

RELEASE IN PART B6

From: Mills, Cheryl D <MillsCD@state.gov>
Sent: Wednesday, November 25, 2009 11:08 AM
To: H
Subject: FW: FW: Uganda Death Penalty for Homosexual Activity Pending Law

FYI

From: Daniel Baer [mailto:]
Sent: Wednesday, November 25, 2009 11:05 AM
To: Mills, Cheryl D
Subject: Re: FW: Uganda Death Penalty for Homosexual Activity Pending Law

"When my son told me he was gay, I told him, 'Now, I love you more.' I want to tell the world that hatred is not born with human beings, it is a seed that is planted by adults and is fostered creating a climate of intolerance and violence. We must change our ways and understand that anyone ... could have been my son. And I want everybody to know that Jorge Steven was a very much loved son." -Miriam Mercado's statement

Background: Stephen Mercado was found decapitated, dismembered, and burned by the side of the road in PR. The police investigator reportedly suggested that he got what he deserved for living "that type of lifestyle."

Here's an AP article after the suspect was arrested:

Murder charge filed in Puerto Rico teen slaying

By MIKE MELIA (AP) – 6 days ago

SAN JUAN, Puerto Rico — Murder charges were filed Wednesday in the slaying of a gay teenager whose decapitated, partially burned body was found last week, while U.S. authorities said they were still considering whether to make it a hate crime case.

Gay activists expressed disappointment that the suspect wasn't immediately charged with a hate crime, saying authorities in Puerto Rico have never invoked a law covering crimes based on sexual orientation.

The dismembered body of 19-year-old college student Jorge Steven Lopez Mercado was discovered Friday along a road in the interior town of Cayey. Lopez was widely known as a volunteer for organizations advocating HIV prevention and gay rights, and activists are planning remembrance vigils for him in cities including San Juan, New York and Chicago.

The suspect, 26-year-old Juan Martinez Matos, was arrested earlier this week and allegedly confessed to killing Lopez and mutilating his body. He was charged with first-degree murder and weapons violations and jailed on \$4 million bond.

An attorney for Martinez could not immediately be reached for comment.

Martinez met Lopez while looking for women Thursday night in an area known for prostitution, according to prosecutor Jose Bermudez Santos. Bermudez said the suspect confessed to stabbing Lopez, who was dressed as a woman, after discovering he was a man.

"He has a deep-seated rage," Bermudez said in remarks reported by the newspaper El Nuevo Dia.

"All the information we have is very clear that this is indeed a hate crime," said Pedro Julio Serrano, a Puerto Rico native who is a spokesman for the National Gay and Lesbian Task Force.

A 2002 hate crime law in this U.S. territory has not been applied to any cases involving sexual orientation or gender identity despite calls to use it more aggressively, Serrano said. A suspect convicted of a hate crime offense as part of another crime automatically faces the maximum penalty for the underlying crime. For murder, that would be life in prison.

Serrano said he has identified at least 10 slayings on the island over the last seven years that should have been investigated as hate crimes, including some in which the victims were sex workers.

Two U.S. Congress members from New York, who are of Puerto Rican origin, have suggested prosecuting the case under new federal hate crimes legislation that extended coverage to sexual orientation. President Barack Obama signed it last month.

The FBI is monitoring the investigation, and Lymarie Llovet Ayala, a spokeswoman for the U.S. attorney's office in San Juan, said Wednesday that federal prosecutors are considering whether to take on the case.

Puerto Rico has some history of violence against gays. In the 1980s, the island was terrorized by serial killer Angel Colon Maldonado, known as "The Angel of the Bachelors," who was linked to the murders of 27 homosexual people and is serving life in prison.

But the island also is known as a welcoming place for gays, particularly in comparison with more socially conservative Caribbean islands where homosexuals often live in hiding.

"The people of Puerto Rico are very inclusive and accepting of differences," said Serrano. "I think these kinds of crimes show the ugly side of homophobia, but it's a minority of people that are willing to be so violent in expressing their prejudice."

Serrano said a protest against homophobia was planned for Thursday outside Puerto Rico's Capitol.

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