

**Agony and Activism:
The Life and Death of Matthew Shepard**

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Matthew Shepard was killed on October 12, 1998, a victim of an anti-gay hate crime. The two men who murdered Shepard felt threatened by his outward homosexuality. At the time, their excuse was actually a legitimate legal defense, called "homosexual panic" (Sedgwick 20). An academic named Eve Kosofsky Sedgwick explains that "homosexual panic" is when a person attacks a homosexual victim because the attacker feels provoked by his victim's sexuality. Shepard's killers, apparently threatened enough to be violent, tied him to a fence on a very cold night, beat him, and left him for dead. Shepard was found eighteen hours later and died from his injuries in the hospital after a few days. In late twentieth-century conflicts over LGBT+ communities, identities, and roles in society, Matthew Shepard fell victim to homophobic prejudice and violence; however, his parents refused to allow their son to die in vain and from this tragedy inspired compromise in laws protecting LGBT+ citizens from hate crimes. After their son, Matthew's brutal murder, Dennis, and Judy Shepard dedicated themselves to effect great change in the law and in societal attitudes and actions toward the LGBT+ community.

People who identify as lesbian, gay, bisexual, transgender or many other types of gender and sexuality have faced ongoing conflicts with legal protection and persecution. For generations, people of the American LGBT+ community have faced prejudice and discrimination, socially, culturally, medically, and legally. The Stonewall Riots of June 1969 tend to be regarded as the genesis of the Gay Rights Movement, and that battle continues to be fought today. As stated in "LGBT Rights Milestones Fast Facts." *CNN*, in July 1961 the state of Illinois becomes the first state to decriminalize homosexuality by revoking their sex laws, on the other hand, on January 1, 1973, the state of Maryland became the first state to legally ban same-sex marriage. The criminalization or legalization of same-sex marriage remained a

bellwether issue for the LGBT+ community until 2015 when same-sex marriage was legalized across the country by the Supreme Court of the United States. Even though same-sex marriage is now the law of the land, members of the LGBT+ community may still encounter antagonism and hostility, and court cases challenging same-sex marriage or other rights for LGBT citizens are ongoing.

According to the American Psychiatric Association, the act of being denied the ability to marry one's significant other strengthens the stigma associated with a small amount of a person's sexual identity. Researchers from the American Psychiatric Association has proven that living in a state where one is not allowed to marry someone of the same sex can lead to chronic social stress and mental health issues. This kind of legal prejudice and discrimination impacts the LGBT+ community's well-being. A particular part of the LGBT+ community that is particularly prone to problems is adolescents and young adults. The Gay Lesbian Straight Education Network (GLSEN) reports that young LGBT+ people face hostility, harassment, and discrimination ("New GLSEN National School Climate Survey"). The American Psychiatric Association, psychologists, and other mental health professionals worry about the mental health of young adults and adolescents due to the stigma that may hurt and sabotage their healthy development.

There hasn't been any time in American history more open to people who are LGBT+ than now, yet there are still people who discriminate against individuals because they are deemed somehow different. While society has changed even in the last two decades, LGBT+ people continue to be victimized by violent crime and murder. The murder of Matthew Shepard in 1998 remains an example of how people were being treated during that time -- and sometimes continue to be treated today. In the 1990s individuals who were LGBT were publicly threatened

and hurt, not enough has necessarily changed to make America an anti-hate nation. Still, Shepard's death brought the issue of discrimination to people's attention and inspired many people, especially his family, to fight for change.

