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Ms. Karen L. Dalton
Counsel, House Judiciary Committee
Room 313-A, Main Capital Building
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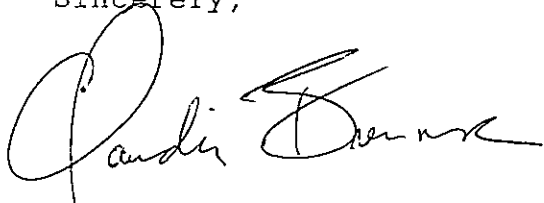
August 23, 1995

Dear Ms. Dalton,

I regret that I am unable to attend the hearings scheduled for August 28, 1995 on House Bills 903 and 904. I would like to have my testimony (attached) as part of the record. As you will note it is essentially the same testimony I gave before the Judiciary Committee in 1992.

Thank you for your attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Claudia Brenner". The signature is written in black ink and is positioned above the printed name.

Claudia Brenner

Testimony of Claudia Brenner

TESTIMONY FOR PA HOUSE OF REPRESENTATIVES JUDICIARY COMMITTEE
APRIL 22, 1992 and August 28, 1995

THE FIRST BULLET: When the first bullet hit me my arm exploded. My brain could not make the connections fast enough to realize I had been shot. I saw a lot of blood on the green tarp on which we lay and thought for a split second about earthquakes and volcanoes...but they don't make you bleed. Rebecca knew. She asked me where I had been shot. We had encountered a stranger earlier that day who had a gun. We both knew who was shooting us. Perhaps a second passed.

THE SECOND BULLET: When the second bullet hit my neck I started to scream with all my strength. Somehow the second bullet was even more unbelievable than the first.

THE THIRD BULLET: The third bullet came and I now know hit the other side of my neck. By then I had lost track of what was happening or where we were except that I was in great danger and it was not stopping.

THE FOURTH BULLET: I now know a fourth bullet hit me in the face. Rebecca told me to get down, close to the ground.

THE FIFTH BULLET: The fifth bullet hit the top of my head. I

believe Rebecca saw that even laying flat I was vulnerable and told me to run behind a tree.

THE SIXTH BULLET: The sixth bullet hit Rebecca, in the back of her head as she rose to run for the tree.

THE SEVENTH BULLET: The seventh bullet hit Rebecca's back as she ran. It exploded her liver and caused her to die.

The eighth bullet missed.

It is not surprising that Stephen Roy Carr believed us both dead. He shot to kill. The Neck...The Head...The Back. A single bolt action rifle that he loaded, aimed, shot, and unloaded eight times.

Surely he believed us both dead or he would have used more of the 27 rounds of ammunition he left in his haste to get away.

He shot from where he was hidden in the woods 85 feet away, after he stalked us, hunted us, spied on us. Later his lawyer tried to assert that our sexuality provoked him.

He shot us because he identified us as lesbians. He was a stranger with whom we had no connection.

He shot us and left us for dead.

It was May 13, 1988.

There was no premonition, no warning that the world as we knew it was about to be irreparably shattered. There was only life as we all are accustomed to expect. The days before had been filled with overheated car engines, school and money pressures, long distant phone calls and occasional stomach aches. Even the two brief exchanges with a stranger on the trail, had seemed, though disturbing, of little consequence. Early in the morning he wanted cigarettes and later asked if we were lost. We never saw him again. We thought he was a strange character, a "creep", but had no clues that he was deciding and planning to murder us. No clue that after we saw him continue south on the trail, as we headed east on a side trail, he would circle back around to ensure that our paths intersected once again--this time with him hidden. From that position on a glorious sunny Friday afternoon he lay with his rifle, and after he watched us make love and have fun, he exploded our worlds with his hate and his bullets.

We could not have known that this tall, thin, unkempt, gangly man could so lack respect for human life as to shoot to kill.

In the moments of the shooting Rebecca's ability to think and function was astonishing. I know that in the next few minutes, the last few of her life, she saved my life. First, her thinking and instructions got me out of his range, and behind the tree. We both made it behind the tree, and the shooting stopped. Rebecca

slumped/sat, leaning against the tree trunk, needing the support, fading, losing her vision and her ability to communicate in this world. In my panic and disbelief, I asked her what to do, over and over again. Already starting to lose consciousness, she looked at me, and told me quite simply and calmly, "Claudia, stop the bleeding". I know that at that moment, a transition happened. I did begin to stop my intense bleeding. My brain started to function again, very clearly. And Rebecca very definitely let go and began to die.

I could not have articulated it, but deep inside, I began to realize how badly wounded she was, and that she would not be able to walk. I knew we desperately needed help. I knew that only three people knew of the shooting: he who had done it (who would surely tell no one that two women lay dying in the woods); Rebecca, who could no longer stand or speak; and me. I went for help.

Somehow, knowing the situation was utterly urgent, I forced myself to leave Rebecca's side. I never saw her again. If I stayed, I surely would have died as well.

