil rights violations, according to a report in in newsweekly, a newspaper for the gay, lesbian and bisexual community that first broke the story in October.

This incident is just one of the attacks summarized in the Fenway Community Health Center's Violence Recovery Program's annual report on violence against gay, lesbian, bisexual and transgender people in Massachusetts in 1998.

The taxi incident began when Tom Johnson, the 41-year-old man, complained to the driver. The driver allegedly slammed on the brakes and said, "Why don't you three f——g faggots get the f—— out of my cab?"

As Johnson and his friends prepared to pay the driver and exit the car, they asked for the driver's hackney license number. Burke allegedly said, "Hey faggot. Why don't you open your f——ing eyes?" He then allegedly sped off with the passengers still in the cab and the back doors open. He drove directly to the cab's garage near Fenway Park. In the garage, everyone exited the car and an argument followed. The driver allegedly punched and knocked Burke to the ground. Johnson and his friends paid the fare, left the garage and his friends called the police. Johnson suffered a broken thumb, bruises and scrapes.

Two murders are also included in the Fenway's report.

- On Sept. 11, 1998, Rufus Thomas, 35, a transgendered African-American person, was found dead in his Dorchester apartment. The exact date of death is unknown and the official cause is asphyxiation. George Stallings of Boston has been charged with first-degree murder and robbery and is being held without bail. Police believe the crime was economically motivated, but Fenway officials and others are unclear as to why the robbery ended in murder.

- On Nov. 28, 1998, Rita Hester, 34, an African-American transsexual, was found murdered in an Allston apartment. She received multiple stab wounds to the chest. The investigation continues, although no arrests have been made. Members of the lesbian, gay, bisexual and transgender community believe the brutality of the murder suggest a hate motive, the report said.

Other Boston attacks in the report include:

- In February 1998, a 20-year-old lesbian was dancing with a female friend in an underage club that was predominantly heterosexual. Three white males began bumping them aggressively and kicked the victim when she fell to the ground. No one intervened, and one of the attackers dragged the victim out a back door onto a second floor fire escape and beat, punched and choked her. The victim felt he tried to push her off the fire escape. Once security staff did become involved, the attacker was allowed to flee. It took security staff 20 minutes to respond to the friends' requests for help. The victim had a broken nose, a facial fracture and cuts and bruises. No arrests have been made, and the club management said at a alcohol licensing board hearing that proper protocol was followed.

- In October 1998, a gay white man was harassed and attacked in a restaurant by three other customers. He was asked if he was a "faggot" and the attackers yelled homophobic slurs at him. One of the men tried to punch the victim and hit his arm. When the victim reported the incident to a nearby police officer, the assailant threatened him. Police diffused the situation, but did not document the threat in their report. The victim has chosen not to pursue the case.

The number of incidents reported to the Fenway in 1998 dropped 36 percent to 145 incidents since 1997. Part of this is attributed to the loss of state funding through the Governor's Commission on Gay and Lesbian Youth that paid for outreach into schools and colleges to encourage more reporting, advocates said.

Of those incidents reported, 28 percent were cases of harassment and 41 percent included at least one assault offense. Three people reported sexual assaults or rape in 1998, versus zero in 1997. Three people also reported abductions in 1998, up from zero in 1997. □

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