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SPEAKERS

Sarah DePalma, Jimmy Carper, Dee McKellar, Speaker 1, Ray Hill

- D

Dee McKellar 00:01
Learn from it watch what they do with other inmates learn from that and just be a meek pleasant model prisoner.
- S

Sarah DePalma 00:13
I'd handled if I had to do but I'd be a psychological mess afterwards I'd been in therapy for years.
- R

Ray Hill 00:18
But as much trouble as troublemaker as I am in custody you just go passive it's it's easier to do it that way. But there's a couple of things that are practical things that you should know you get an opportunity to use a cell phone actually in city God you get several opportunities to use the telephone call the person who has got the most time and the energy to devote to helping you get out/
- D

Dee McKellar 00:45
Okay, so if you got an attorney-.
- R

Ray Hill 00:48
Chances are you're getting through to an attorney on a collect call from jail this is going to be a collect call or relatively slim call collect the person who is going to accept the dollar and 35 cent call Who is most likely to have the time and the energy to look after your interest by making several calls.

S

Sarah DePalma 01:07

Oh, that's interesting.

R

Ray Hill 01:08

I don't necessarily. Call your attorney because your attorney could be in court your turn it could be somewhere in sacred downtime and exactly how they're not there. And that may have been the first chance you might not get another chance to telephone for a couple of three hours although you will be given in Houston city jail they rather generous with the telephone to actually be able to get be given continuing running opportunities, but call the person that has the most time to devote to your interest and let them put together on the telephone. Okay, and and understand that before you panic and start throwing large gobs of money at bail bondsman and I refer people to bail bondsman everyday. I'm not anti bail bond, but understand that in Harris County, we are pretrial services. And if you have a job, and a telephone number, and an address, you qualify and no checkered history of having escaped, you qualify for pretrial services release at no cost to you. Now what is that? I don't know what that is released basically in your own records and goes most important thing after you get arrested is set a court date and show up in court.

D

Dee McKellar 02:16

Okay, my bond was set at \$2,000. If I had had to go to a bail to a bail bondsman, I would have had to pay somewhere 200 to \$300 Most likely, Skinner's, they're just they're just like, and that are drivers. That's absolutely unreturnable vultures-.

S

Sarah DePalma 02:36

Now out of the 2000 How much do you actually pay? I mean, if you don't actually pay-.

R

Ray Hill 02:40

Well, if your pretrial services drought-.

S

Sarah DePalma 02:43

Now, I qualify on 2000 I guess I don't understand.

D

Dee McKellar 02:46

Oh, my under the basic deal. My Bond was 2000. I could put up \$2,000 That they would hold for me and return to me if I made every court date until the case was finally disposed up. The first time I missed a court date, even by 10 minutes, that 2000 has gone Zee you had to be able to

raise 2000 No, no, no, no, no, no, I had to be able to raise two to 300 if you went to a commercial bonds, but then I then I'd go to a commercial bondsman. He would promise to pay the forfeiture if I didn't show up.

R

Ray Hill 03:24

And if you didn't show up, he would also hunt you down and drag you to jail. Right. Okay. Pretrial Services. Most people who have native bonds, the importance of the bond is a guarantee that you will show up in court. Most people who get into relatively minor problems like these are going to want to go up to court and clear their name. Right. And so Harris County, pretrial services, has a county agency that looks at your feel, alright, you've lived here for x number of years, your family here, you rent an apartment here, you have furniture there, you have a telephone, you have a place of employment, you can be reached virtually 24 hours a day, this person has no risk of not showing up. So we're going to let this person out basically on their own recognizance and it requires the signature of the judge in the court where the case is being heard. But that's usually a routine matter in most cases. So before you go Squandering a lot of money trying to get out of jail, considered that pretrial services will probably get you out within 20 minutes to an hour of when a commercial bondsman would get you out.

S

Sarah DePalma 04:33

Interesting.

J

Jimmy Carper 04:34

Yes, that is never heard of that before.

