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Bill: HB0455
Title: State Personnel – Implicit Bias Awareness Training – Required
Date: February 4, 2022
Committee: Appropriations Committee
Position: Favorable

To the Esteemed Members of the Committee:

FreeState Justice is a Maryland lesbian, gay, bisexual, transgender, and queer (LGBTQ) legal services and advocacy organization. Each year, we provide free legal services hundreds of low-income LGBTQ Marylanders who could not otherwise be able to afford an attorney. We strive to create an equitable Maryland where LGBTQ Marylanders can live full lives with safety, dignity, and respect in all spaces. This requires concerted effort to remove implicit and unconscious biases to improve access and support for LGBTQ Marylanders across the State.

Despite significant advances in recent years, the LGBTQ community continues to face discrimination, harassment, and violence at rates significantly above state and national averages. Our 2016 state-wide Needs Assessment, *Pushing Back: A Blueprint for Change*¹, had **27.4% of respondents identifying street harassment, including physical assault, property damage, intimidation, and verbal harassment** as an urgent issue. Additionally, **56% of those in our Needs Assessment reported altering their daily routines** to minimize bias-related encounters. The needs assessment findings align with national reports exploring the impact of street harassment within LGBTQ populations. The Center for American Progress released a 2017 report sharing the findings of a national LGBTQ survey. The report highlighted the correlation between street harassment and social isolation. A significant number of respondents reported experiencing social isolation as a direct result of street harassment: 23.9% of LGBTQ people reported avoiding social situations due to fear of discrimination, and 12%

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¹ Pushing Back: A Blue Print for Change – Lesson Learned from the 2016 Needs Assessment of LGBTQ Marylanders (2018). Retrieved <https://freestate-justice.org/contact-us-2/needs-assessment/>.

FreeState Justice, Inc. (formerly FreeState Legal Project, Inc., merging with Equality Maryland) is a social justice organization that works through direct legal services, legislative and policy advocacy, and community engagement to enable Marylanders across the spectrum of lesbian, gay, bisexual, transgender, and queer identities to be free to live authentically, with safety and dignity, in all communities throughout our state.

avoided public places.² Another national study found that over half of the sample (57%) have heard slurs and/or offensive comments about their gender identity and/or sexual orientation.³ 51% of respondents reported being physically assaulted and sexually harassed.¹⁵

Beyond harassment & violence in public spaces, hate crimes based on sexual orientation and gender identity are the third most common type of hate crime following race, ethnicity, and ancestry (R/E/A) and religious incidents⁴.

Additionally, according to the Maryland State Police 2017 Hate/Bias Report, of 183 verified hate crimes committed in 2017, 21 were committed based on the victim's sexual orientation, with an additional 12 based on the victim's gender identity.⁵ In 2019, at least three Black trans women were killed in Maryland: Ashanti Carmon⁶ and Zoe Spears⁷ in Fairmount Heights, Prince George's County, and Bailey Reeves in Baltimore.⁸

Beyond violence, LGBTQ Marylanders report significant issues in accessing state-administered programs and services due to bias. In a recent focus group on homelessness services, one Baltimorean trans woman recounted a harrowing story of seeking immediate refuge from domestic violence at a State-run housing shelter, was denied access, had the police called on her, was arrested, and then returned to her perpetrator. This is just one of hundreds of stories and complaints we receive each year, with over 400 complaints in the last calendar year.

LGBTQ community continue to decry and denounce the lack of representation throughout our government. LGBTQ workers experience discrimination from employers at higher rates than the general population and are less likely to be promoted or attain positions of leadership. In Maryland, there is no data collection

² Center for American Progress, "Widespread Discrimination Continues to Shape LGBT People's Lives in Both Subtle and Significant Ways" . (2017). Retrieved <https://www.americanprogress.org/issues/lgbt/news/2017/05/02/429529/widespread-discrimination-continues-shape-lgbtpeoples-lives-subtle-significant-ways>

³ National Public Radio, the Robert Wood Johnson Foundation, and The Harvard T.H. Chan School of Public Health. Discrimination in America: Experiences and Views of LGBTQ Americans .(2017).

¹⁵ Ibid

⁴ FBI Releases 2019 Hate Crime Statistics (2019). US Department of Justice. Retrieved <https://www.justice.gov/hatecrimes/hate-crime-statistics>

⁵ Maryland State Police, State of Maryland 2017 Hate/Bias Report (Sept. 1, 2018) at 5, available at <http://www.mcac.maryland.gov/resources/2017%20Maryland%20Hate%20Bias%20Report.pdf>.

⁶ See Tim Fitzsimons, "'She did not deserve that': Trans woman fatally shot in Maryland," NBC News (April 1, 2019), available at <https://www.nbcnews.com/feature/nbc-out/she-did-not-deserve-trans-woman-fatally-shot-maryland-n989751>.

⁷ See Natalie Delgadillo, "Community Mourns Zoe Spears, Second Trans Woman Killed on Eastern Avenue This Year," DCist (June 17, 2019), available at <https://dcist.com/story/19/06/17/community-mourns-zoe-spears-second-trans-woman-killed-on-eastern-avenue-this-year/>.

⁸ See "At vigil for transgender teen killed in Baltimore, LGBTQ community stresses unity in face of violence," The Baltimore Sun (Sept. 6, 2019), available at <https://www.baltimoresun.com/news/crime/bs-md-ci-cr-17-year-old-transgender-teen-killed-20190907-dvsu63crwjf7pmqtub3rxzl3e-story.html>.

and no evidence of how many LGBTQ Marylanders are represented in our State government.

The violence, bias, hate, and lack of representation have left many LGBTQ Marylanders, especially transgender Marylanders, feeling under attack, ignored, or invisible. House Bill 455 would make a first huge step in improving the administration and accessibility of state-funded programs.

For this reason, FreeState Justice urges a favorable report on House Bill 455.

Sincerely,

A handwritten signature in cursive script that reads "Jeremy LaMaster".

Jeremy LaMaster (he/they)
Executive Director
FreeState Justice