

The LGBT Bar
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January 21, 2020

Distinguished Members of the Judiciary Committee,

The National LGBT Bar Association strongly supports HB 81, which will repeal outdated sodomy laws in the state of Maryland.

The LGBT Bar is a national association of lawyers, judges and other legal professionals, law students, activists, and affiliated lesbian, gay, bisexual, and transgender legal organizations headquartered in Washington, D.C. The LGBT Bar promotes justice in and through the legal profession for the LGBTQ+ community in all its diversity.

In 2003, the United States Supreme Court ruled that laws criminalizing homosexuality, including anti-sodomy laws, are unconstitutional. In *Lawrence v. Texas* (2003), the court found that every American is entitled the right to privacy under the Due Process Clause of the 14th Amendment of the Constitution. This landmark case set the clear precedent that LGBTQ+ American are entitled to equal dignity in the eyes of the state and invalidated anti-sodomy laws across the nation.

Despite the ruling in *Lawrence*, many states, like Maryland, still have discriminatory anti-sodomy laws in place. While ineffectual, the continued presence of anti-sodomy laws like those HB 81 aims to repeal demonstrate a lack of support for LGBTQ+ residents. The language in these outdated laws distinctly implies that same-sex attraction and relationships are inherently deviant, repulsive, and inferior to heterosexual attraction and relationships. Sections 3-321 and 3-322 of the Annotated Code of Maryland perpetuate antiquated and bigoted beliefs that have no place in our modern society. The LGBT Bar knows such sentiments certainly have no place in Maryland.

Regardless of the effectiveness of such laws, their mere presence implicates that the state of Maryland values their LGBTQ+ residents less than their cisgender or heterosexual residents and promotes a culture of anti-LGBTQ+ rhetoric. In an age where transwomen of color are being assaulted and murdered at horrific rates, such oversight is simply inexcusable.

The LGBT Bar is confident that the Judiciary Committee and the great state of Maryland will vote in favor of HB 81 and in favor of LGBTQ+ equality.

D'Arcy Kemnitz
Executive Director