

Testimony of the Human Trafficking Prevention Project

BILL NO: House Bill 47
TITLE: Education – Interscholastic and Intramural Junior Varsity and Varsity Teams – Designation Based on Sex (Fairness in Girls’ Sports Act)
COMMITTEE: Ways and Means
HEARING DATE: January 31, 2024
POSITION: **OPPOSE**

House Bill 47 would require public and private high schools to maintain single-sex sports teams, defines sex as biological, and creates a private right of action for students “deprived of an athletic opportunity” because of a violation of the law. [The Human Trafficking Prevention Project](#) strongly opposes this bill because it unfairly targets transgender girls, depriving them of the opportunity to participate in one of the most popular outlets for social support available to school-aged youth. Additionally, legislation such as this puts nonbinary, transgender, and gender-nonconforming youth at greater risk of exploitation by increasing the stigma, violence, and exploitation they so commonly face.

Efforts at raising public awareness about the crime of human trafficking commonly ignores the impact that gender identity and gender presentation has on a person's vulnerability to trafficking. The reality is that nonbinary, transgender, and gender non-conforming people are put at disproportionately higher risk of human trafficking because of the discrimination and isolation that they so often face,¹ which commonly translates into the hallmarks of heightened trafficking risk including interpersonal violence, financial instability, homelessness, and drug use.²

According to a national survey conducted by the Trevor Project, which captured the experiences of nearly 34,000 LGBTQ youth ages 13-24 across the United States, nearly 1 in 5 transgender and nonbinary youth attempted suicide within the past year.³ However, those youth who found their schools and communities to be more affirming of LGBTQ youth reported significantly lower rates of suicide than those youth who did not.⁴ HB 47, brought under the guise of “protecting” youth, instead compounds the harms our state’s most vulnerable youth already face, and, even worse, makes the state a willing participant in it.

In recent years, Maryland has begun to show its support for *preventing* human trafficking and other forms of violence and exploitation by addressing the societal challenges that make its citizens more vulnerable to exploitation. HB 47 would reverse this progress by *increasing* the stigma that nonbinary, transgender, and gender non-conforming youth face by depriving them of two of the most crucial aspects of adolescent development-connection with their peers and developing a sense of belonging within their communities. Additionally, in a time of unprecedented and unsubstantiated attacks on the rights of transgender people, it is crucial that Maryland stand up and say conclusively that policies driven by fear and intolerance have no place in our state. For these reasons, the Human Trafficking Prevention Project strongly opposes House Bill 47, and respectfully urges an unfavorable report.

For more information, please contact:
Jessica Emerson, LMSW, Esq.
Director, Human Trafficking Prevention Project
jemerson@ubalt.edu

¹ The Freedom Network, *Transphobia and Human Trafficking* (2024), <https://freedomnetworkusa.org/2022/03/31/transphobia-and-human-trafficking/> (highlighting that “[w]hen we talk about the fundamental causes of trafficking, we often focus on how people’s identities can make them vulnerable. However, we must make it clear that their identity does not make them inherently more susceptible to trafficking. Instead, the discrimination and inequities that they face every day create opportunities for traffickers, and transphobia is not an exception.”).

² See generally Meaghan Tomasiewicz, *Sex Trafficking of Transgender and Gender Nonconforming Youth in the United States* 5-8 (2018), <https://ecommons.luc.edu/cgi/viewcontent.cgi?article=1017&context=chrh>.

³ The Trevor Project, *2022 National Survey on LGBTQ Youth Mental Health* 4 (2022), https://www.thetrevorproject.org/survey-2022/assets/static/trevor01_2022survey_final.pdf.

⁴ *Id.*