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## SUMMARY KEYWORDS

harvey milk, people, city hall, talk, white, moscone, gay, supervisor, voluntary manslaughter, san francisco, police, jury, mayor, diminished capacity, feel, tonight, harvey, shot, continuing, premeditation

## SPEAKERS

Kay Harper, Harvey Milk

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00:01

The following program contains language or images of a frank or sensitive nature that may be considered objectionable by some listener Discretion is Advised



00:16

I am what I am I have my own special creation so come to give me the all the Ovation it's more that I want little pride in my old and it's not a place to hide lies not worth a damn to you can say



00:58

you discovered after hours a continuing tradition on KPFT



01:14

don't want sprays I don't wanna bang my own drum something is pretty bad things from a different angle Dawn life is a sham till you can shout out I am at what I need no excuses do my own deck sometimes he is says no no deposit down till you can shout out



Harvey Milk 02:33

we must destroy the Miss Watson's ROI shatter them we must continue to speak out and most importantly most importantly every gay person come out you must tell your immediate family you must tell your relatives you must tell your friends if indeed they are your friends, you must tell your neighbors you must tell the people your work you must tell the people in the stories

who shot you realize that we are indeed their children and we are indeed everywhere. Every every lie every innuendo will be destroyed once you do you will feel so much better. Used to do my



04:01

own deck sometimes.



04:44

You may all come out



04:45

and where will you be when they come?



05:52

Good evening, if you've been twirling around on your dial you found after hours here at KPFT. This is Jewel gray. And I'm here with Diane Williams. And we're expecting Kay Harper in here in just a few minutes. And we're going to be doing a really great show tonight for you. We have a lot of things lined up. Frankly, I haven't talked to K yet, so I'm not really sure what we'll be doing with K, I know that we're going to be talking about HIV. So if you have some questions, or you want are you interested in and learning more about it, stick with us this evening and listen for K. We're going to be doing we're gonna be talking to Q Patrol. Of course, you know that. We're going to be doing a remembrance of Harvey Milk on a tape that we have a little later at about 1230 instead of an interview tonight, we're going to be today's Harvey's birthday. And we're going to be talking a little about Harvey and what he meant. We'll be doing this way out at 115 and have your pens and pencils ready because when we come out of that we're going to talk about some of the Public Service numbers, phone numbers and events going on. Later. We'll talk a little about some of the things going on in this city. Today. We'll talk some about Murphy Brown, and we'll talk a little about Dan Quayle. Let's talk a lot about Sammy jokes we can get Dan Dan Quayle. And maybe we'll talk a little bit about Ross Perot Crossroads is coming up. I want to talk to him about that and the controversy that we had last year. There's some good news about switchboard you know, my personal, my personal charity, the switchboard, and we'll talk a little bit about what you can do in the community to support to support the things that you value in your community, right letters. Tell people that you you heard about it from from us or you heard about it from some gay publication, but you know, using your community and how to, how to support the people that are out there supporting you. In the meantime, we're gonna listen to a song we have a special dedication. Am I supposed to dedicate this Okay, okay. We're gonna dedicate this to the Charles Armstrong golden triangle over there. Heaven Jr. is the mining company and we're back we got Matt with the Q Patrol. We're gonna get him in just a second. Susan get our production man over here to handle the phone. In the meantime, you listening to after hours continuing tradition on KPFT Houston, 90.1

FM and you can reach us at 526 4005 to six 4000. And if you have something to say about Tonight Show do give us a call. Let me know what's going on. I'll talk to you. Matt, are you there? Oh, we're here. All right, man. How's it going,



08:47

man? All right, we're out patrolling the area. You were



08:50

just telling me you had something going on last night? Somebody got hurt. Yeah. Overdose drunk. Kim. Is he okay? Yeah. Okay.



09:00

All right. Where are you at tonight, Matt?



09:02

Oh, we're in Fairview and Norwest our Montrose area.



09:08

And what's it look like out there?



09:10

It's very pleasant night. You know, nobody's people out tonight.



09:17

How many people on patrol tonight?