Matthew Shepard was born on December 1, 1976. As a child and young adult, he wasn't athletic like his older brother Logan, but he did enjoy activities like theater and politics. In middle school, he represented the Wyoming Recycling Club and traveled all around the state. He was well liked by many. Matthew traveled with his family extensively during his life. For example, when his father took a new job, the family moved to Saudi Arabia. As to be expected, Shepard was excited but at the same time nervous and scared, but according to his father Dennis Shepard in an interview, he adjusted to his new school and classmates quickly. With his new school in Saudi Arabia, he went on a trip to Morocco when a horrific event took place:

According to "Matthew's Story." *Matthew Shepard Foundation*, 2015, Shepard was beaten and raped by a group of locals, who, sadly, were never caught. After this experience, he began to seek help for the trauma, but nothing seemed to work. According to his father, Dennis Shepard, in a personal interview, "It was something he needed to get over on his own." Despite this trauma, Shepard was a kind, caring, and bright person. He also went back to Colorado to finish his college career. He was a home type kind of boy some would say.

As a twenty-one year old college student at University of Wyoming, Matthew Shepard encountered Aaron McKinney and Russell Henderson at a local pub. The two men saw him as an easy target to rob, so they took him to a rural area in the early hours of October 6, 1998. Instead of robbing him, however, McKinney and Henderson beat and tortured Matthew before tying him to a fence post and leaving him to die. Matthew Shepard's murderers seemed to think that

anti-gay prejudice would excuse them from the crime they committed. Henderson said that McKinney was the “mastermind” behind the attack. McKinney then claimed “the ‘gay panic’ defense” and said that “his uncontrollable anger was ignited by a sexual advance by Mr. Shepard” (Brooke 2). McKinney wrote in a letter that Matthew Shepard said, ““said he was gay and wanted a piece of me,” and so they ““flipped out and began to pistol whip”” Shepard (Brooke 2). McKinney and Henderson relied on laws that seemed to allow violence against the LGBT community. Luckily, the judge in the trial, Judge Barton Voigt, did not allow them to claim that Matthew Shepard’s homosexuality was at fault for the attack. The murderers took plea deals made with the attorneys representing Shepard and his family. In order to avoid the death penalty, they agreed to life sentences (Curtis).

Aaron Kreifels, the man that found Matthew tied to a fence, thought he was a scarecrow, but as he approached the scene, he soon realized it was an unconscious man with his face covered in blood. “God, the kid’s been crucified,” thought Pohlen, Jerome. *Gay and Lesbian History for Kids*. Chicago Review Press, 2016. He called the paramedics in panic. The Shepard family, when they heard the news that Matthew was hospitalized, felt confused. According to a personal interview with Dennis Shepard, the family thought he had suffered a car accident. When they discovered what had really happened, they were filled with disgust and horror. As the doctor broke the news that their son had died, Matthew’s parents were obviously grief-stricken but filled with relief that they didn't have to make the choice to take him off of life support. Matthew Shepard’s father was and is still distraught and angry that someone took the life of his son. When Matthew’s death was announced, Judy Shepard emerged from the Colorado hospital

and said, “Go home, give your kids a hug and don’t let a day go by without telling them that you love them” (qtd. in Pohlen).

By the time of Matthew’s memorial in Casper, the murder flashed from the front page of every newspaper. The Reverend Fred Phelps of the anti-gay Westboro Baptist Church showed up to Matthew’s memorial with a few followers. Their initial reaction was horrifying. According to Pohlen, Jerome. *Gay and Lesbian History for Kids*. Chicago Review Press, 2016, they brought signs that said “Matt in Hell,” “Aids cure Fags,” and “No Special Laws for Fags”. Romaine Patterson, a lesbian friend of Matthew, devised a plan to protect the Shepard family from the Westboro Baptist Church’s hatefulness. She, along with many friends, dressed as “Angels of Peace” and joined together, shoulder to shoulder, surrounding around Phelps and his followers. They did not want all of America to see this hatred on television, nor did they want Matthew’s parents to have to endure the disrespect of their beloved son.

