



HUMAN RIGHTS

Hate crime in Indiana?

by Steven Higgs

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The simple facts in Shorty Hall's murder shout major media. Brian Williams or Katie Couric, maybe. Bill Moyers, someday. *Indianapolis Star*, unquestionably.

The 1998 hate-crime murder of Matthew Shepard in Wyoming is commonly invoked in comparison.

Thirty-five-year-old, 5-foot-4, 100-pound Aaron Hall was brutally beaten on April 12 for hours by two teens who have described the murder in chilling detail to police. Each says Hall precipitated the violence by making a homosexual suggestion.

The beatings included repeated pummelings with fists and boots and dragging Hall down a wooden staircase by his feet as "his head bounced down all of the steps," in one of the accused's words. He died naked and alone, in a field, where he had crawled after his killers dumped his body in a roadside ditch.

Police found Hall's body 10 days after his death wrapped in a tarp in the garage of Jackson County Deputy Coroner Terry Gray, whose son is one of the accused.

According to the local paper, *The Crothersville Times*, a witness said 19-year-old Garrett Gray, upon learning that Hall was dead, "began vomiting and making statements of what his dad would say when he found out about this incident."

The fact that this tale has received almost no media attention outside Jackson County, Monroe's far southeast-corner neighbor, is but one of its bizarre twists.

Another is the suggestion that Hall made no sexual advance on 18-year-old Coleman King, the other accused, that he and Gray made up the story as an excuse for murder.

There's a legal theory for their argument. It's called the "gay panic defense," and it suggests that temporary insanity from exposure to homosexuality is a defense against murder. Matthew Shepard's killers tried to use it.



Photograph by Aubrey Woods, Seymour Tribune

Nineteen-year-old Garrett Gray, in stripes behind, and 18-year-old Coleman King, center, told police they brutally beat and killed a man after he suggested a homosexual act with King. But some say they made up the story as a way to get sympathy for their case.

Gray, Coleman and others, including 21-year-old Robert Hendricks and uncharged co-conspirator John Hodge, told police remarkably similar stories about a violent reaction to a homosexual advance in Gray's Crothersville home, according to court documents filed by police in the case.

Coleman said he got to Gray's place around noon and that he and Hendricks went to the Stop-In Liquors in town and picked up Hall on their way back.

According to the *Times*: "King said they were all drinking beer and whiskey when Hall grabbed him in the groin, asking King to perform oral sex. King said he punched Hall, then jumped on him, punching him several more times. King said Gray also punched Hall while King held Hall down."

Gray said King left the room after initially assaulting Hall. Gray said he walked over to ask Hall if he was all right.

"Gray then admitted to striking Hall several times in the eye area causing significant damage," the *Times* reported.

Gray told police that King walked back into the room and moved Hall to the couch.

"According to Gray, King then straddled Hall and began physically assaulting him multiple times with his hands," the paper said. Hendricks said the beatings "went on for several hours before Hall was loaded into Gray's pickup."

Before dragging Hall down the steps to Gray's Ford Ranger pickup, Gray said they assaulted him again on the deck.

King said he and Gray "continued beating Hall as Hendricks drove south to the dirt farm lane." There they dumped Hall in a ditch and threw his camouflage coat over his body.

"King admitted to striking Hall a few more times," the *Times* said. "The trio then left Hall in the ditch."

Hodge told police that he was working during the beating. Gray sent him a multimedia text message on his phone with a photograph of Hall, in between Gray and King, with a swollen eye and lip.

About 15 minutes later, Hendricks called Hodge from the scene. The *Times* reported that Hendricks shouted: "They're beatin' the hell out of that guy."

Hodge told police he could hear screaming and yelling in the background and thought he heard Hall yelling, "Bitches."

The next morning Hodge went to Gray's house, and he and Hendricks drove to the site where Hall's body had been dumped because Hendricks wanted Hall's camouflage jacket. They saw only clothes in the ditch.

"Hodge then described seeing something in the field that he thought at first was a dead deer," the paper reported. "Hodge said he walked towards the object and said it was a human body. Hodge said he went back and forth a few times before he finally approached the body. Hodge said the body was completely naked and was severely beaten. He said he recognized the subject to be Aaron Hall and that Hall was dead."