09:19

Well, we've got the two mobile patrols. We've got the regular foot patrol.



09:28

I'm just been handed a note when somebody wants me ask you about are you guys giving out condoms at the at the bars

condoms at the at the bars.



09:36

Some nights we're doing tonight. We didn't have the manpower to do that.



09:40

I see how many people you got out there tonight.



09:44

We've got five. We've got two mobile patrols rolling tonight as well.



09:49

So you could stand some volunteers to sign up on



09:52

right right. Yeah, we're all from all walks of life and we come out here once or twice a month and I help you Keep monitors to be a safer place and then know the next time we can come out here and enjoy ourselves and not worried about being hassled.



10:05

Great, great. So those people who are listening, if they want to call somebody in volunteered, who do they get in touch with?



10:12

Okay, you can call our key store. And he can help you out with you know, the initial process, explain what's going on. And then I'll tell you where to meet and everything. And we meet on Friday, Saturday nights at 1045 at the police storefront, if you need to call ahead, you know, know that you're gonna be there. They'll have somebody you know, go with you this experience, and we don't get involved in any kind of situations or we are just isn't the years for the Montrose community here. And if you want more information you call 6455252.



10:47

Okay, Keith, we really excuse me, Matt, we really appreciate your being out there. And we'll be given out that number. And we'll read one of the cute patrols ads out of the paper tonight to give you some help. We're gonna dedicate this next song to you guys in your patrol. So stick

give you some help. we're gonna dedicate this next song to you guys in queue patrol. So stick with us. Thanks for being there, guys. And we'll talk to y'all later.



11:06

All right, thanks.



11:10

And we got a special dedication now from we had someone donate, dedicate, donate some money to his last week. And they asked, especially for the song, we didn't have it last week, but we have it now. And we're going to send this out to you. You know who you are. This is Miguel brown doing so many men, and so little time.



Kay Harper 11:34

And we're back. This is after hours, a continuing tradition. And I'm Kay Harper.



11:40

And somebody has something to say somebody out of the way the miter I was just wanting to tell the new door person at Juliet's Kim. A Hi and thanks for being there. Also wanted to say hi to Crystal, it's good to see your face again after not seeing you for some time. And also Susan Palmer. You're in home ill this evening. Hope you're feeling better. And you're on the road to see your parents soon.



Kay Harper 12:10

Is that a good thing or to go see parents? Okay, it's a good thing. Okay, coming up next. We have a special edition of this way out which is about Harvey Milk, because Harvey's birthday was yesterday. And so here it goes. If I push the right button, this button



12:34

both Mayor Moscone and supervisor Harvey Milk have been shot and killed suspects. Supervisor Dan



12:46

Boyd has been found guilty of one count each of voluntary manslaughter police have arrived at city hall here on. Something happened and what it is Amen Exactly. Whereas a man with a talent got to stop children



13:44

welcome to a special edition of this way out the international lesbian and gay radio magazine. I'm Greg Gordon. And this is diminished capacity, the assassination of Harvey Milk and the San Francisco lesbian and gay community's response to that event. tracks your life starts when you're always man. Stop. Stop.



14:30

The Board of Supervisors it's my duty to make this announcement



14:34

Dianne Feinstein, San Francisco City Hall Monday morning November 27 1978,



14:41

Mayor Moscone and supervisor Harvey Milk have been shot and killed



14:57

the suspect is superb either Dan White, the motive for the killings was apparently a personal vendetta. This morning Moscone was to hold a press conference to announce the appointment of a supervisor to fill White's position. White had resigned from the board earlier this month, claiming that the salary was inadequate for him to support his family. Later, he changed his mind and asked to have that position back. Though Moscone had the option to reappoint White, a conservative voice on the board. The mayor had expressed interest in several other candidates. NOAC was a political opponent of whites, an outspoken liberal and the first gay candidate on the board. Harvey Milk was not in favor of reappointing white to his position for Pacifica in Berkeley. This is Lily Franklin, San Francisco supervisor and gay rights activist Harvey Milk was elected to the San Francisco Board of Supervisors in 1977. He became the city's first gay supervisor in a city with a substantial vocal gay population. At the time, he said his election would bring hope to minorities and the disenfranchised. Milk said people would say that if a gay could do it, they could do it. But milk always insisted he was not a one issue politician.