R

Ray Hill 04:37

You and save you some bucks because you're obviously going to need a lawyer. Now this does not apply to your traffic tickets that you didn't take care of. This applies to Class A B C. Class A and B misdemeanors and two felony charges is what this applies to. But if it's a traffic ticket matter, playing around with the loose traffic Good.

J

Jimmy Carper 05:01

Yeah. Yeah. Not a smart thing to do. Yeah.

D

Dee McKellar 05:06

It really is. No, no, I had one other very fortunate piece of luck. The officers came a little past four o'clock in the afternoon, they let me call my attorney before we left.

R Ray Hill 05:22
Which is not unusual and all the rest. Really? Okay.

D Dee McKellar 05:27
Another luck of the draw was that the court I was assigned to was still in session. They were they were selecting a jury.

R Ray Hill 05:35
Taken away and don't you feel break for the afternoon?


D Dee McKellar 05:41
There, we're still busy. Okay. So my attorney was able to talk to the judge before he left and say, and personally vouch for me, because I'm extremely close friends with my attorney.

S Sarah DePalma 05:57
Now you're you're lucky enough that you work for Phyllis Frey. I work with you. Okay, so that said that before you ever left Phyllis was already on the phone.

D Dee McKellar 06:07
Let's she was not going to have that. That's right.

R Ray Hill 06:10
A lot of people know lawyers have lawyers, it's friends and all that and if you can go for somebody while you're before you go down, but it really doesn't make any difference. Right now. There was only one old curmudgeon judge that under no circumstances would sign no pretrial releases. And that was Jimmy Duncan. However, for the gay and lesbian community, Jimmy Duncan and signed many pretrial services, I just wasn't supposed to talk about it as long as he was just-.

J Jimmy Carper 06:34
-interesting, right.



R

Ray Hill 06:34

I mean, he was on the front.

D

Dee McKellar 06:36

Now what happened was the call from the court to the jail actually happened while I was talking to the pretrial services interview.

R

Ray Hill 06:46

Because that certainly makes things move on.

D

Dee McKellar 06:48

So it was definitely expedited treatment. They didn't get the paperwork for another couple hours. But everybody knew at that point that a release Bond was coming through. So they didn't transport me down to Central. They didn't transport me to county-.

R

Ray Hill 07:08

And you really want to avoid getting transported to county getting transported to city you run across the same policies that you run into out in Macao road. That's not too bad of a deal. But unfortunately, most transfers are from city to county jail, where there are no policies. It's a circus zoo down there. And going through intake with the kind of deputies they have hard down there as a transgendered person. Because what basically how they asked people if they gave a shot, he got a goddamn faggots in here. Oh, gee, god damn pink as the kids and faggot to come out here and they're hollered and yell, and it's just it's just tear out and the Republican candidate for sheriff, Tommy Thomas, has been running the sheriff's department for the last four years. So it's not a matter of getting rid of Johnny Cleveland Hagan and making things better. Tommy Thomas, is in charge and has that policy. And don't even try to talk to those people about coming up with policies about transgender to gay people because they don't want to hear it.

S

Sarah DePalma 08:09

We need to take station break. We do. This is KEOS in College Station and KPFT in Houston. Did I get that? Right? That's pretty good. Pretty close. I don't pass oil legal. Okay, now, all right. Now, what do you have? What would what would you have to do that you end up in County?

R

Ray Hill 08:27

Wait too long.

S

Sarah DePalma 08:29

So in other words, if you're not out of the HPD, jail in 24 hours, then your next step is to go to county,.

R

Ray Hill 08:34

It's frequently done take 24 hours, I mean, they transfer people to county on a regular basis. And if you're through with the investigation and the paperwork, let me just go ahead and carry you over there. So the thing about you want to remember is on the very earliest occasion, if you're charged with a county offense, and it's Class B or class, a misdemeanor or a felony, get somebody to work on your release.

S

Sarah DePalma 08:59

Get the heck out of there, so you don't get sent to county.

R

Ray Hill 09:01

So if you've been arrested for an intoxicated or an assaultive offense, they're gonna hold you for hours anyhow. And there's a very good chance during that four hours, you may get transferred to who?

