

Testimony of the Human Trafficking Prevention Project

BILL NO: Senate Bill 84
TITLE: Places of Public Accommodation and Public Buildings – Gender-Inclusive Signage
COMMITTEE: Judicial Proceedings
HEARING DATE: January 31, 2023
POSITION: **FAVORABLE**

Senate Bill 84 would require single-occupancy restrooms across the state to be designated with gender-neutral signage. The Human Trafficking Prevention Project at the University of Baltimore School of Law supports this bill because it will benefit nonbinary, transgender, and gender-nonconforming Marylanders, for whom using the restroom can be a particularly stressful experience. This small change will greatly reduce the stigma these individuals face, which, in turn, reduces their risk of being trafficked.

Efforts at raising public awareness about the crime of human trafficking commonly ignores the impact that gender identity and gender presentation has on a person's vulnerability to trafficking. The reality is that nonbinary, transgender, and gender non-conforming persons are disproportionately vulnerable to being trafficked because of the discrimination and isolation that they so often face, which commonly translates into the hallmarks of heightened trafficking risk including sexual assault, financial instability, homelessness, and drug addiction. One of the most common forms of discrimination that nonbinary, transgender, and gender non-conforming people face is that which comes with being forced to use a restroom that carrying a gender marker that does not match the person's lived gender experience, or, alternatively, attempting to use one that does.

Many nonbinary, transgender, and gender-nonconforming people have limited access to bathrooms because of the harassment, violence, and threat of arrest they face in both men's and women's bathrooms. Experiences like these typically drive affected individuals further into isolation, which is why so many nonbinary, transgender, and gender non-conforming people exist on the margins of society where they face a far greater risk of exploitation. The availability of gender-neutral single-stall bathrooms ought to be commonplace here in Maryland, because being able to use the bathroom without the threat of violence or harassment is a human right, not a privilege.

Since 2019, Baltimore City has had a similar ordinance, which has required single-occupancy restrooms to be labeled with gender neutral signage. After more than three years of implementation, there have been no unforeseen consequences, no rush of frivolous lawsuits against places of public accommodation, and no wave of sex-related crimes. This has also been the case in the multiple other jurisdictions that have implemented similar laws, including the District of Columbia, New York City, or Philadelphia, all of which have been in place since 2016. Indeed, DC's Municipal Rule 4-802 has been in place since 2006, without issue.

In recent years, Maryland has begun to show its support for *preventing* human trafficking by addressing the societal challenges that make Marylanders more vulnerable to being trafficked. SB 84 would further this goal by reducing the stigma that nonbinary, transgender, and gender non-conforming persons face every time they have to use a public restroom, which would, in turn, affirm the humanity of these individuals, making them less vulnerable to the harms that so commonly precede a trafficking experience. Additionally, in a time of unprecedented and unsubstantiated attacks on the rights of transgender people, it is crucial that Maryland stand up and say conclusively that hate has no place in our state. For these reasons, the Human Trafficking Prevention Project supports Senate Bill 84, and respectfully urges a favorable report.