



Just prior to her murder, Teena Brandon (left) dated Lana Tisel.

HEARTLAND HOMICIDE

Small-town Nebraska life was fine for a 21-year-old man—until everyone discovered he was actually a woman

By Ingrid Ricks

Teena Brandon had nowhere else to turn the night of Dec. 31, 1993, when she took refuge at the small farmhouse that her friend Lisa Lambert was renting just outside Humboldt, a town of 1,000 people in southeastern Nebraska. Opinion in the area had turned against her—and she knew her life might be in danger.

Two weeks earlier Brandon, 21—a transsexual who had successfully passed as a male in the nearby town of Falls City,

where she had been going by the name of Brandon Teena—had been discovered. And only a week earlier, on Christmas Day, she had been brutally beaten and raped; her attackers, whom she had identified, were still free.

On Jan. 1 Brandon was dead, as were Lambert, 24, and Phillip DeVine, 22, who was also staying at the farmhouse that night. Two Falls City men have been charged with first-degree murder in the killings: John Lotter, 22, and Marvin Nissen, 21. Both had befriended Brandon just a few weeks earlier. They are accused of breaking into the farmhouse during the early morning hours of New Year's Day and shooting the three occupants.

Lotter and Nissen have also been charged with the Christmas Day rape of Brandon. But those charges—to the shock of Brandon's family—didn't come until after the killings. Brandon's sister, Tammy Brandon—who says she was told by Richardson County sheriff Charles B. Laux that "he didn't need me to be doing his work" when she called on Dec. 27 to ask why her sister's attackers had not been arrested—holds Laux partially responsible for Brandon's death. "I have no doubt that she would be alive [if Lotter and Nissen had been arrested]," she says. "I know she would." Tammy Brandon, along with her mother, is considering a civil lawsuit against the sheriff's department.

The Brandons aren't the only ones demanding justice. On Jan. 5 both the New York Gay and Lesbian Anti-Violence Project (AVP) and Leslie Feinberg, a transgendered lesbian activist and author, called for the U.S. Department of Justice to look into the case to determine whether Teena Brandon's civil rights had been violated. Says Terry Maroney, a spokeswoman for AVP: "I think it's clear as day that had they handled the rape case from the start, none of them would be dead."

When contacted by *The Advocate*, Laux would not comment on the Brandon case other than to insist his department had been "pursuing" the rape charge prior to Brandon's murder. Richardson County attorney

Douglas Merz also refused to speak to *The Advocate*.

In addition to her "disgust" with the way she believes the local authorities mishandled the rape case,

ular with the girls she dated and loved the way she felt as a male. She dressed in men's clothing, often Western wear, and wore her dark-brown hair close-cropped.

Lana Tisdell, 19, the woman Brandon was dating just prior to her death, says she would never have guessed Brandon was female. "He was like a normal guy," she says. "He talked like one; he acted like one. He was really a sweetheart, and he made a handsome man—he really did."

Brandon moved to Humboldt in early November 1993. Her friends say she was in trouble with the law for forging checks and wanted to escape her problems by going someplace where no one would know her true identity. Brandon moved in with Lambert, whom she'd met through a mutual friend.

Soon afterward Brandon met Tisdell at a party held at Tisdell's home in Falls City on Nov. 12. They met again on Dec. 4 in a local convenience store and started dating. Two days later Brandon began staying over at Tisdell's house. Through Tisdell, Brandon met Nissen and Lotter. It was also at Tisdell's that Brandon met DeVine, an out-of-town friend of Tisdell's sister who was staying with her over the holidays.

Everyone got along fine until Dec. 15, when Tisdell took Brandon to the Richardson County courthouse because Brandon had been cited in November on suspicion of being a minor in possession of alcohol. While there Brandon was arrested on a forgery charge. That's when Tisdell began to have her suspicions about Brandon's gender. "They put him in a women's cell, and I began to wonder," says Tisdell. "Then he bent over. He was wearing a V neck, and I could see [that he had breasts]."

With a blank check that Tisdell's father had given her to get her hair done, she paid the \$250 bail to get Brandon released. Because of the arrest Brandon wasn't welcome at the

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Feinberg says she is infuriated with the way the issue of Brandon's sexuality was treated. "It's fair to ask," she says, "if Brandon Teena would still be alive today if authorities and the local newspaper had not forcibly outed him after he had successfully passed as a male in a small town."

Indeed, Brandon's outing appears to have been the turning point for her life in Falls City. Up until three months before her death, Brandon had lived in Lincoln, about 60 miles northwest of Humboldt. Friends there say Brandon started posing as a boy and dating girls from other schools when she was in high school. They say Brandon—who was 5 foot 5 and weighed 115 pounds—was pop-

Tisdel residence any longer, so Nissen let her stay at his house.

Tisdel says that when she confronted Brandon after the jailhouse incident, Brandon told her she was undergoing hormone treatments to become a male. But earlier in the relationship, when the issue of sex had come up, Tisdel says Brandon told her that she was a hermaphrodite,



Teena Brandon (far right) with her sister, Tammy (far left), and mother at a Christmas gathering in 1990

so questions lingered even after the arrest. Tisdel says she didn't want to believe Brandon was female, though, and still wanted to be her friend when the two stopped dating.

And although the *Falls City Journal* had identified Brandon as a female when citing her forgery charge in its weekly listing of area arrests, Tisdel says no one else broached the subject of Brandon's gender until Christmas Eve. That night Lotter and Nissen got drunk, held Brandon down, and removed her clothes to prove to Tisdel that she was really a woman. Later, Tisdel says, Lotter told her she was wanted at home so that she would leave. When she discovered the lie and returned to Nissen's house, Brandon, Nissen, and Lotter were gone.

The next time Tisdel saw Brandon was early Christmas morning. She showed up at her door without shoes or a jacket. Her lips were bloodied, and her back was bruised. Her pants and feet were muddy. Brandon told Tisdel she had been beaten by Lotter and Nissen. She also said she'd been raped.

The police and an ambulance

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were called, and Brandon was taken to the hospital, where she was treated for rape, Tisdel says. According to a statement given by Nissen to a sheriff's deputy on Dec. 28, he and Lotter had gone for a drive, Lotter had gotten in the backseat with Brandon, and "clothing was

removed." Nissen also said he heard Brandon say, "Please don't hurt me." The sheriff's department made no arrests, however, claiming they had insufficient evidence.

About 1 a.m. New Year's Day, Tisdel says Lotter showed up at her house drunk. He hung around awhile and then before leaving said something to Tisdel that scared her. "John said, 'I feel like killing someone,'" Tisdel says. "Then he looked at me and said, 'You're next.'" A few hours later Brandon, Lambert, and DeVine were found shot to death.

Local authorities have refused to speculate on a motive but have said they don't believe Brandon's sexual identity was behind the killing. However, Lotter's sister has told authorities that her brother and Nissen were angry after learning Brandon was a woman.

That officials could suggest sexual bias wasn't a motive in the case has infuriated gays, lesbians, and transsexuals nationwide. The AVP and the National Gay and Lesbian Task Force have joined transsexual groups in putting pressure on Nebraska authorities to recognize sexual bias officially as the motive behind the slayings and report it under the federal Hate Crimes Statistics Act.

From the information on the case released so far, the AVP's Maroney has little doubt why Brandon's killing occurred and says she despises the sensationalist media coverage that has portrayed the Brandon murder as a case of deception or the result of some bizarre love triangle. "It's just so horrible," she says. "[The media and the authorities] are not focusing on the bias aspect—the fact that Brandon was transsexual and possibly lesbian. It's because she lied. They didn't like it, so they killed her." ●