



**Delaware-Maryland Synod**  
**Evangelical Lutheran Church in America**  
God's work. Our hands.

Testimony Prepared for the  
**Judicial Proceedings Committee**  
on  
**Senate Bill 761**  
March 15, 2023  
Position: **Favorable**

Mr. Chairman and members of the Committee, thank you for this opportunity to testify about the safety of individuals in the custody of the State of Maryland. I am Lee Hudson, assistant to the bishop for public policy in the Delaware-Maryland Synod, EvangeliChal Lutheran Church in America. We are a faith community located within every jurisdiction of our State.

Our assessment of the human, civil, and community effects of incarceration-as-criminal-punishment are shaped by both the experience with imprisonment in the long faith tradition (see, e.g., Is. 61:1c and Lk. 4:18b, II Cor. 11:23b and Matt. 25:36b) *and* our ministry projects inside prison walls. One of those projects is here in Maryland, the Community of St. Dysmas, an authorized worshipping congregation served by an ordained ELCA pastor. That community has been present on the inside of Maryland's correctional system since 1985.

The safety and humane treatment of incarcerated people is the responsibility of the State. When we researched and discussed criminal justice in the United States, one topic we identified for our concern was 'punishments within the punishment,' one of which is violence among the incarcerated. One kind of violence we specifically call out is sexual violence ("Criminal Justice," ELCA, 2013, pg. 26).

For that reason, we support **Senate Bill 761**, because it tasks the Department of Corrections, and those responsible for the administration and conduct of its facilities, to develop and practice standards and procedures for protecting these wards of the State, based on gender identity. Our prison pastor reports that her ministry does encounter such individuals and that their safety can be an issue within their imprisoned living conditions.

Our hope, and witness to this Committee, is that Maryland will not permit its prison system also to be a gender and identity punishment, too. So, we ask your favorable report.

Lee Hudson