

CHAPTER 1

Bashing: A Family Affair

“Stop! Oh God, stop! Damn it, stop! FUCK! YOU’RE KILLING ME!” Raphael screamed as his testicles exploded in spasmodic bursts of pain that shot light flashes into his vision. He was now on the ground, on his side, in the fetal position. He jerked his knees close to his chest to protect his balls, covering them with both hands.

Mrs. Banner, one of the two new landlords, began to laugh. “Move your hands, you fucking faggot!”

“Oh God, please STOP!”

Unable to attack Raphael’s covered groin, Mr. Banner kicked him in the head with his hard street shoes.

“Stop! Damn it! STOP!” Raphael yelled as he moved his hands quickly to protect his face. Mr. Banner came to the courtyard and joined his wife in the assault. Then, Raphael released a most primal scream. His unprotected balls were again bombarded with hard kicks by both landlords.

Raphael was a big man, standing six feet one and weighing two sixty, but there was a teddy bear gentleness about him. He was not energetic or aggressive. He walked slowly, not because he was lazy, but because he suffered from the devastation of AIDS. His strength and energy slowly ebbed away since he contracted the disease eighteen months ago. He could barely walk, let alone defend himself.

“They’re going to kill me!” Raphael realized as the blows continued. “I can’t take this anymore!” He concluded, “I thought I would die of AIDS, but now they’re beating me to death. Why are they doing this? Oh, God! Make them stop! Please just make them stop!”

“Move those faggot hands!” Mrs. Banner demanded, giggling as she spoke. “Move your faggot hands!” she repeated as the sadistic assault switched back to Raphael’s head. His entire body jerked and flailed on the apartment courtyard lawn as he tried to protect whatever area of his body was being brutally assaulted.

It was a wicked, sadistic game that the landlords were playing. They were enjoying inflicting unbearable pain on this downed, defenseless, disabled man.

An older woman, a neighbor who lived across the street, had called the police and continued to observe the appalling brutality, which soon subsided with the officer’s arrival.

“What’s going on here?” the officer asked, causing the landlords to reluctantly back off. Raphael slowly, painfully pulled himself to his feet using the nearby wrought iron railing for support.

“This guy was mouthing off, cursing at my wife! Then he hit her,” charged Mr. Banner, a short, slender man who spoke with a tinge of an Irish accent. “Ask my sister-in-law. She was standing right here. She witnessed the whole thing.” Mr. Banner pointed to the woman of about forty years who had suddenly appeared. There was a look of discomfort on her face. She did not speak.

“Wait a minute! He’s lying,” Raphael interjected. “She wasn’t even here. Officer, these two landlords have been—”

“Quiet!” commanded the officer, cutting off Raphael.

“Officer,” Raphael began again, this time speaking more calmly, “these two just began—”

“I said quiet!” the officer repeated, staring squarely at Raphael to be sure he would take him seriously. “Where do you live?” Raphael pointed to his upstairs apartment. “Then go on up there right now. I will talk to you later.”

“But officer, they attacked me for no reason and —”

“QUIET! Now, unless you want me to arrest you.”

The defeated, gentle giant turned and slowly started for his apartment. As he lifted his right leg to take the first step up the staircase, the stabbing pains in his groin returned, worrying him that he was seriously injured. He put his right leg back down and began again with his left. He maneuvered carefully up the stairs, stepping up with his left and dragging his right until he reached the top. He hobbled to his apartment door, entered slowly, and made an agonizing effort to walk to the nearest chair. He grabbed the overstuffed chair with one hand, then slowly placed his other hand on the opposite arm to gently lower himself. Bolts of burning pain shot from his groin in all directions within his body. Slowly, he surrendered his weight to the softness of his lazy boy and finally released his grip on the chair's arms. He stared at the crotch of his baggy white pants and brought his hands down to his groin. “God. Oh, God!” Raphael mumbled to himself as he cradled his throbbing balls and penis. He wanted to unzip his pants to see the condition of his body, but he was terrified. “What have they done to me?” he murmured, visualizing his testicles swollen, purple, and bleeding.

His head was abuzz with questions. *Am I going to be evicted? Am I going to be arrested? Should I see a doctor? I won't tell them I have AIDS or have been sick. If I do, they won't help me. Maybe I need to go to the hospital? Should I call an ambulance? How am I going to walk downstairs to my car? Where will I live? I need to call someone. Maybe Leo could put me up for a while. I'll call Leo; he'll know what to do.*

Someone knocked at the door he had left ajar. “Come in!” he yelled in response, not even thinking of getting up to greet the visitor. As an afterthought, he realized it was probably the officer and should have answered more politely.

