

To: The Honorable Chair, Delegate Shane Pendergrass, and members of the Health and Government Operations Committee
From: Rachel White, JD, Child Welfare Policy Director
Re: **HB 130- Commission on LGBTQ Affairs**
Date: January 14, 2021
Position: **SUPPORT WITH AMENDMENTS**

Thank you for the opportunity to provide written testimony on HB 130 Commission on LGBTQ Affairs. Advocates for Children and Youth **supports this bill with amendments.**

HB 130 establishes the Commission on LGBTQ Affairs in the Governor's Office of Community Initiatives (GOCI). The commission must (1) assess the challenges facing lesbian, gay, bisexual, transgender, and queer (LGBTQ) communities; (2) collect data across State agencies on the implementation of LGBTQ-inclusive policies and complaints alleging discrimination based on sexual orientation or gender identity; (3) study and establish best practices for inclusion of LGBTQ individuals and communities; (4) work with local governments to pass laws that are inclusive of LGBTQ individuals; and (5) publish an annual report, and any other material the commission considers necessary, that includes recommendations on policies for LGBTQ adults and youth that work to end discriminatory practices in the State.

We support the premise of this bill entirely, but we would recommend amending the bill to include "gender expression" discrimination in the data that is collected as LGBTQ persons are also discriminated on this basis. Gender expression is defined as how a person publicly expresses or presents their gender. This can include behavior and outward appearance such as dress, hair, make-up, body language and voice. Including gender expression will make the data collected more robust and will improve targeted interventions.

Lastly, the bill mentions that discrimination data will be collected across state systems. We want to ensure that this includes the Department of Human Services as well. Youth who identify as LGBTQ+ in foster care have unique needs. Unfortunately, a high percentage of LGBT youth continue to experience verbal harassment or physical violence after they are placed in out-of-home care due to conflicts related to their sexual orientation or gender identity. Many LGBT youth experience multiple disrupted placements, compounding the trauma associated with leaving their families of origin and increasing the chances of homelessness. For these reasons, the Commission of LGBTQ Affairs should prioritize LGBTQ youth in foster care in their data collection and recommendations.

For the reasons stated above, we urge this committee to issue a favorable report with amendments on HB 130 to get a concrete understanding of the scope of the discrimination faced by LGBTQ youth and adults leading to the establishment of targeted interventions.