J

Jimmy Carper 09:15

Now that's a scary situation.

R

Ray Hill 09:16

Yeah, well, you can't do anything about that. If you get arrested for DWI. I don't care what your status status is or who you are. The state law requires that they not release you for four hours right.

S

Sarah DePalma 09:31

Okay, folks, so those of you who are-.

R

Ray Hill 09:33

Ready for the bar as you get ready to be arrested for public intoxication you ain't going anywhere anywhere because that's Class C misdemeanor and you can stay in city jail. But if you get arrested for being in a fray or fight or anything having to do with an assault there's also

a mandatory for good you don't want people getting out and picking the fight up in the parking lot please make sure you're in charge Kuma. Okay, that makes sense. I mean, so Texas makes sense kind of logic.

S

Sarah DePalma 09:58

Now, if you get sent to county then they're gonna stick you in male tank, they're not gonna put you in a second row.

R

Ray Hill 10:03

If you go to county, all the things that Dee said about her minor concerns of courtesy and protocol, go out the window, and they're going to treat you like, shit. Excuse me for making all that. But that's exactly right. That was the word. exactly what's going to happen to you at County. And except for bear County. And Fort Worth, Tarrant County and Travis County. That's true statewide.

S

Sarah DePalma 10:36

So don't get picked up and in Podunk, or Amarillo, or so move. Okay, now say, if you're a transgender person, then you really need to know this stuff. And this is interesting to me. Because if it's just the I mean, I don't have any warrants that I'm aware of, or anything, but I mean, still, God forbid you guys can pick up.

J

Jimmy Carper 10:55

Well, we talked about transgender people not having warrants, but I mean, it's a smart thing for anybody. Yeah.

R

Ray Hill 11:04

Then you gotta you gotta ragged old stop sign, take it to the center, this is not important enough for me to go to court on. Well, it may be important if you go to jail for.

J

Jimmy Carper 11:12

That's right. And, you know, you could be on your way to church on your way to a funeral, now they're gonna stop you or you're going to jail.

R

Ray Hill 11:19

There's a couple of things you need to remember about that. However, they cannot legally lock you up for the inability to pay a ticket, if you are literally too poor to pay that ticket. The thing

that word you need to remember is tait versus short. Because the United States Supreme Court advise the city of Houston when Herman short was the crypto fascist police chief, we remember, you cannot kill people, for their inability to pay traffic fines. Now, refusing to pay traffic fines is another matter, right. But the inability to pay traffic fines. So if you are indeed indigent, and you have an outstanding ticket, and you're not going down to court, because of the money situation, go on down, stand in front of that court and say I cannot afford to pay the I do not have the money to pay this ticket. And they must give you time to pay it. And what they will do is they will say well, can you give us something and then maybe 20 bucks around, I'll take 20 bucks on a \$400 ticket, that ain't too bad. And then they will set you in six months to come back and they'll try to get another 20 bucks out of you. They will threaten to put you on community service and have you out picking up trash in the park. If you want to work it out that you work that out \$200 a day. But they cannot lock you up. Because you cannot afford to pay a ticket. And the case that says that is taped versus Yeah.

J Jimmy Carper 12:55

What does it mean that you can't afford to pay a ticket? Right? You don't have a job?

R Ray Hill 13:00

No, no, no, you're not expected to pay tickets with money that you need to pay utilities buy medicine and pay rent. Okay. And the courts very clear about that. Courts not ambivalent about that at all. You've got to you know, if if paying a ticket means that you're going to get evicted from your apartment and have to live under a bridge for that month, then the courts have said no, no, you have you're entitled to priorities. Now, when you get down there, Sylvia Garcia, who is now expecting our support for county attorney will try to con you every way that she can because that's just the way city judges are into getting some money out of you and getting you off the books. The main thing they want to do is get you off the dock. Sure. They don't want to carry you for from six months to six months, right. But I've literally known people that have gone down there every six months and given them 25 or 30 bucks. They've been awfully uncomfortable. They haven't locked in.

