



TESTIMONY TO THE SENATE JUDICIAL PROCEEDINGS COMMITTEE

SB 761 - Transgender Respect, Agency, and Dignity Act

Position: Support

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The League of Women Voters is a nonpartisan organization that works to influence public policy through education and advocacy. The League's mission is to empower voters and defend democracy, which depends on equitable treatment and protections under law for all Americans, including LGBTQ people.¹

Despite protections mandated by the federal Prison Rape Elimination Act, incarcerated transgender people are significantly more likely to be victims of violence and sexual assault. Studies show that between 40-50% of transgender inmates have reported being sexually assaulted in prison—ten times the general prison population rate.^{2 3} Legislation and policies to protect incarcerated trans people have been enacted by states and jurisdictions in California, New York, Connecticut, Massachusetts, Washington DC, and Illinois.

This mistreatment often occurs when transgender inmates are not housed and searched based on their gender identity, or when they are held in solitary confinement, denied gender-affirming care, and harassed by prison staff. Current legal protections for transgender people in Maryland's prisons and jails are inadequate. In Maryland, there were at least seven reported instances of mistreatment of transgender inmates in 2021, including the death of Kim Wirtz and brutal attack of Amber Carter.^{4 5}

The Transgender Respect, Agency, and Dignity Act addresses documented practices by the Department of Public Safety and Correctional Services that subject transgender inmates to discrimination and mistreatment. The Act includes measures that ensure that transgender inmates are treated with respect, agency, and dignity, including prohibiting

¹ <https://www.lwv.org/league-urges-us-senate-pass-equality-act>

² https://www.lambdalegal.org/blog/20201125_transgender-people-prisons-jails

³ <https://srtp.org/files/warinhere.pdf>

⁴ <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-jail-death-20210316-mqt5ri5li5eufhqwy3so7mye7a-story.html>

⁵ <https://www.cbsnews.com/baltimore/news/transgender-inmate-sues-maryland-alleges-officer-placed-her-in-chokhold-dropped-her-on-face-at-central-booking/>



discrimination and harassment, requiring facilities to have written nondiscrimination policies, gender-sensitive intake and and search policies, and housing based on the inmates preference when possible.

The League's Criminal Justice Position states that "all correctional systems provide **humane, dignified, non-discriminatory treatment of incarcerated people** and personnel, including appropriate healthcare and access to community-based rehabilitation programs." The Transgender Respect, Agency, and Dignity Act protects the health and safety of this vulnerable community.

The League of Women Voters, Maryland, representing 1500+ concerned citizens throughout Maryland, strongly urges a favorable report on SB761.