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Inmate who murdered the trans woman he was forced to room with is sentenced to death

Correction officers removed Carmen Guerrero's friendly bunkmate, and bought in one that promised to kill her if roomed with her. He followed through.

By Juwan J. Holmes (<https://www.lgbtqnation.com/author/juwanholmes/>) Saturday, December 7, 2019 24 Comments
(https://www.lgbtqnation.com/2019/12/inmate-murdered-trans-woman-forced-room-sentenced-death/#disqus_thread)





Photo: Public Domain

Miguel Crespo, a man convicted of murder while an inmate in Bakersfield, California, was sentenced to death on Thursday. The murder was of his transgender bunkmate, Carmen Guerrero, who he shared a cell with for no more than eight hours.

While being housed in Kern Valley State Prison, Carmen Guerrero was roomed with Jonathan Wilson, who *Planet Transgender* reports was (<https://planettransgender.com/miguel-crespo-given-death-sentence-for-killing-cellmate-carmen-guerrero/?cn-reloaded=1>). Guerrero's lover, Wilson was abruptly moved from the cell and eventually transferred from the prison. Guerrero begged corrections officers for a "nice" cellmate, but on October 13, 2013 (some reports list November 1), Crespo was moved in to bunk with her – despite promising he would kill her if he was forced to room with her.

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Correction officers ignored both inmate's pleas, and midway into the night, Guerrero was found tied up, strangled, and choked to death. Crespo happily admitted to the officer on guard that night that he had killed her. Reports of Guerrero's autopsy show she was bound, gagged, and tortured prior to death.

Crespo, already serving a life sentence for a 1993 Los Angeles murder, offered no defense because "gay panic" or "trans panic" defenses, which blame the victims for their identities, have been outlawed in California. Crespo was sentenced to death on Thursday by presiding Judge John D. Oglesby (<https://www.nbcnews.com/feature/nbc-out/man-sentenced-death-killing-transgender-cellmate-n1097161>). His sentence followed the jury's recommendation (<https://www.kget.com/news/crime-watch/man-sentenced-to-death-for-killing-transgender-inmate-he-was-housed-with-for-eight-hours/>), less than a month after they found him guilty. After Crespo claimed he couldn't afford to pay the recommended maximum restitution fine, Oglesby "imposed the minimum fine of \$300", which audibly amused Crespo – he was "fine" with it.

Crespo made sure it was known at the sentencing that he is not gay and explicitly asked not to be roomed with LGBTQ inmates, saying "I had a restriction not to be housed with a [gay expletive]."

To make things worse, during and since the procedures, all sides – the State, the defense, and some media outlets – have referred to Carmen by her former name and gender, despite the Assistant State Attorney saying "everyone referred to [Carmen] as she" and that "by all appearance, [Carmen] presented as a woman."

The California Department of Corrections and Rehabilitation (CDCR) claimed that "officials will review what might have led" to their screening process failing to protect inmates from clear threats of violence.

According to NewNowNext (<http://www.newnownext.com/california-man-death-penalty-killing-trans-inmate/12/2019/>), federal regulations at the time determined that "housing and other prison services for trans people [were] to be determined based on case-by-case decision" before Trump's administration changed that and other parts of the 2012 Prison Rape Elimination Act. Now, federal prisons must assign transgender people to the

housing and services set based on their sex at the time of birth, which the National Center for Transgender Equality maintains is illegal (<https://transequality.org/the-discrimination-administration>).

In California specifically, the State Senate passed a bill this spring (<https://www.eqca.org/release-senate-passes-sb-132/>) that would have prisons assign transgender prisoners based on their gender identity, but it has yet to be signed or go into effect.

According to the 2015 U.S. Transgender Survey, transgender people are at nine times the risk of being sexually assaulted than cisgender inmates.

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