S Sarah DePalma 13:54

You're not the you're telling me that they treated you pretty good. They actually open the window and talk to you on the way down.

D Dee McKellar 14:04

Oh, yo, oh, again, special case. The officers who came to get me knew that I was a transsexual. They knew I was connected with a department. They knew that if they pulled any redneck activities, that I would file a complaint and that the complaint would be believed. Yeah.

S Sarah DePalma 14:27

Makes a difference. Yeah.

Makes a difference. Yeah.

D

Dee McKellar 14:28

So they were on their good behavior. Ah, because of that they did let me take off the skirt I was wearing and put on some pants. That was nice. And I already talked about the fact that my lawyer was able to get the bond done.

S

Sarah DePalma 14:46

You were telling me about reaching her lights?

D

Dee McKellar 14:50

Yeah, I did get one officer very upset. In the course of securing the house. I wanted to turn on The light over the kitchen sink. It's kind of a nightlight kind of traditional in this house to leave that light on. So I went over to flip the switch. And all of a sudden it was step back. He had his hand. Both hands were on his gun. Wow. One hand on the flip the other ready to draw.

J

Jimmy Carper 15:24

What did he think you were gonna do?

D

Dee McKellar 15:25

Well, he noticed something that I didn't think about under the light switch is the block where I keep my kitchen knife.

R

Ray Hill 15:33

Ah thank you wouldn't think about but things obviously you need to think about about concerning his safety net. Sandoval? No, not that Dee looks like a Japanese whip out a knife and carved them into little pieces and then have them on the skewer for dinner.

D

Dee McKellar 15:56

And there were there were three other officers involved. They weren't right there. But I wouldn't have got away with anything.

R

Ray Hill 16:03

Obviously, his training manual.

D Dee McKellar 16:07

And once I realized what Hhis concern was, I backed off. I apologized for putting him in that position. Also, this guy had been through my class. Of the four officers one was new enough.

R Ray Hill 16:26

And he noticed the bullying if you kept on your bird. Right?

D Dee McKellar 16:32

No, no, no, no. Anyhow, he was the reason that they really knew that they had that they had to watch their stuff.

S Sarah DePalma 16:44

Okay, now, let's take let's take the kind of phone call that I typically get and talk about. This is a person that typically, they've either been picked up at a traffic traffic stop, or they've been picked up coming home from the bar. All right, so they're in full drag. The cops don't know these people from Adam. And the-.

R Ray Hill 17:03

-first one is they're not going to call you until they're already in custody and have access to a telephone.

S Sarah DePalma 17:08

Okay. Now, what I hear from I've heard from several people are comments from the police on the way down there disparaging comments. Okay, now, is that to be expected? Is there anything they can do about that or just shut up and-.

R Ray Hill 17:22

-don't expect it from Montrose cop because Montrose cops are trained, but in that the sergeants frown on that sort of thing. Okay, remember the ski masks situation, right, and other kinds of things of that nature? Well, we, if we've got a problem caught, we are able to identify it. But if this cop is assigned to the Houston Pasadena border, I mean, you know, he's being punished already. Widely liable not to be too sophisticated. And you know, I mean, if the guy's going to scratch his nuts and pick his nose with the same fingers, then then don't expect him to be real sophisticated, when it comes to transgender related issues. And there's nothing really

we can do except advise people, I don't care what is said or done in that squad car after you are in the backseat, do not respond to it, just shut up and take the ride because you're going anyhow. And if you get too sensitive, just remember those lovely pictures we saw of the Hispanic woman getting beaten on the side of the freeway. And you'll get a hand about maybe this is the time for me not to react to anything. If they if you have a complaint, file it with their sergeant and internal affairs after the fact. But on the way down there don't react to anything. Um, they bait me all the time in the back of the cars, but I just don't respond to-.

