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Philippines: Outrage as U.S. Marine pardoned for murdering transwoman

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Protest against pardon of U.S. marine who killed Jennifer Laude in Manila, Sept. 8.

All of Jennifer Laude’s friends called her “Ganda” or “Beauty” in Filipino. Laude’s friends described her as selfless, generous and confident about her sexuality. She was murdered for being a transwoman, and her murderer was never brought to justice because of the neocolonial relationship between the U.S. and the Philippines.

On Oct. 11, 2014, a custodial worker found Jennifer Laude dead in a motel bathroom, naked, her head shoved in a toilet, with strangle marks on her neck. Earlier that night, Joseph Scott Pemberton, a 19-year-old U.S. Marine, brought Jennifer to a motel in Olongapo City after meeting her at a bar. The doctor who performed the autopsy testified that she was beaten, strangled and drowned to death.

Over a year later, on the first day of December 2015, Pemberton was found guilty of homicide, not murder, and was sentenced to 6 to 12 years in prison, later reduced to a maximum of 10 years.

Because of the [Visiting Forces Agreement](#) between the Philippines and the U.S., Pemberton remained in U.S. custody throughout the trial proceedings, and spent his prison time on a U.S. military base, rather than in a Philippine prison.

On Sept. 8, 2020, only five years into his sentence, Philippine President Rodrigo Duterte granted Pemberton an absolute pardon. Days later, Pemberton was deported back to the U.S. Recent reports say that he is now stationed in Hawai'i.

LGBTQ2S rights organization Bahagari [released the following statement](#) condemning Duterte's pardon:

"Pemberton violently murdered our sister, transwoman Jennifer Laude, six years ago. Even with the admission of his brutal, hateful killing, the courts upheld that Pemberton's conviction was to be commuted from murder to homicide, for which he was sentenced to 6 to 12 years of imprisonment. That alone was a massive slap to Jennifer's family and the movement for justice for our slain sister.

"The feeble conviction set a terrible precedent for the LGBTQ+ community and the Filipino people: under the VFA, if a U.S. soldier brutally murders a transgender woman on Philippine soil, they would ultimately roam free after as little as six years of incarceration.

"In Pemberton's case, it was 'incarceration' in an exclusive Joint U.S. Military Assistance Group compound inside Camp Aguinaldo, where only American personnel and Philippine officials with clearance may enter. It is no stretch to assert that Pemberton has, in fact, been serving 'jail time' comfortably, at ease and with impunity.

“Pemberton’s release is two-pronged. Firstly, it represents the unfettered violence and injustice the LGBTQ+ community continues to face. Moreover, it symbolizes the Philippine government’s continued submission to U.S. imperialism. Justice for Jennifer cannot exist without both being decisively ended.

“Duterte suspended the VFA’s termination in exchange for military aid from the U.S., and for its support of the Anti-Terrorism Law. The VFA and ATL are, in fact, quid pro quo for continuing U.S. military aid for Duterte.

“Hence, we assert that the Visiting Forces Agreement, which has enabled and exacerbated injustice for Jennifer Laude to the greatest extent and which continues to serve as Duterte’s offering in his ploy for continued U.S. assistance, must be finally abolished to bring justice for our slain sister.”