During perpetrator Aaron McKinney’s trial, he attempted to use the “gay panic” defense to plead innocence, but the presiding judge would not allow it. Originally, McKinney was sentenced to death, but Matthew’s parents spared him. “I would not like nothing better than to see you die, Mr. Mckinney. However, this is the time to begin the healing process. To show mercy to someone who refused to show any mercy... May you have a long life, and may you thank Matthew for every day of it,” stated Dennis Shepard in Pohlen, Jerome. *Gay and Lesbian History for Kids*. Chicago Review Press, 2016. The murder of Matthew Shepard sparked many new movements to address anti-gay hatred and hate crimes in America. The changes in the law that Matthew Shepard's parents made because they did not want their son to die in vain were incredible. Matthew Shepard's parents became activists for changes to federal and state laws.

The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009 helped to contribute to a tremendous impact on the LGBT+ community legal standing. According to CNN Politics, President Obama signed the act into law on October 28, 2009. The law takes its name from both Matthew Shepard and James Byrd, Jr., victims of hate crimes in 1998. Shepard was targeted for his sexual orientation, and Byrd for his race. The Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act protects victims of hate crimes due to race, color, religion, or national origin. According to the Department of Justice, “it provides funding and technical assistance to state, local, and tribal jurisdictions to help them to more effectively investigate and prosecute hate crimes.” This act was passed on to protect the LGBT+ community and many other minority groups.

The Laramie Project reflects another touchpoint in the impact and legacy of the murder of Matthew Shepard. The Laramie Project is a play performed by high schools, colleges, and theater companies across the nation. It explains, word for word, the thoughts, and reactions of the people involved with Matthew’s case. The Laramie Project helps individuals understand the history, conflict, and consequences faced by those involved. Viewers of The Laramie Project, an iconic masterpiece of contemporary LGBT+ culture, can see every dot connecting in Matthew’s murder, providing them the chance to feel like they are in Wyoming, experiencing the heartfelt suffering Matthew’s family and friends had to endure, but also the guilt Matthew’s murderers felt, and the hatred with which protestors at Matthew’s funeral attacked the community. Matthew’s family created The Matthew Shepard Foundation to raise awareness of what had happened to their son and brother. The Matthew Shepard Foundation, along with other

organizations, help individuals deal with, accept, and love an LGBT+ family member or close friend. Judy Shepard has to lead many fundraisers to support the LGBT+ community.

It was not a healthy environment in the 1990's for people who were LGBT. They were seen and treated as less. It wasn't and isn't okay for anyone to feel useless every single day just because they are different. The LGBT+ community feels attacked all the time by the law and their surroundings. Matthew Shepard fell victim to a hate crime that should never be repeated. He was beaten and tortured, his face covered in blood beside streaks made by his tears running down his face. His life was taken because two men, Aaron McKinney and Russell Henderson couldn't understand that he wasn't like anyone else. They had to take him away from family and friends that loved him so very much. Matthew Shepard had his future planned out but he was not given the blessing to live long enough. Society has become very accepting of the LGBT+ community but with every step that we take forward, a life is saved. The Shepard family has taken so many steps to make America hate free. No one should suffer consequences for being themselves. Help erase hate and make everyone feel loved and happy to be alive.

Annotated Bibliography

Primary Sources

Brooke, James. "Gay Man Dies from Attack, Fanning Outrage and Debate." *The New York Times*, 13 Oct. 1998,
www.nytimes.com/1998/10/13/us/gay-man-dies-from-attack-fanning-outrage-and-debate.html. Accessed 5 Jan. 2018.

Matthew Shepard's death was announced at the Poudre Valley Hospital. After leaving Shepard to die, Aaron McKinney and Russell Henderson returned to Laramie and picked a fight on a street corner with two Hispanic men which caused both of them head injuries. When the case was brought to trial the two men were charged guilty and could have faced the death penalty. Their girlfriends, Chastity V. Pasley, 20, and Kristen L. Price, 18, were also charged with making up alibis for their boyfriends. Congress also passed the Federal Hate Crimes Protection Act which prohibit federal offenses based on sex, disability and sexual orientation

"The End of the Nightmare." *The Advocate Report*, At Issue ed., pp. 10-10,
books.google.com/books?id=rmQEAAAAMBAJ&pg=PA10&dq=%22a+neighborhood+bully+sexually+abused+McKinney+at+age+7%22&hl=en&sa=X&ved=0ahUKEwiO6qWL28HYAhUJ_IMKHfFIB1EQ6AEIJjAA#v=onepage&q=%22a%20neighborhood%20bully%20sexually%20abused%20McKinney%20at%20age%207%22&f=false. Accessed 5 Jan. 2018.

