

Oral Testimony in support of HB369: “Thank you Delegate Belcastro for sponsoring HB369, and thank you committee members who are here today to hear our stories. Honorable Delegates, my name is Rachel Rene Smith. I live in District 44B, my pronouns are “they/them” and “she/her”, and I am privileged to be here speaking with you today, to represent myself, my loving wife of ten years, our three beautiful children, and LGBTQ families like ours. About me: I came out to my wife as transgender in 2016. In 2019, I obtained a court order that changed my legal name and gender. The Circuit Court granted my request that the record be sealed. Or so I thought. Because I was then required to provide the court order: to Vital Records to change my birth certificate and our children’s birth certificates; to their Elementary school and daycare facility; to my wife’s employer-based health insurance policies. In six years, my wife and I changed jobs five times. Each time, we had to submit the sealed court order, to explain why our 2011 marriage certificate displays my former legal name, and lists my former gender as the “Man”. With each moment of confusion, I felt sad and afraid for my safety, and the safety of my family. So I called the Baltimore City department for marriage licenses. The Clerk said there is no legal way to amend or issue a new marriage certificate: it is a historical document, certified by the Clerk of Circuit Court under legal oath, to verify that the information contained in it was correct at the time of the marriage. I explained that a State birth certificate is also a certified historical document, and that the Circuit Court ordered mine be changed. The Clerk then recommended that I call the Attorney General’s office and ask them to change our State law. Presently, Maryland law requires transgender families to “out” ourselves every time we have to show our marriage certificate. This is dangerous, and sends a message to hard-working families that Maryland is not really open for business. Please support families and vote your support for HB369. Thank you.

Written Biography: I have worked with children and families as a Licensed Clinical Social Worker for about 11 years in the State of Maryland. I am employed full-time as a Behavioral Health Therapist in the Behavioral Health Department at Chase Brexton Health Care where I have served for the past 3 years, and before that I worked at Johns Hopkins Hospital Children’s Center, in the Child Psychiatric Day Hospital and Inpatient units, in East Baltimore City, Maryland for 2 and a half years. **Here I must insert the following disclaimer, that “I am not speaking on behalf of Chase Brexton or Johns Hopkins, and as such, the opinion that I express herein today are from my own experience, and do not necessarily reflect the institutional views of Johns Hopkins University or Johns Hopkins Health System.”** While working at Chase Brexton Health Care and at Johns Hopkins Hospital, I have witnessed the devastating effects of discrimination, bullying, and harassment of LGBTQ+ adults, youth, and their partners, spouses, and families. From mental and behavioral health problems, to negative physical health outcomes, the effects of society’s intolerance for gender variance is plain to see on the faces of our gender expansive youth. As a member of the Hospital's LGBTQ+ Task Force, which trains and equips hospital staff with skills and materials to help them better serve the LGBTQ+ community, I had the pleasure of working with a colleague to collect data for presentation on psychosocial factors impacting transgender individuals. This includes the fact that, again in 2018, one of the largest studies of transgender youth found that 1 out of 3 youths reported considering suicide due to societal treatment and family rejection. Or that 1 in 5 transgender individuals have experienced homelessness at some point in their lives, and may have limited access to accurate information. And that it is estimated that 20-40% of the more than 1.6 million homeless youth in America identify as LGBTQ. As a health care provider, one of my most pressing concerns remains that non-binary trans persons could lose their right to have a gender marker on their State ID reflects their true identity. It is imperative that states like Maryland, that value and treasure their trans and non-binary residents, take steps like passing SB0196 to encode and protect

the ability for persons to have documents that match our identity. An unspecified or gender neutral option will enable folks, including LGBTQ youth, to accurately self-attest to our gender on our applications for a Maryland ID or a driver's license, without suffering additional obstacles (as we may do in the offices of untrained health care providers, where they may face discrimination and health care disparities). Allowing marriage certificates to be reissued helps to protect transgender and nonbinary people, especially people of color, who need their marriage certificate when obtaining health coverage for their spouse or children, and when interacting with the MVA, passport office, and government offices, which are often inaccessible to those who are of low income, or who do not have any health insurance. Due to discrimination, LGBTQ+ persons are often counted among the uninsured: 19% of transgender individuals have reported living with no type of health insurance. Trans and non-binary persons live in a world that so often denies us the right to live as ourselves, and non-binary folks deserve to have access to accurate information for our gender marker on our marriage licenses, just as much as we have the right to have it for our State IDs in Maryland. Thank you so much for your time.

Rachel Rene Smith, LCSW-C, Maryland Social Work License # 15418