



**TESTIMONY TO THE HOUSE JUDICIARY COMMITTEE**

**HB 453 Correctional Facilities—Transgender, Nonbinary, and Intersex Inmates—Transgender Respect, Agency and Dignity Act**

**POSITION: Support**

**BY: Nancy Soreng - LWVMD President**

**DATE: February 8, 2022**

The League of Women Voters is a nonpartisan organization that works to increase understanding of major public policy issues and influence public policy through education and advocacy. The League supports social policies that secure equal rights and equal opportunity for all, and that promote social and economic justice and the health and safety of all Americans. We are concerned about the increased sexual assaults suffered by transgender, [non binary and intersex] inmates compared to the general prison population. We are also concerned about the failure, in general, of correctional staff to address transgender, non binary, and intersex inmates by the pronouns they choose and correctional staff's failure to house inmates in accordance with the inmate's expressed gender preference.

Research has shown that transgender inmates are far more likely to experience violence and abuse behind bars compared to other populations. The Baltimore Sun reported a case in which a transgender woman who was housed with men feared for her life and was frequently belittled by correctional staff as well as the men with whom she was housed. Despite her expressed preference, correctional staff referred to her as "sir." Unfortunately, her experience is far too common.

HB 453 provides basic rights to transgender, non binary, and intersex inmates. It forbids correctional staff from discriminating against inmates based on



their gender identity<sup>1</sup>. It requires correctional staff to ask the inmate their gender identity and allows an inmate to refuse to respond to such a question. HB 453 also mandates that staff, contractors, and volunteers refer to inmates using the pronouns specified by them. Finally, HB 453 requires inmates to be housed in accordance with the inmate's preference, unless the Department can articulate a management or security concern. HB 453 simply allows transgender, non binary, and intersex inmates the dignity to be themselves and forbids others to dictate and disrespect their gender identity.

The LWVMD, representing 1500+ concerned citizens throughout Maryland, strongly urges a favorable report.

---

<sup>1</sup> HB 453 also prohibits correctional staff from discriminating against inmates based on the inmate's "race, ethnicity, religion, national origin, age, sex, sexual orientation, disability, pregnancy status or political beliefs."