The officer entered the apartment and stepped over to where Raphael had planted himself. He did not comment on the blood and the bruises that had begun to materialize on Raphael's face. Towering over the seated tenant, the officer spoke in a steady, commanding voice. “I talked to the landlords, and I think we got this all taken care of.”

“What did they say?” Raphael asked, anxious.

“They said they're not going to press charges,” the officer declared in a satisfied tone.

“But, officer, they are lying. They said I was playing my music too loud, but I wasn't. She kept calling me a fucking faggot. I pointed to the unit where the blaring music was coming from. But she said I was the ‘queer one’ and would be kicked out.”

The officer stood stoic, writing nothing down.

“I never done nothing. I lived here for four years, and the other landlord never had an issue with me. It's just these new landlords. Then she swung her garden hose at me and missed. When she tripped in the process and fell, she screamed. Her husband came out and thought I knocked her

down. But I didn't. He punched me, pushed me down, and they both started kicking me. They kicked in my testicles and my face. Back and forth."

The officer looked bored with Raphael's account.

"I didn't do nothing! What did they say about me? I want—"

"Look, I got the complete story. And the good news is, they're not pressing charges, but if you cause any more trouble, I'll arrest you."

"But what about my side?"

"It's over. Just leave it at that."

"But the Banners are lying. They both kicked the hell out of me. Look at my face. I think my nose is broken, and my eye is..."

"If I hear any more from you, you'll be arrested." He added, "Is that clear?" Without waiting for an acknowledgment, the officer turned and walked out.

Raphael was scared, confused, and angry. More than that, he was seriously injured. He called his friend, Leo, and they were off to the emergency room at Saint Mary's Hospital within ten minutes of his arrival. During the six hours he was treated there, several doctors and medical personnel examined him and determined the full extent of his injuries. He was bleeding internally because the inside of his right leg, at his crotch, was swelling up with blood, creating a large sac. His testicles were so painful and enlarged that they feared his injuries might be permanent.

The following day, he visited his family doctor for further treatment. During the ten days following the attack, Raphael made another visit to the emergency and three additional visits to his family doctor. The sac of fluid hardened into a long, slender, eggplant-colored mass that ran from his crotch to just above his knee. He needed surgery.

While recovering from surgery at home, Raphael called me at the Hate Crime Reporting Hotline that I monitored in my home. What I heard was horrendous. Unbelievable. I needed to see him. I asked if I could visit him now and talk in person. He said yes. I frequently visited crime victims in person or invited them to my home to talk so I could take in the full impact of their assault. I was shocked to see the big, hurting man.

I was more than shocked at hearing the details and seeing the photos of his injuries. I told Raphael and Leo that I'd take this matter directly to the Chief of Police, and I did.

Apparently, I caused a meeting between the officer's immediate supervisor and personnel from the dreaded, cop-feared Department of Internal Affairs. The result was strange to me. When the chief looks into the improper conduct of a police officer, it's necessary to get independent evidence of the event, that is, independent information from the police officer in question. Two handpicked officers were sent to interview Raphael and the woman who called 911. These officers had to be handpicked because any rank-and-file officer would tend to support the officers under investigation rather than the crime victim. They were going to be participating in a process that would likely lead to the discipline of the original officer - a fellow officer - possibly resulting in his termination. That's tough to do in a brotherhood of police officers in a one-hand-washes-the-other system of "officer teamwork." These hand-picked officers were instructed to file a proper and complete crime report.

As it turned out, the officer who initially responded to the Raphael beating was judged to have violated proper police procedures and was punished for his misconduct. To what degree are we,

the public, not allowed to know due to state and federal laws that protect the confidentiality of police officers' information? As for the Banners, charges were filed for aggravated assault.

I was not privy to all the details about the resolution of Raphael's case. Still, the Banners pleaded guilty and received jail time and a fine. I made it a habit not to follow these cases beyond seeing that the immediate needs of the victims were met and that justice was served or, in some cases, not served. I cannot submerge my life in this turbulent stream of vile, hate-filled experiences. After all, I'm just a volunteer with a life to explore and enjoy. I do what I can and try not to let bad things poison me.