



BALTIMORE POLICE DEPARTMENT



Brandon M. Scott
Mayor

Michael S. Harrison
Police Commissioner

TO: The Honorable Members of the Senate Judicial Proceedings Committee

FROM: Michelle Wirzberger, Esq., Director of Government Affairs, Baltimore Police Dept.

RE: Senate Bill 46 Crimes – Mitigation – Race, Color, National Origin, Sex, Gender Identity, or Sexual Orientation

DATE: February 4, 2021

POSITION: SUPPORT

Chair Smith, Vice-Chair Waldstreicher, and members of the Judicial Proceedings Committee, please be advised that the Baltimore Police Department (BPD) **supports** Senate Bill 46.

Senate Bill 46 prevents a victim's gender identity and other protected identities from being used to mitigate criminal charges against the accused perpetrator(s) of violence. This bill advances equity for marginalized populations, many of whom have built strong communities in Baltimore City.

Transgender and gender nonconforming people are individuals whose gender identities, expressions, and or lived experiences differ from or transcend the sex they were assigned at birth.¹ Members of this marginalized population face anti-transgender bias, stigma, and systemic exclusion that lead to increased risk of exposure to violence.² At times, this violence against transgender people is motivated by perpetrators' anti-trans bias. Unless Senate Bill 46 becomes law, perpetrators of violence against transgender people will continue to use the discovery of a person's gender identity to mitigate certain criminal charges. In effect, learning that a person is transgender could deem violence against her a lesser crime and therefore lessen the consequences for the perpetrator.

A victim's membership in a vulnerable population should not justify lesser charges against her alleged assailant. All members of Baltimore's diverse communities deserve equal protection under the law, and an equitable system of criminal justice.

BPD wholeheartedly supports that vision and has been diligent and intentional in its efforts to ensure that all members of the LGBTQ community are treated fairly, equitably and with dignity in all interactions they may have with BPD officers. To that end, we have updated departmental policies and training to ensure all members of the Department understand how to interact with transgender and gender nonconforming people and, just as important, to fully investigate all claims of crimes that have been perpetrated against members of the

¹ <https://hrc-prod-requests.s3-us-west-2.amazonaws.com/FatalViolence-2020Report-Final.pdf?mtime=20201119101455&focal=none>

² <https://transgender.or.ke/wp-content/uploads/2019/01/Violence-Against-Transgende-People.pdf>

community, with special attention paid to allegations of hate/bias incidents. If you are interested, you can review our policy # 720 entitled Interactions with LGBTQ Individuals at: <https://www.powerdms.com/public/BALTIMOREMD/documents/349766>. We have trained the entire department on these new standards and as such, it will go into effect within the next few weeks.

Therefore, the Baltimore Police Department respectfully requests a **favorable** report on Senate Bill 46.