S

Sarah DePalma 18:45

Okay, that's it, because that's the single biggest thing that I hear from people. Well, the cop said this or that. And what I've learned to say to them as well, would you put this in writing absolutely put this in writing so far in one key in one year, I have not yet had a single person without affidavit/

R

Ray Hill 19:00

Anything. Very steep hill for some people to follow a client. But if you are treated in any way by not just the police, any city, or governmental employee in a way that you think is compromising or demeaning in any way, and you don't write it down and you don't go to the trouble of filing it with number one their command staff and internal affairs, then you know, you're just wishing that behavior on somebody else, because it's not nothing's going to happen to improve it with that particular officer until that complaint makes them sweat.

S

Sarah DePalma 19:37

Sara, I just wanted to learn in a minute, why don't we go to some music, we'll take and break a little bit. And when we come back, I want to talk to Ray about how hate crimes are supposed to be handled. I think he knows something about that. So she was a victim of a hate crime. And also want to talk to Ray about being transgendered in prison because I've received a couple of letters about that. So why don't we do some you have anything queued up over there. Okay, why don't we do that and then we'll come back into oxymoron.

S

Speaker 1 20:13

Specimen gathering mission on Planet alpha 177. Mr. Spock is much stronger than the ordinary human being aroused his great physical strength could kill. It's a risk I'll have to take something bothering you Mr. Spock? May I say that I have not thoroughly enjoyed serving with humans? I find their illogic and foolish emotions constant irritant. And like you we humans are full of unpredictable emotions. Love tenderness, yes. Yes. If I seem insensitive to what you're going through captain I understand it's the way I am Don't be afraid. Here's my head. You are beautiful more beautiful than any cream of beauty I've ever known. What is your point was to spark I can love you just got your mind prospects appeared quite attractive to a moment ago you don't really want to hurt me but that thing no I don't think so. Oh, I can as painless and quick by second officer Spock possible they might have hit the wrong entry point. Very well kept trying again. please you while you're waiting for hurry if you'll excuse the intrusion

captain. barrier they had an appropriate choice in terms Captain Picard hands off just give away your green light no wait by all right captains have to take them back inside myself. I can survive without them. I don't want to take them back. It's like an animal a thoughtless brutal animal they can go anywhere. You might get explained the nature of this thing. She's a projectile at one night they command isoft beauty I feel so weak I am substantial. You are not imagining this are we doing to the result of stress we've been under stress before possible I'm a Vulcan from a simpering Delaware to free his father was a computer this mother and encyclopedia and behaving disgracefully. I have eaten animal flesh and I've enjoyed it believe it was painful in more ways than one that was long supplements I've seen a part of myself no man should ever see Thank you Mr. Spock. From both of us.

R

Ray Hill 24:01

And there you have it straight from the presses of the really demanded-.

S

Sarah DePalma 24:07

Laurie is going to listen to this when we get home because she's a big Trekkie fan and she's gonna want copies she's gonna-.

R

Ray Hill 24:14

Make them make them fundraising premiums. There you go my fundraise that'll work you get those trinkets Trekkies old spring for big bucks for weird stuff.

S

Sarah DePalma 24:25

Well, you know, I sort of had a kid I started had a crush on Captain Picard.

R

Ray Hill 24:31

Oh, reminded me too much of Jim Higgins. And

S

Sarah DePalma 24:38

if you've just turned in you are listening to After Hours. This is queer radio with attitude. Jimmy-.

R

Ray Hill 24:44

Zulu Zulu as the communications woman is that her know that? Yeah. No, that's her her. Her Azula Zulus. Little Japanese guy, right. Zulu brown sky skin fairy for sure.

S

Sarah DePalma 25:00

I always thought I always thought so. With this in studio if you have not already figured it out, Jimmy just stepped out for a second. You're also in studio and Ray Hill and D McKellar. And we're talking about how to keep your butt out of jail and what happens if it gets tossed in jail. When we left, right, I wanted to talk a little bit about the issue of hate crimes, how are hate crimes supposed to be handled?

