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LEGISLATIVE TESTIMONY

Bill: HB 0231/SB 0046 Crimes – Mitigation – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

Organization: PFLAG Salisbury Inc., PO Box 5107, Salisbury Maryland 21802

Submitted by: Michèle Schlehofer, Legislative Chair

Position: **FAVORABLE**

SALISBURY PFLAG SUPPORTS HB 0231/ SB 0046

I am submitting this testimony in FAVOR of HB 0231 / SB 0046 on behalf of PFLAG Salisbury, the Salisbury, Maryland Chapter of PFLAG National. This legislation would make it illegal to use the LGBTQ+ (lesbian, gay, bisexual, transgender, or queer) “panic defense” as a legal strategy to reduce a sentence.

The “panic defense” is when a victim’s sexual orientation or gender identity/expression is blamed for causing a state of temporary insanity that resulted in committing assault or murder. It is designed to reduce jury perceptions of a defendant’s culpability for having committed a violent act.

According to the National LGBT Bar, panic defense strategies are rooted in homophobia and transphobia; not actual insanity. Panic disorder is not a legitimate psychosis: “Gay Panic Disorder” was removed from the Diagnostic and Statistical Manual of Mental Disorders in 1973.

Panic defense strategies imply that simply being LGBTQ+ is enough to justify violent attacks on victims. It implies that LGBTQ+ lives are of diminished value and less worthy of protecting from violent crime.

In order to move equality forward and ensure dignity of all citizens, Maryland must discontinue panic defense. HB 0231 / SB 0046 would send a powerful message to all Marylanders that homophobia, transphobia, racism, and xenophobia are inexcusable and have no home in the Free State. PFLAG Salisbury supports the bill and recommends a **FAVORABLE** report in committee.