

Written Testimony in support of HB1203: "Thank you to Delegate Belcastro for sponsoring HB1203, 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 44, my pronouns are "they/them" and "she/her", and it is a privilege to be here speaking with you today as a member of the transgender and non-binary community. I am here to represent myself, my loving wife of nine years, our three beautiful children, and LGBTQ families like ours. I am here to express my family and community's concern that Maryland law governing marriage license presently requires Marylanders like myself, who have changed our legal name or gender after we were married, to out ourselves as transgender every time that we are required to present our marriage license: to our employers, to lawyers, to insurance companies, and to numerous government employees. I would like to share with you my story, and my family's experiences interacting with this law. Although I experienced discomfort with my gender from an early age, I came out to myself and to my wife as a nonbinary, transgender woman in 2016. Three years later, on June 26th, 2019, with the full support of my wife, and with the aid of volunteer lawyers organized by FreeState Justice, I finally obtained court orders to change my legal name and gender markers. After these changes, I pursued the tedious process of communicating these changes to many areas of my life, including but not limited to: my vital records and ID, social security, our three children's birth certificates, as well as on the insurance policies that protect me and my family: our health, dental, vision, disability insurances, our life insurance, car insurance, and professional liability insurance. I also pursued changing my name on all of the joint assets that my wife and I own together: the deed of our home, the MVA titles of our vehicles, our joint bank accounts and retirement accounts, as well as our public utilities. All of these items are in both of our names. My wife and I are both social workers, and in the past five years, we changed jobs a combined four (4) times. With each change of employment, with each annual renewal, change, or transfer of our employer-based health insurance plans, we have been required to submit and re-submit the vital records for everyone covered on our policies, as well as a copy of our marriage certificate. With each change, we were also required to submit a copy of my 2019 court order which showed the change of my name, in order to explain why our marriage certificate displayed my former legal name, and designated my gender as the "Man" in the marriage, all this despite the court record of these orders were sealed. With each moment of confusion or delay by insurers, government employees, or real property lawyers, I have felt awful, gender dysphoric, humiliated, exposed, depressed, and frustrated. Every vital document I own has been updated with my name, except for our marriage certificate. Shortly after my name change, I called the Baltimore City department for marriage licenses and the Clerk, after checking with her superiors, reported to me that there is no legal way to update my name or to issue a new a new certificate. The Clerk explained to me that a marriage certificate is a historical document, and its certification involves the Clerk of Circuit Court verifying, under legal oath, that the information contained in the certificate was correct at the time of the marriage. I explained that a State birth certificate is also a certified historical document, and that the court ordered that the birth certificate be changed. The Clerk recommended that I call the Attorney General's office and ask them to change the law. Please support HB1203. Maryland law governing marriage license presently requires its taxpayers who are transgender to out ourselves every time we are required to present our marriage license. This is unsafe, demoralizing, and sends the message to our state's hard-working families that Maryland is not really open for business.

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 Center for LGBTQ Equity at Chase Brexton Health Care for the past 2 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 License #15418

Rachel Rene Smith LCSW-C

DOB: 02/05/1976

Lic#
15418