Hodge, Gray and King all said they returned to the field a couple days later and removed the body. They wrapped it in a blue tarp and hid it in Gray's detached garage.

Crothersville is a town of 1,500, located midway between Louisville and Indianapolis just off Interstate 65 in the

southeast corner of Jackson County.

According to the U.S. Census, it is 97.6 percent white, and 75.4 percent of its residents 25 or older have high school educations. The national average is 80.4.

It's not the sort of place that makes big news often. One of the more recent times was in 2005 when a 10-year-old Crothersville girl named Katie Collman was kidnapped, sexually assaulted and murdered.

"Ironically, it was Terry Gray, Garrett Gray's father, who served as the Collman family spokesman during the investigation and court proceedings," the *Times* reported.

The Collman case was big news. *Indianapolis Star*-columnist-turned-Internet-blogger Ruth Holliday noted on May 8 that it "had a lot of twists and turns." A search of the *Star* Web site turns up more than a dozen stories.

Yet the *Star* has left the Hall murder to the Jackson County media, the never-to-be-trusted Indianapolis and Louisville television stations and bloggers like *Advance Indiana's* Gary Welsh, who has covered the story in depth and, along with Holliday, has questioned the lack of major media attention.

A search of the *Star* Web site for Aaron Hall returned zero stories.

On May 3, Welsh, who is an advocate for hate crimes legislation in Indiana, wrote a column titled "Why Won't the *Star* Cover The Hate Crime Killing of Aaron Hall?" He noted that the paper "has been silent" about the Hall case but that editorial writer RiShawn Biddle argued in his May 1 *Star* blog that a hate crimes law would not have prevented Hall's murder.

In his blog, Biddle argued that the "murkiness of the case shows that it may not even have been considered a hate crime."

Biddle's assessment is shared by others, especially in Jackson County. Many of them see it as bunch of kids drinking and going crazy.

An anonymous contributor wrote in Welsh's blog: "No one in the News knows what the hell they're talking about. I know what went on i really do. It wasn't a hate crime. Garrett hit him because he said F#%% you and your mom and his mom was dead. Anyone that knows him knows that."

One local woman, who also says the murder was not a hate crime, told the *Alternative* that Gray's mother has been dead for years.

On April 29, Welsh reported that Crothersville resident Leslie Horton told him that rumors in town are that "Aaron was gay and had AIDS" to shift the blame away from them and onto Hall, thereby "stigmatizing him in the hope of getting off easy."

"People are losing sight that this man was not gay in the slightest," Horton told Welsh. "It was a ploy to make their crime seem justifiable since it seems to be condoned by some evil people in this world."

The gay panic defense led to an acquittal in a murder case in West Virginia, according to a story in a 1993 Barnes & Noble book *Some Days Nothing Goes Right*.

Numerous Internet sources, including Wikipedia and Answers.com, report the same passage. "The *Sun-Times Wire* reported in Harrisville, West Virginia, USA, that one Dean Ludwig Bethoven, aged thirty, accepted a ride home from a bar by funeral director Dent Pickman, and fell asleep in his car.

"When he woke up later at Pickman's house, he found his body covered with 'ketchup, mustard, mayonnaise, pickles - things out of the refrigerator,' and Dent Pickman licking mayonnaise off his naked body. 'I went crazy,' said Bethoven, who stabbed Pickman to death with a kitchen knife. The jury acquitted him of murder."

One of the highest-profile gay panic defense cases was a 1995 murder in which a man killed a friend after learning on the *The Jenny Jones Show* that the friend was sexually attracted to him.

Jonathan Schmitz confessed but said he was angered and humiliated by his friend's advances. He was convicted of second-degree murder and received a 25-to-50 year prison sentence.

The judge in the Shepard case threw out the killers' use of gay panic. He ruled it was "either a temporary insanity defense or a diminished capacity defense, such as irresistible impulse, which are not allowed in Wyoming ..."

Shepard's killers later recanted their story on national television, characterizing the murder as a robbery attempt gone awry under the influence of drugs.

Each received two consecutive life sentences.

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