Harvey Milk 16:13

If I'm fighting for gay rights, then either I'm a hypocrite or I have to fight for the rights of everybody. And once I fight for the rights of everybody, that I have to fight for the spending priorities of everybody on the hypocrite, and I don't think I'm a hypocrite and that's why I've been involved in the issues of the district for so long, so hard



16:32

for California Public Radio, this is Rita Schmidt in Sacramento. Joan Baez and my question to the 1000s, who came to San Francisco Civic Center last night to mourn yesterday's assassinations of city supervisor Harvey Milk, and Mayor George Moscone. Both of them were the constituents of the gay community which milk represented.



17:04

Alright, so Harvey, every day, walking on the street doing laundry, we had talked together exchange ideas. Almost everybody on the street certainly has seen him and had exchanged words and smiles and hellos with him. I'm very confused because it's really hard to react to what's going on. Because it's very solid. Underneath I'm



17:27

very angry. I'm afraid walking down the street and we're afraid to it's just like walking down and who knows whatever you're going to be walking into. That's the feeling I have



17:39

when they removed it a lot. I used to be really afraid. Because people like Harvey Milk and other people like that it made me realize that I was okay.



17:56

Only two days ago City Hall was the scene of a tragic double assassination. Today it was transformed, filled with potted trees and flowers sweeping up a grand staircase beneath the rotunda, under their blankets of flowers led to caskets of Mayor Moscone and supervisor Harvey Milk, each one with its honor guard of a fireman, policeman and sheriff's deputy. While City Hall employees watch from the balconies above. Members of the public came for a last glimpse of their slain mayor and supervisor 1000s of people filed past the two caskets many reaching out to touch and perhaps believe what still leaves many San Franciscans incredulous. There were many eulogies for Mayor Moscone and supervisor Harvey Milk today, and each one called for hope in the future.



18:47

Monday, May 21 1979



18:51

and Wright has been found guilty of one count each of voluntary manslaughter in the shooting deaths of Mayor George Moscone and supervisor Harvey Milk last November 27. The jury chose the least serious crime of the options given to them by Superior Court Judge Walter F. Cal

the least serious crime of the options given to them by Superior Court Judge Walter H. Sankhanyile. voluntary manslaughter carries a penalty from two to four years. For National Public Radio. This is Gene Parrish in San Francisco.



19:15

The foundation of white's defense through the testimony of his family, friends and psychiatrist was that his consumption of high sugar content junk foods contributed to his mental instability and that Dan White was not responsible for his actions on that November morning. This came to be known as the Twinkie Defense.



19:34

During the trial evidence was introduced by prosecutor Thomas Norman indicating that on the day of the killings, a 32 year old white concealing a gun entered City Hall through a window to avoid doorway metal detectors. Then he calmly discussed Carolyn Kennedy's forthcoming birthday as he waited to see the mayor. Moments later, white shot Moscone a 49 year old father of four, four times in the body and head according to prosecution testimony, white reloaded his gun and then sought out and shot openly gay supervisor, Harvey Milk five times,



20:11

there was voluntary manslaughter. From my point of view, defense attorney Douglas



20:14

Smith used the preemptory challenge to keep all known gay people off the jury.



20:19

It was an awful thing. I don't ever want to make light of it. There's nothing I can say that, you know, I'm going to help the families of the victims and all that and change anything that's happened, but I felt that the verdict was shot



20:33

under the concept of diminished capacity. The defense told the seven woman five man jury that white acted out of frustration and rage, defense testimony, including data for psychiatrists portrayed white as being so upset by personal problems that he did not have the capacity for malice, premeditation and deliberation, the elements required for a first degree murder conviction sought by the prosecution. My reaction to



21:00



the decision was



21:02

was one of disbelief. San Francisco Mayor Dianne Feinstein,



21:05

whether I think it's fair or not, isn't the issue. The fact is that he was tried by a jury of his peers and that was their findings. I can comment on the law that would enable this kind of findings to exist. And I would have to say that there are flawed laws, and the legislature should take another look at the doctrine of diminished capacity. Because all of us, I think, would feel that anybody that commits a murder is not a sound mind or you're not going to commit the murder.



