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This week, the Gwen Araujo murder trial was declared a mistrial because the jury could not decide whether the three defendants were guilty of first- or second-degree murder. According to the Alameda County district attorney's office, none of the jurors was willing to settle for the lesser offense of manslaughter -- despite efforts by defense attorneys in the case to argue that Gwen Araujo's killers were somehow justified because she did not disclose her transgender identity to them.

In rejecting manslaughter, the jury effectively rejected defense attorneys' outdated arguments that were akin to blaming Gwen Araujo for her own murder. But because of the hung jury in this case, we all must wait for justice to be served.

Over the many weeks of testimony that we both attended during the lengthy trial in Hayward, we got to know the faces of regulars in the courtroom. Because of our work with the Gwen Araujo Memorial Fund, we know her mother, Sylvia Guerrero, and her large and supportive family and friends. We also began to recognize the family and friends of the three defendants, Jason Cazares, Michael Magidson and Jose Merel. Not surprisingly, the pain and anxiety so clear in the faces of Gwen Araujo's loved ones were reflected in the faces of the defendants' family and friends as well throughout the trial.

This shared and prolonged devastation reminds us that preventing hate crimes such as this from occurring is important not just for the potential victims, but also for the potential perpetrators. Everyone in that courtroom wished that this crime hadn't happened, and no one's life will be the same now that it has.

What is perhaps most frustrating is how preventable this tragedy was. Hate crimes can only flourish where ignorance is deemed acceptable; education is the key to ensuring it never

happens again. If these men had grown up learning about the different ways people express gender and sexuality, Gwen Araujo would still be alive. The system failed all of us.

The defense lawyers demonstrated over and over that they were counting on jury members to be ignorant about transgender lives. They hoped that jurors would buy their argument that Gwen Araujo deceived two of their clients when she supposedly had sex with them without telling them that she was transgender. The defense team then used this "deception" in an attempt to make their clients sound reasonable for strangling a young woman and smashing her head with a can of food and a frying pan.

For example, in his closing argument, one defense attorney stated that the men on the jury would naturally understand that the defendants had been provoked by Gwen Araujo. He then asked the women on the jury to put themselves in the shoes of their sons or nephews. In doing so, he asked all of us to agree that it is reasonable for young men in our society to commit such violence. The jury rejected these arguments because that is not what we want for our sons and nephews. We want to give our young people a higher standard, one in which they learn how to deal with differences and discomfort without resorting to violence.

To translate this important statement by the jury into reality, we all have work to do. Despite the fact that California law protects transgender students from discrimination in public schools, few school districts in California have taken the basic steps necessary to provide students with the tools to understand gender identity. Along with concerned students, parents, teachers, administrators and advocates throughout the state, we are working to bring effective education to schools. Through the Gwen Araujo Memorial Fund, Horizons Foundation and Gay-Straight Alliance Network are hoping to expand both the reach and the quality of school programs that promote understanding of transgender people. We need to give students more information about transgender issues, as well as alternative models for handling conflict. These include classroom presentations by transgender speakers, peer education and peer mediation or peer counseling programs.

Over the last few years, GSA Network has seen more and more students in our programs identifying as transgender, and doing so at a younger age. According to the California Safe Schools Coalition, about two-thirds of students surveyed reported "sometimes" or "often" hearing students make negative comments based on gender presentation. Schools are going to have to deal with this issue, or deal with the consequences of choosing to remain silent.

Much was said during the trial about choice. The defendants claimed that Gwen Araujo had denied them their "heterosexual choice." The prosecution pointed out that the brother of one of the defendants, who had also had sex with her, made the choice simply to leave the house on the night she was murdered.

We as a society have a choice before us as well. Will we choose to watch more murder trials and accept more devastation in the lives of young people? Or will we choose to foster acceptance and respect in schools, and help our youth find nonviolent solutions to problems?

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