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Conviction Obtained in Hate Crime Case

Homeless transgender victim was insulted, beaten

A San Diego man with a long criminal history has been convicted of battery and committing a hate crime for beating a transgender person at a downtown homeless resource center.

Tony Taverlia McQueen, 57, was sentenced Monday to 44 days in jail, with credit for time already served, for the May 2022 incident. McQueen previously pleaded guilty to the battery and to a felony theft charge in an unrelated case. As part of the resolution of both cases, he will be on probation for two years.

“Every person should be able to live a peaceful and dignified life free from intimidation and violence,” City Attorney Mara W. Elliott said. **“Crimes like this have no place in our society. We strongly encourage victims and witnesses of hate crimes to come forward so that we can seek justice for our communities.”**

A hate crime occurs when a person or group is targeted specifically because of their disability, gender, nationality, race or ethnicity, religion, or sexual orientation. Hate crimes need not result in serious physical injury – threats of violence, spitting, shoving, and hateful graffiti are all considered hate crimes. It can be a hate crime even if the persons committing the act are mistaken in their belief that the victim is a member of a protected class.

In this case, the transgender victim was seeking services at the San Diego Homelessness Response Center in May. Witnesses say McQueen, who frequented the center and was known to the staff, made a derogatory remark about the victim’s clothing, called the victim a “faggot,” then punched the victim four times in the head. The victim was able to fight him off and was not seriously injured.

In addition to the jail time, McQueen is ordered to stay away from the homeless center as a condition of his probation.

This case was prosecuted by Deputy City Attorney Joseph Raskin of the Special Prosecutions Unit, under the supervision of Assistant City Attorney Paige Folkman, head of the Criminal Division.

The City Attorney's Office takes reports of hate crimes seriously, and urges victims and witnesses to report incidents to the San Diego Police Department, or directly to the City Attorney's Office at (619) 236-6220 or CityAttorney@sandiego.gov.

The City Attorney's Office participates in the San Diego Regional Hate Crimes Coalition, a group formed to unite law enforcement agencies with community-based organizations to tackle the issues presented by hate crimes in the community.

We can help you if you are or have been targeted because of your disability, gender, nationality, race or ethnicity, citizenship, immigration status, religion, gender identity, or sexual orientation by:

- Prosecuting the offender. Anyone committing a hate crime can be tried and, if convicted, potentially sentenced to jail or prison.
- Obtaining protective orders from the court. The court can issue a protective order to keep the defendant away from you or an order for the person to pay any attorney fees.
- Securing restitution for your losses. You may request reimbursement for money spent because of the crime including medical bills, property damage, lost wages, and other expenses.

Other resources:

- Contact 911 or go to a local hospital if you need immediate attention.
- File a complaint with the Department of Fair Employment and Housing [here](#) or by calling toll-free [800-884-1684](tel:800-884-1684) or TTY [800-700-2320](tel:800-700-2320).
- You can find additional resources online at the [San Diego Safe Place Program](#), [Anti-Defamation League](#), the [City of San Diego Human Relations Commission](#), or the [Fair Housing Council of San Diego](#).

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