R

Ray Hill 25:25

Hate Crimes are supposed to be picked up by the investigating officer. Whoever that is, I mean, if you get gay bashed or mugged over here and Montrose, then they're supposed to the officer is supposed to tag that as a hate crime. It is ultimately passed over to Jim Kelly of the internal excuse me, the criminal intelligence division of HPD. And Jane is the the switch he decides he's gatekeeper who decides this was a hate crime. This wasn't hate crime. And James a good fella. He's been familiar with community for years and years and years, we've seen him at all manner of demonstrations. This is the guy that criminal intelligence used to kind of keep an eye on me and used to keep an eye on demonstrations and things. And so he's a nice fella, and he doesn't have any prejudice or ill feelings, and he really anguishes over this. He really cares about keeping good hate crime statistic. Now as for how they're handled in the court, it's been the policy of Harris County District Attorney's office to prosecute hate crimes as the crimes that were committed. If it's graffiti prosecutor does graffiti if it's assault, prosecutors, solitudes murder, prosecutors murder. And since we, in Harris County, and in Texas, give people more time than anybody else in the world for all of that in terms of severity of punishment, I think that's probably the way to do that. Because if you prosecuted currently as a hate crime, what you do is you give the defense and appellate lawyers another bite at the apple and increase the chance of that person actually getting out early.

S

Sarah DePalma 27:02

I say now, that's interesting, because there's so much stuff right now about let's get hate crimes law passed and have been one of those people's been working for it. That's that's very interesting day you were actually attacked what happened with your case?

D

Dee McKellar 27:13

What happened? I told the investigating officer that it was a hate crime. And I told him why I thought it was. And I did get a call a week later from criminal intelligence. Checking some facts on the case property chain. The problem was that it happened in darkness. One of the only guy I got a good look at was wearing a bandana. There was no way in the world that I could identify those guys in a lineup or anywhere else.

R

Ray Hill 27:49

Yeah, but the thing about it is it wound up in the statistics of hate crime.

D Dee McKellar 27:52

It did wind up, it's important at wound up as a gay lesbian, hate crime, because that's the only category.

S Sarah DePalma 28:02

And we're going to talk about later what happened with the hate crimes Reporting Act, because transgenders are still not going to be in it. But it's not the fault of any particular political group. It was a deal that was made between-.

R Ray Hill 28:14

I think, I think probably in this case, and in all cases, that if you report it as a hate crime, Jane, we'll figure out a way put it in because Jean understands. Sometimes when you don't have the law, you don't have the manual and you don't have the book. It helps to have somebody that understands. And when we were kind of fortunate in hate crime statistics getting if we're going to check out very clearly make sure that in his own mind that he is convinced this hate crime because you don't want to build up the statistics artificially. I mean, it is not his job to crease the fear of hate crimes. It is his job to accurately report what are hate crimes and in Jane's case, transgendered not being some somebody's margins. And that really important.

S Sarah DePalma 28:58

To me, when people call the hate crimes and hate crimes line, yes. What happens with it from there? I mean, do you have to have somebody send you a written statement? Or-.

J Jimmy Carper 29:06

No, no, we make a report out there at the gay and lesbian switchboard. And we find out all the particulars. Most of the time the person has not reported this to the police. So we urge them to do so. We compile these statistics, and we send that to God, which-.

R Ray Hill 29:31

-is the task force keeps sistex going and all of the national groups have got some kind of mechanism but they share information. So you don't have to do this report. 40 times right. That is-.

J Jimmy Carper 29:45

-our reporting may be different than police reporting because a lot of our people who report it to us cannot bring bring it to themselves to report to the police

to us cannot bring it to themselves to report to the police.

S

Sarah DePalma 29:54

I have a transgendered victim who's reported their hate crime to the police. Well, I've been hearing from Roughly one a month, but no one has actually reported it to the police. So this statistic never gets turned.

J

Jimmy Carper 30:04

Now the problem with that hate crimes hotline is that we have absolutely zero money to publicize it. So about the only publicity that we have is through the phone book, because we're listed as hate crimes hotline and through que patrol because on the cards that they give out to people, it advertises the hate crime, but we have absolutely zero money to advertise.

