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March 15, 2023

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SB 761 Correctional Facilities – Transgender, Nonbinary, and Intersex Inmates (Transgender Respect, Agency, and Dignity Act)

Position: FAVORABLE

Annapolis Pride's mission is to advocate for, empower, and celebrate our LGBTQ+ community in Anne Arundel County to live fully and authentically. Our vision is a safe, equitable, and anti-racist community where people of all identities thrive.

As such, the Board of Directors of Annapolis Pride enthusiastically supports Senate Bill 761, because it provides respect and agency for transgender, nonbinary and intersex individuals who are housed in correctional facilities and helps protect their health and safety. By requiring the Commissioner to add gender identity to the data collected about inmates and allowing inmates to specify their own gender identity, the inherent dignity of the affected people is acknowledged and preserved. Moreover, the bill's provisions for requiring a written policy of non-discrimination in correctional facilities and the prohibition of discriminatory actions by corrections employees are essential steps in ensuring the rights and respect of gender diverse individuals are preserved while they are engaged in the correctional system.

People who identify as LGBTQ+ are over-represented in the prison population and are at high risk for sexual abuse and harassment while incarcerated. People who are transgender, nonbinary, or intersex who are not allowed to self-identify can be particularly vulnerable if they are not housed according to their gender identity. The mental health of these individuals is also more fragile if they are not addressed by their proper names, genders, honorifics, etc. This bill, therefore, codifies protections for these individuals.

The provisions of this bill which require written policies and documentation will assist the legislature in its oversight capacity of Maryland corrections and ensure that the rights and dignity of all inmates are supported.

For these reasons, Annapolis Pride respectfully requests a favorable report on Senate Bill 761.