21:39

jury foreman George mincer told the San Francisco Examiner that the panel never seriously considered convicting why to first degree murder, because the jury could find no evidence indicating premeditation. mentor said the jury reached a verdict on the Moscone shooting on May 18. But that the decision on the death of milk did not come until three days later. Flight who was once a San Francisco police officer could be released on probation in three years. Under a complicated legal procedure, the longest prison term he could serve, will be seven years and 10 months. For Pacifica radio. This is my Codell.



22:17

They asked to rehear the definition of malice, which is required for any murder charge.



22:23

Pacifica correspondent Emily Clarke covered the trial from the beginning, they asked



22:27

to hear one psychiatrist who was saying that Dan wibe acted like he was in a dream. He didn't know what he was doing. And so that sort of gave a hint that they were going to go for voluntary on one of the charges at least, but I don't think anyone there thought they were gonna go for voluntary on both of them. I'm just very emotional about it. And I feel that of course, we have to think about the living and the people that are still alive. And yet it seems like this verdict showed that no one was thinking too much about the people who died



22:57

with the gay movement about Harvey Milk.

H

Harvey Milk 23:02

I got the phone call. I knew I'd eventually get that call refusal. One was from a 17 year old child in a small town in Minnesota. And the boy is handicapped and the boys FERS found out he's gay and they want to put him in the Senate. That boy needs help. In the gay mood is about the letter I got from Southwest Africa when he read about a gay person getting elected here and that person has helped I think removed it a lot and at 17 year old kid in Minnesota has hope I used to be really afraid because people like Harvey Milk and other people like that it made me realize that I was okay to me the

⦿

24:05

class we signing

⦿

24:27

I have a lot of frustration do I can't find a job. I went around and shot up a couple of people just to do something like because I was angry at them. You think they let me out of there. I'd be in there to doomsday if I didn't meet the chair first.

⦿

24:48

The crowd has assembled. Candles are being lit posters are held on high the street. The steps of City Hall the street in front of it back to the reflect See fountain well over 5000 people

H

Harvey Milk 25:07

feel like we feel like children that are coming up that we prepared to wait for anybody to tell you you're out

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25:47

the grading in front of City Hall continues to get torn down police have arrived at City Hall at the doors of City Hall they've got riot squad here on this question is jumping going on is now broken loose cops are now bashing head of indeed to people who had formed a human chain to to protect City Hall are now getting bashed by police. The people the people who had been protecting City Hall are now getting dragged away by police. The police are now moving out into the crowd moving out into the crowd and just flailing about while I'm

⦿

26:41

away 70 stored in a clean shop



27:07

can you comment again on why your people got hit on the steps who had been sitting there and not moving in indeed, protecting people?



27:13

I don't know why I asked them why we were just trying to cool people with no plan, no



27:21

strategy, no leadership, just whatever power of suggestion and persuasion we had. There was an agreement between the people who were organizing the line and the police that we would not be assaulted. And we're standing there holding the line. We moved the line gradually further and further away from city hall. And then there was a rush on the entire crowd aimed at all the people who were holding City Hall. There were injuries they were flooding. Later that night, the police invaded the Castro district for voting people to come out of the bar is shouting get out of our neighborhoods.



28:20

I was down here at one o'clock having a drink. And I decided to go home and go out and I noticed half a dozen cop standing in the middle of the intersection out there and all of a sudden there, you know more cops everywhere and they start lining the streets. A few people started throwing bottles at them and then they just go crazy. They chase people back into the bar where we thought we were safe. And then they just come storming through here. You know it's like Nazi Stormtroopers. We



28:58

were all sitting at the same table relaxed having a cocktail I just sorted around the police faster. Every one of these windows really flooding everybody through that small little back