R

Ray Hill 30:31

So everyone wants good I do do an article. Someone sure talked about it on radios. Yeah. Yeah. That's immeasurably better than they also have national lesbian gay tests where you just call me and said, All right, right. And what was it like in Houston, and I knew about some of the homicides and I knew about the more I didn't know anything, but didn't give you some idea how serious this known reporting problem is. During the investigations beside case. If you will recall, a Paul Broussard was killed by a gang of 10 people from woodlands. And at the same time we followed every lead we could to somebody that might have seen something or found something and during that investigation, I went to an apartment on Avondale Street, right to the heart of it, where I found a young man who had been for two weeks holed up in his apartment with broken bones not getting treated, because he was afraid somebody would figure out that he was gay, who had been patched. Yeah. And the those bones are never going to be all right. We did. Whether he wanted to do or not call 911 Get him a hospital for treatment. And he was begging and crying as not to because he didn't want his family find out he didn't want his people to work in making excuses for not moving he had multiple broken bones. And it just that is when it came to me that this fear of coming out of the closet is really a very, very serious problem, sir. Yeah.

J

Jimmy Carper 32:04

And this is someone in the Montrose, can you imagine?

R

Ray Hill 32:08

I mean, what is it that people couldn't figure it out in Richmond.

J

Jimmy Carper 32:10

Richmond. Richmond. or Rosenberg or some somenlace like that?

Richmond, Richmond, or Rosenberg or some someplace like that.

S

Sarah DePalma 32:14

Yeah, do when you when the officer came to you, you had to you had to demand that get it reported as a hate crime? Didn't you know, all I had to do was ask, Okay, today you actually had the forms with them? Or how does that work? No, no.

D

Dee McKellar 32:28

It didn't have forms. But once I told him that the guys, the one guy who did the talking, was ranting and raving about a guy wearing a dress. The that was clearly the reason they had waited for me. And the reason they targeted me. And so the officer made whatever notation he's supposed to make.

R

Ray Hill 32:57

If something happens, you can find that by deepening by the name of the officer by the address where had happened, and by the time of day that it happened. Wow. That's how the Ask Buddy Johnson sometime to explain about police records and knows all that. As a matter of fact, you can go down and put in an apartment complex address, you can find out everything that has ever police officers ever investigated that apartment complex in the last 10 years. And all they gotta do is put a hate crimes flag on it. And then everyday, Kennedy goes to his office and he hits the computer. And all of those flags pop up. And so he goes through them on his screen. He calls D and in the case of D and S D, some questions do to sort it out. And or he calls the other band and investigation goes on. And and let me tell you since we began this process, and I remember when Broussard case was still hot on their minds, and we were down there demonstrating and all of that was done last time or you know, the officer who was in charge of the new computer system going in, put this in the program without even authority. Wow, he felt that this needed to be in that program. So that was installing the program. So whenever they finally got around to the police authorization in the state law requiring it was already there.

S

Sarah DePalma 34:22

It is already there. The reason I bring this up is because I'm averaging probably a phone call a month from somebody who said who tells me that they've been assaulted. It was a hate crime. No one has ever yet actually called the police and done anything about it. I've not once received anything in writing. Now just recently, I had to put together some testimony to send to Senator Orrin Hatch committee in the United States Senate, a bit of on behalf of the hate crimes Reporting Act. And this was at the request of the Human Rights Campaign. They asked us to put this together. When it came time for me to put this report together. I have 10 Meg's of material at my house on my computer on hate crimes that I've gathered. Of that 10 Meg's I had about four things that I could actually use, because people would when they call me invariably the call starts. I'm going to tell you this happened, but you can't use it, right? Which does was absolutely no good whatsoever. It just makes me crazy. When I ended up doing the report, I at all, all of these things that I used, were all from out of state, because I couldn't get anybody in Texas, or even in Houston, people who knew me, I couldn't get them to allow us to

use it. Even if I said to them, Well, look, I'll change your name. You still wouldn't. And so I had to honor that. But if you really want to do something about hate crimes, you've got to get some guts out.