I walked. I walked in terror, in shock, and in ripping pain, never knowing if at any moment he would appear. I walked to get help for Rebecca. I walked with a survival instinct I don't understand. I followed a map. I didn't stop. It was a very long way, sometimes uphill on a trail that was not well kept. I now

know that it was nearly four miles, and it took several hours. It got dark. Finally, there was a road, with cars. The isolation of my horror ended.

Two young men stopped their car to my flashlight signaling on the road, and took me to Shippensburg, Pennsylvania, the closest town with any police and emergency help. The State Police responded immediately with the search which found Rebecca's body later that night. Simultaneously, I was taken by helicopter to Hershey Medical Center where I had emergency surgery. Miraculously, I survived the five bullet wounds with no permanent debilitating conditions. The surgeons and many others on the medical staff told me repeatedly how near I had come to death: four of the bullets hit a fraction of an inch from fatality.

In the next two weeks the State Police conducted an intensive investigation which led to the capture of Stephen Roy Carr. Later the District Attorney of Adams County successfully prosecuted the murderer, but not before his defense attorney sought to inflame the case with his assertion of provocation. Carr was convicted of first degree murder in October of 1988 and later sentenced to life in prison with no possibility of parole.

I am the statistic we speak of when we talk about hate violence based on sexual orientation, when we consider legislative responses to hate crimes. Rebecca is the statistic who is not with us. She is one of the murdered. Murder is a horrible word to

incorporate into your day to day vocabulary. But it is, unfortunately, a necessary word in the vocabulary of the gay and lesbian community. It was painfully difficult to accept Rebecca's murder. When accidents happen that take the life of a loved one we find ways of incorporating that loss into our moral fabric, though we suffer the massive grief and loss. When death comes because of the intentional actions of another it is harder to bear. The horror of deliberate, intentional, unprovoked murder threatens to extinguish the warmth of the human soul.

And when it is a murder motivated by hatred of a particular group the impact is magnified. For hate violence is designed to intimidate not only its direct victims, but an entire population. Lesbian women and gay men are shaken and frightened when they hear the account of the shooting. They are frightened not just because of the human empathy which nearly every person I have encountered feels, but from the real knowledge that it could have been them, with their lover, instead of Rebecca and me. For the perpetrators of hate violence the victims' identities are unimportant. What is important and targeted is their membership, or perceived membership in a particular group. In that sense the scope of pain and fear created by hate motivated crimes is greater than the actions, hence the very real need for a societal response which reflects that impact.

I am the statistic, the impersonal number in the column "attempted murder victim". It is hard to believe there is any question as to the necessity of collecting this data for use in the criminal justice and health care system. We need to support

and help victims. We need to respond directly to the perpetrators and to the societal forces which promote hate.

The numbers in the columns are about real people who have experienced murder, death and tragedy. Each number has a face and a story, a family, sisters, brothers, parents, children, a lover, a life damaged, a grieving process, the pain of injury, and loss, fear, nightmares images that won't go away, anger and the incredible frustration of absolute injustice.

The numbers are about me. And Rebecca Wight, who, before her death was about to enter the Phd program in organizational development at Penn State. And Charlie Howard, thrown off a bridge in Bangor Maine. And Anthony Milano, brutally murdered in Bucks County Pennsylvania. And James Zapolarti, killed on the beach in Staten Island, NY, and Rod Johnson, nearly killed by skinheads in Washington DC and the lesbian woman whose name I do not know, killed by a trucker in North Carolina. And so many others, whose stories bring real fear to lesbians and gay men. Whether the acts of violence are highly organized, well financed hate groups, or individuals like Stephen Roy Carr acting solo, the crimes resonate in our community and hurt us all.

Before May 13, 1988, I did not fully understand the amount and nature of hate violence against gay and lesbian people. I, like so many other people, thought the problem of anti-gay violence ended with harassment, not with life or death. I did not consider brutal murder born of hatred and ignorance.

Now, I no longer have the choice of being secure. Honorable people, living their lives are not safe. I am saddened to have

lost the illusion of personal safety which we all hope for, and am sad, after I share my story with groups to see their loss as well. Though I have healed from the wounds and silenced the gunshots in my head, I will always live with an awareness of the possibility of instantaneous violence. I, like other victims of post traumatic stress disorder know that those most awful images have been real, and could be real again.

Stephen Roy Carr did not succeed in killing me. I survived that day and the months that followed when my life was consumed with pain and loss. I commit myself to not relinquishing any part of my life. For if I let fear take any part of my freedom, Stephen Roy Carr will have succeeded in his goal.

As I am speaking now, I can feel the lump on the side of my tongue caused by the bullet which shredded my tongue. It is a continual reminder of the shooting, which I feel dozens of times every day. I asking you to also be reminded and urge you to respond appropriately to hate violence against lesbians and gay men in the piece of legislation before you.

Thank you.