An article written in the The Advocate Report, a LGBT issue, goes in depth about the Matthew Shepard case in court. It explains how Aaron McKinney's lawyers used the term "gay panic" but was overruled by the jury. Aaron McKinney's lawyers also said that he had a burst of rage due to a triggering of emotions when Matthew "grabbed his balls" because when Aaron was around the age of 7, he was forced to have sex with a neighborhood boy and later called gay.

Jackson, Wayne. "The Death of Matthew Shepard." *Christian Courier*,

www.christiancourier.com/articles/6-death-of-matthew-shepard-the. Accessed 22 Jan. 2018.

This is a Christian related website which explained that Matthew Shepard was lured out of the local bar and taken to a remote place and tied to fence He was whipped by the butt of a pistol, and left exposed in the cold. According to Christian Courier everyone is made in the "image of God" and that is was wrong for this young man to be murdered, "not because he was homosexual, but because he was a human being". The perspective in which Christians view people who are LGBT are viewed wrong and this website gave me a better understanding.

Shepard, Dennis. Telephone interview. By Rosa Linda Rivera. 20 Oct. 2017.

In this interview with Dennis Shepard I had a chance to get a first hand view in Matthew Shepard's childhood and the emotions, thoughts, and reactions of relatives when Matthew was being hospitalized. It was a great opportunity to talk to the father of the victim and ask my own questions rather than use an article from the press.

Secondary Sources

ABC NEWS. "New Details Emerge in Matthew Shepard Murder." *ABC News*, ABC NEWS, 26 Nov. 2004, abcnews.go.com/2020/story?id=277685. Accessed 17 Oct. 2017.

Matthew Shepard was beaten, tortured, and found 18 hours after by a civilian going on a bike ride. Aaron McKinney and Russell Henderson, were found guilty for first degree murder. The article also talked about both of the killers troubled past and drug addiction.

"Answers to Your Questions about Same-Sex Marriage." *American Psychiatric Association*, www.apa.org/topics/divorce/same-sex-marriage.aspx. Accessed 7 Jan. 2018.

In the article, it explains that being denied the right of marriage reinforces the stigma associated with a minority sexual identity. Researchers have also found living in a state where same-sex marriage is outlawed can lead to chronic social stress and mental health problems.

Biography.com Editors. "Matthew Shepard." *Biography*, A&E Television Networks, 6 Oct. 2016, www.biography.com/people/matthew-shepard-092515. Accessed 1 Nov. 2017.

In the article online, it goes in depth into Matthew Shepard's early life. It explains how he was raped, beaten, and robbed on a school trip to Morocco by a group of locals. It also talks about the movements caused by the murder such as the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act (2009).

Frankie-Ruta, Garance. "How America Got past the Anti-Gay Politics of the '90s." *The Atlantic*, 8 Apr. 2013, www.theatlantic.com/politics/archive/2013/04/how-america-got-past-the-anti-gay-politics-of-the-90s/266976/. Accessed 5 Jan. 2018.

It talks about the murder of Matthew on October 1998.

Matthew was a 21-year-old gay University of Wyoming student and was beaten into a coma and tied to a fence outside Laramie. According to the article, Matthew Shepard died from injuries and never regained consciousness and died several days later at the Poudre Valley Hospital in Fort Collins, Colorado.

Gore, John. "THE MATThe Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009." *The United States Department of Justice*, 6 Aug. 2015, www.justice.gov/crt/matthew-shepard-and-james-byrd-jr-hate-crimes-prevention-act-2009-0. Accessed 5 Jan. 2018.

