



# Montgomery County

## Office of Intergovernmental Relations

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**SB 761**

**DATE: March 15, 2023**

**SPONSOR: Senator Carter**

**ASSIGNED TO: Judicial Proceedings**

**CONTACT PERSON: Sara Morningstar (Sara.Morningstar@montgomerycountymd.gov)**

**POSITION: SUPPORT**

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### **Correctional Facilities – Transgender, Nonbinary, and Intersex Inmates (Transgender Respect, Agency, and Dignity Act)**

Senate Bill 761 establishes gender-appropriate housing placement and search procedures during the initial intake of an inmate to a Maryland correctional facility. The facility must implement a written policy prohibiting discrimination on the basis of an inmate's race, ethnicity, religion, national origin, age, sex, gender identity, sexual orientation, disability, pregnancy status, or political beliefs. A private setting must be provided during the initial intake process, at which time a corrections officer will inquire about an inmate's gender identity and their preferred pronouns. The inmate must be informed, verbally and in writing, of their rights, and that the refusal to disclose required information will not be cause for discipline. Montgomery County supports this legislation.

Current law prohibits discrimination based on gender identity or sexual orientation. Despite what is on the books, during their incarceration, transgender inmates often endure high levels of harsh and violent treatment from both corrections staff and fellow inmates and suffer grueling periods of isolation. This must be acknowledged as something that will not be tolerated in Maryland and, under Senate Bill 761, uniform standards and procedures will be implemented to stop it.

Montgomery County urges the Judicial Proceedings Committee to adopt a favorable report on Senate Bill 761 that will help to restore dignity to the lives of transgender prisoners in Maryland.