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# California's End to "Gay Panic" Defense Will Help Families Says Family Law Attorney Mark Baer

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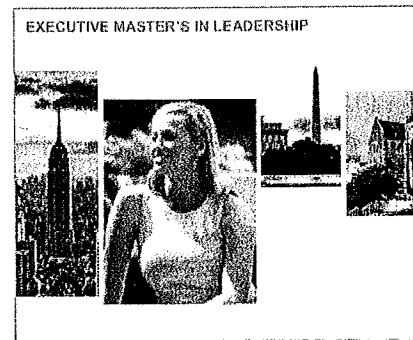
LOS ANGELES, CA--(Marketwired - Oct 6, 2014) - Los Angeles Family Law Attorney Mark Baer hopes that a new law banning the "gay panic defense" in California will help end discrimination and prejudice as it affects families, children and society as a whole. On September 27, 2014, Governor Jerry Brown signed into law bill AB 2501, which prohibits the use of the "gay panic" defense. The "gay panic" defense is commonly used as "justification" for killing someone whose sexual orientation falls within the lesbian, gay, bisexual and transgender (LGBT) category. In an effort to reduce their murder charge to manslaughter, the defendant claims that the killing occurred as a "panic response" to the gay, lesbian or transgender victim.

Attorney Baer points out that California is leading the charge to eliminate sexually, prejudicially-based laws and hopes that other states will follow its lead. "California, under Governor Jerry Brown's leadership, has done more positive things to help eliminate harassment, abuse and discrimination of LGBT individuals than any other state in the Union. In addition to this law, California was also the first state to outlaw the use of 'conversion therapy' by parents of LGBT youth. When you get rid of discriminatory laws, it leads to societal change because if the gay panic defense is no longer a 'legitimate' defense, then what does that say about people who somehow believe that LGBT lives are worth less than the lives of others?"

One of the most high-profile uses of the "gay panic" defense was the 1995 Michigan murder trial of Jonathan Schmitz, who admitted killing his friend Scott Amedure after learning, during the taping of the Jenny Jones TV show, that Amedure was sexually attracted to him. This same defense was used in the 1998 Wyoming murder of university student Mathew Shepard, who was killed by multiple attackers because he was gay. Presently, this defense is still used to reduce homicide charges to manslaughter in every state except California.

Attorney Baer points out that abuse toward homosexuals often begins at home. "Many of the homeless youth are LGBT children who were 'thrown out' by their parents with absolutely no resources to take care of themselves. To survive, they often have to turn to prostitution, which then leads to more violence against them on the streets."

In a study done by The Williams Institute at UCLA, family rejection and family violence are often cited as the main reasons that LGBT youth also end up in foster care. It is estimated that LGBT youth are 1.5 to 2 times as prevalent in the foster care system, nationally, as non-LGBT youth.



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"If two people have a child together and they abuse a child like that," says Attorney Baer, "are these two, heterosexual parents who 'created' a gay child making the best decision for their child? To me, it's abusive and bad parenting, to say the least.

"As a Family Law Attorney, a great deal of the work that I do involves dealing with fear. Whether the fear is real, exaggerated or completely imagined, people react to it in destructive ways and I see it all the time in my capacity as a mediator or family law attorney. A more healthy approach to dealing with issues pertaining to a child's sexual orientation might be to work on the family dynamics issues to resolve or otherwise manage the conflict in mediation or therapy. Because if you try to change the child's sexual orientation, such as in the use of conversion therapy, you are going to destroy the child and any future relationship with your child. It's hard enough in our society for a child to be different from his or her peers, without one's family adding to the abuse."

Mr. Baer adds, "When our government would not allow LGBT people to serve in the military, it impacted a wider view on how our society treated such individuals. Now that our federal government recognizes same-sex marriages and allows LGBT people to serve in the military, it is helping to strip away long-held societal prejudices against such individuals. I think this is a very good start in preventing violence against LGBTs and hopefully, we will see more states joining the battle to end violent attacks on people whose only offense was their sexual orientation, something that they have as much control over as the color of their skin."

Attorney Mark Baer is a psychologically-minded and child-centered family law attorney and mediator. When representing families, he tries to resolve matters in the least destructive manner so that the family dynamic that exists after the divorce or break-up, can still maintain some semblance of communication and cooperation. When children are involved, this is of particular importance as parental conflict can harm children for years to come.

An advocate of using consensual dispute resolution processes, such as mediation and collaborative law whenever possible, Attorney Baer helps his clients acquire new skills that can strengthen and empower them to better cope with future challenges. His Family Law firm represents individuals on issues regarding family law, divorce, child custody, child support, spousal support, restraining orders, paternity actions, or domestic partnerships. For media requests or to read Attorney Mark Baer's blog on this subject, please visit: [www.markbaeresq.com](http://www.markbaeresq.com).

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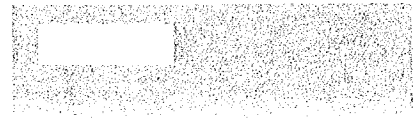
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