



## **SB761, Correctional Facilities - Transgender, Nonbinary, and Intersex Inmates (Transgender Respect, Agency, and Dignity Act)**

### **Favorable**

I am a member of the Montgomery County Council, representing District 5. The full Council supports this bill, and I am additionally submitting this testimony on my own behalf, respectfully urging a favorable report on SB76. Thank you to Senator Jill Carter for championing this critical piece of legislation.

I'd like to first ensure that "local correctional facilities" are included under the bill language which references "correctional facilities." These standards must be applied evenly, and I have received varied legal opinions as to whether local facilities may fall through the cracks.

Transgender prisoners are victimized behind bars at rates higher than any other demographic group studied, according to the U.S. Bureau of Justice Statistics. That's one of the reasons the federal Prison Rape Elimination Act (PREA) standards are in place and should be stringently enforced. Unfortunately, Maryland is not currently compliant with PREA standards, a liability issue that leaves our most vulnerable incarcerated people at dramatically increased risk of harm.

Maryland holds the dishonor of being the first state where an incarcerated person has won individual relief for PREA violations. Sandy Brown, a transgender woman under the care of the Maryland Department of Public Safety and Correctional Services was taunted, harassed, and encouraged to commit suicide by guards. Charges were brought under PREA, and Brown was awarded \$5,000. That abuse occurred nearly a decade ago, and since the ruling, Maryland has remained non compliant with PREA standards and the allegations of harassment and assaults of transgender inmates in Maryland has continued.

Our continued failure in this regard is a stain on our state. Bill SB761 provides an opportunity to move onto the right side of history and federal law. I urge the Committee to ensure local correctional facilities are covered by this bill, and deliver a favorable report. Thank you.

Sincerely,

Kristin Mink