



SB46 – Crimes - Mitigation - Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

FAVORABLE

Professionally, I am the Legislative outreach coordinator for the ACLU of Maryland but today I am here representing the interests of Baltimore's black trans community, whose oppression is upheld by the trans panic defense.

Though the bill has been revised to include several other identity protections, I am here to specifically address the origins & consequences of this defense for my community. First, it is necessary to discuss passing & disclosure when we are unpacking this law. Passing means not being able to immediately identify a persons (LGBT) identity & therefore disclosure would then be the choice to share such personal information.

Disclosure should always be left to the discretion of the LGBT person in order to reduce already disproportionate violence.

This violence can occur intimately or in public depending partially on a persons relationship to passing. However, there is no certain way to end transphobia individually, instead transphobia is a collective problem of our society. Indeed, gender bias bleeds into homophobia & transphobia as easily as parents negatively reinforce feminine traits in their sons & masculine traits in their daughters.

This issue is deep reaching, though its highest consequences are for people like me, black trans women, who stand the most to lose from outing & other phobic violence. 4 years ago the murderer of Mia Henderson, the 26 year old victim of a brutal stabbing, was acquitted using this defense. Her death in 2014 was felt deeply in our community, as was the October 1996 murder of Anthony "Gabriel" Barnes by Charles Garney In Prince Georges county, Maryland.

The panic defense is at the extreme end of transphobia & homophobia & because it is only used long after violence has taken place its only purpose is to legitimize that violence. The real panic is the fear of being discovered in your natural state, that the peace of your passing be disturbed, the unrest in knowing that your offender would suffer less because of who you are.