This act sparked after the murder of James Byrd Jr. and Matthew Shepard. It perceives crimes committed because of the actual or religion, national origin, gender, sexual orientation, gender identity, or disability of any person. This law makes that the crime has to be affected interstate or foreign commerce or occurred within federal special maritime and territorial jurisdiction.

"The History of Psychiatry & Homosexuality." *LBT Mental Health Syllabus*, 2012, www.aglp.org/gap/1_history/. Accessed 7 Jan. 2018.

This explains the LGBT history and how they were never accepted. It goes way back to the 19th century and explains how they were seen as abnormal and unrighteous due to their sexual orientation.

<https://www.theguardian.com/world/2014/oct/26/the-truth-behind-americas-most-famous-gay-hate-murder-matthew-shepard>

In the article it explains how the murder of Matthew Shepard was seen as one of the worst murders in history. Both killers set fire on Matthew after tying him to a fence in freezing conditions. After the trial, The Laramie Project began to tour all around the United States and *The Book of Matt: Hidden Truths about the Murder of Matthew Shepard* was written 13 years later. Matthew was addicted to and was dealing crystal meth and had dabbled in heroin. He also had occasional sexual encounters with Aaron McKinney and was HIV positive at the time of his death.

“LGBT Rights Milestones Fast Facts.” *CNN*,

www.cnn.com/2015/06/19/us/lgbt-rights-milestones-fast-facts/index.html. Accessed 7 Jan. 2018.

On the live web page it has every event that happened between 1924 and now with the LGBT community. It helped me understand current and past events. It also led me to new questions and resources to use to get a better understanding of my topic.

Loffreda, Beth. *Losing Matt Shepard*. New York, Columbia UP.

While reading the most important parts of this book, I learned some of the aftermath of Matthew Shepard’s death. The author, Beth Loffreda, is a professor and the University of Wyoming. She had an inside look at the homicide. This book captures all of the interviews and experiences she had from October 1998 up until 2000.

Marsden, Jason. “The Murder of Matthew Shepard.” *WyoHistory*,

www.wyohistory.org/encyclopedia/matthew-shepard. Accessed 27 Oct. 2017.

Matthew went to the local pub alone after a quick LGBT meeting on the campus and after a quick stop at Village Inn. He was sitting alone for about an hour until Aaron McKinney

and Russell Henderson walked in, purchased a pitcher of beer with dimes and nickels, and engaged in conversation with him. The website went in depth with the killers past and they were both highschool dropouts with roofing jobs. In the police confession, McKinney described his as “a queer,” “the gay,” and “fag.” The mens girlfriends were charged for hiding evidence and creating an alibi for their boyfriends.

“Matthew’s Story.” *Matthew Shepard Foundation*, 2015, www.matthewshepard.org/about-us/. Accessed 9 Oct. 2017.

The Matthew Shepard Foundation is a website founded by Judy Shepard. This was the basis of all of my other resources. After I read what the foundation wanted to accomplish and erase hate, that’s when I knew this was going to be the topic for me. I contacted Dennis Shepard through the foundation and read all about Matthew’s story such as his college and highschool life.

Mills, Kim. “Anti Same-Sex Marriage Amendments Spark Psychological Distress among GLBT Adults and Their Families, According to New Research.” *American Psychiatric Association*, 18 Nov. 2008, www.apa.org/news/press/releases/2008/11/glbst-stress.aspx. Accessed 12 Jan. 2018.

In this part of the website it explains that Psychologists are worried about adolescents, young adults, families, and friends of lesbian and gay couples denied marriage rights because they can also experience negative physical and mental health problems.

Pohlen, Jerome. *Gay and Lesbian History for Kids*. Chicago Review Press, 2016.

At Matthew Shepard’s memorial, tons of supporters showed up, but so did many people that thought Matthew deserved what happened to him. The protesters held up signs and yelled

for everyone to hear, but Matthew's lesbian friend came up with the idea to have "Angels of Peace". The protesters were covered and were not seen on TV by the millions of people watching Matthew Shepard's memorial.