R

Ray Hill 35:43

Well, the major thing is to me is that maybe it's because I did the present show and I'm interested in criminal justice and I know criminal behavior a lot, especially hate related crimes, they're escalating in nature, if you get beat up, somebody else is gonna get killed. If you don't report it, and then that means that the assailant has got greater chance of getting away with your incident and other incidents like that. And the more incidents they get away with the the escalation is going to continue. And you know, just get ready to if you're not going to report an assault, then put a few bucks to help bury a friend.

S

Sarah DePalma 36:22

Yeah, I can. I wonder when people talk to me, I compare it to two women dealing with rape. If a woman doesn't report the rape, you know, it's somewhere down the line that rapist is going to strike again, any piece of information the person gets the attack woman can give that could be the piece of the puzzle that gets this person caught. And I don't really see the hate crimes are a lot different. If a person has committed a hate crime one chances are they'll do it again. You know, if you can stop the person that then it's important information, but people have not been willing to come forward. It's it's a big it's really a problem. And I know law conference, you get that kind of stuff, too. Don't Don't Don't you get those kinds of phone calls.

D

Dee McKellar 37:03

Well, I've only been getting the phone calls send the letters for the last month and I haven't seen any any specific things like that. I get other problems. I've lost my job. Yeah, but I haven't had any any crime problems as such.

S

Sarah DePalma 37:23

Let's talk about transgenders in prison. I've gotten a couple of letters now.

R

Ray Hill 37:29

Let's let's distinguish what we're talking about here. Yeah, jail is where you go. Houston city jails where you stop over Harris County Jail is where you go. Prisons are where you live. The important distinction? Yeah, I mean, by the time you get to the big house, La Casa Grande, that's where you live, you're going to be there in Texas, probably more time for a given offense than any other state in the country. And if you're hoping for a pardon, forget it. The governor didn't do that sort of thing. I he gave it the office and he doesn't give pardons. If you're expecting parole, understand that, you're going to have to give up being a transgendered person. We give up being gay people because the parole board is in charge is being run by the

religious fanatics that are taken over the Republican Party. George Bush gave the parole board to the religious nuts. And they are you know, if you go if you're in jail, or if you're in prison expecting parole, best thing you can do is to get saved. Find Jesus in the next sale or on the cellblock somewhere. And all of it please understand that that all religious fanatics are hypocrites anyway. So you're being just another one means you'll blend in well start preaching and spreading the gospel and I can't believe I'm here. To get out, it's on the way to get out. So so so if you're in prison and you're transgendered or gay person, and you think you're going to make parole, those religious nuts, obviously haven't looked at your File Close enough because if you're going to make parole, you're going to have to sing the song they want you to sing is I promise to get out and support Republican candidates and Jimmy Swaggart is my dearest friends. That kind of that kind of hocus pocus stuff is what works. And that's where we are right now. But just because you're a transgendered person with with developing breasts didn't mean in Texas prisons, you're going to get any hormone treatment. It's also not going to keep you out of cotton fields. It's also not going to keep you out of the group showers because it prisons the prison is not like jail. In jail, in county jail, those showers are there you can go take a shower basically when you want to or don't have anything do in prison, everybody showers at the same time because they've been working in the cotton fields since daylight and now it is dark and they heard them up and they stand naked in line for hours, get completely shut down and then they go into the shower area and they all shower at the same time and, and all that and there is no special consideration for people who are transgendered. And put a lot of people choose to put up some resistance all that they wound up into administrative segregation. The problem with that right now is once you get sent there for even a relatively minor case, you're going to be there now for a year because the new rules according to Polanski, the Board Chair of the Board of Texas Board of criminal justice is that if you get an infraction, it will be a year before they can consider changing your status. And that means that you will be in a sale by yourself. You will be ridiculed on a regular basis because the staff and the other inmates are pretty rough on people that are there. And right now you don't get to eat food like everybody else. They take the leftovers from the dinner and they cook it into kind of a cake where everything is mixed together, put it on a cookie sheet and then they cut that into squares. It has I saw a prison official demonstrating it and he took