

MARYLAND HOUSE HEALTH AND
GOVERNMENT OPERATIONS COMMITTEE

TESTIMONY OF MARYLAND VOLUNTEER LAWYERS SERVICE
IN SUPPORT OF CERTIFICATES OF BIRTH, LICENSES, AND IDENTIFICATION CARDS
- SEX DESIGNATION (BIRTH CERTIFICATE MODERNIZATION ACT)

February 21, 2025

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Chair Pena-Melnyk and distinguished members of the Committee, thank you for the opportunity to testify in support of House Bill Senate Bill 1368.

My name is Heather Heiman, and I am an attorney with Maryland Volunteer Lawyers Service (MVLS) and manager of MVLS' partnership with the Human Trafficking Prevention Project (HTPP). MVLS is the oldest and largest pro bono civil legal service provider to low-income Marylanders. Since MVLS' founding in 1981, our statewide panel of over 1,700 volunteers has provided free legal services to over 100,000 Marylanders in a wide range of civil legal matters. In FY24, MVLS volunteers and staff lawyers placed and closed 2,950 cases, providing legal services to 6,135 clients and immediate family members across the state.

In FY17, MVLS began a partnership with the Human Trafficking Prevention Project, a co-grant project funded through the Governor's Office of Crime, Control, and Prevention (GOCCP). Through this partnership, MVLS provides pro bono post-conviction relief such as expungement, shielding, and vacatur, as well as assistance with consumer, housing, and family law matters to those who meet the legal definition of a victim of human trafficking, and others who are put at high risk for exploitation. Since the inception of the partnership, MVLS has served over 300 individuals who were survivors of human trafficking or placed at high risk for exploitation, including transgender and gender-nonconforming clients.

Transgender and gender non-conforming people often face discrimination, isolation, and threats of or actual violence, with such marginalization placing them at increased risk of targeting and exploitation by traffickers. Risk of discrimination and abuse is heightened when transgender and gender non-conforming people are forced to show identification carrying a gender marker that does not match the person's lived gender experience.

Having to produce this type of identification essentially "outs" a transgender or gender non-conforming person in any situation where they need to show their identification, such as while traveling, applying for jobs or educational opportunities, entering certain public establishments, or obtaining government or other benefits that require proof of identity.

As detailed in chapter six of the [Report of the 2015 U.S. Transgender Survey](#), this can further expose trans- and gender non-conforming people to a variety of problematic and often dangerous outcomes, such as unnecessary scrutiny by law enforcement, denial of housing, employment, healthcare or public benefits, verbal harassment, and physical violence. Experiences like these may drive affected individuals into isolation and force them to exist on the margins of society, where they face a far greater risk of exploitation.

House Bill 1368 would bring gender marker policies at the Maryland Department of Health Vital Statistics Administration in line with those followed by other state agencies, easing the administrative burden for those Marylanders seeking to access a new, updated birth certificate in the state. Maryland Volunteer Lawyers Service supports this bill because it will make it easier for transgender and gender non-conforming people to obtain identity documents that match their gender identity. This small change will greatly reduce the stigma they face, which, in turn, reduces their risk of being trafficked.

For these reasons, MVLS supports House Bill 1368, and we respectfully urge a favorable report.