

Testimony for the Trans Panic Defense Ban  
HB 4657 from Rep Curran  
From D Anderson, Minneapolis Resident  
Pronouns: they/them

I am a trans masculine non-binary Minnesotan. Banning the trans panic defense is important to me as a trans Minnesotan because it protects my community from the further indignity of our identity being used as a mitigating factor in court. People who commit violence against LGBT individuals who then invoke the panic defense often see their sentences lessened and charges downgraded, as though the fact that a person was allegedly scared by us somehow negates the great harm done.

Panic defenses functionally treat LGBT individuals as second-class citizens, as though killing members of our community can be mitigated because we did not behave in perfect ways or disclose everything about our bodies upfront. We should be able to negotiate the dating world without fear of violence and without the added fear that if we are murdered, we will be blamed for "provoking" it by our mere existence.

As a trans masculine person, I do not face nearly the level of hatred that my trans sisters do when out in the world. But I still operate with a level of fear that if a person sees the scars on my chest or assumes something of my gender that does not match up with reality, I will be blamed for not sharing or not "being honest" about my body. This extra level of humiliation that trans victims of violence are subjected to is dehumanizing and has no place as a mitigating factor in the violence done against us.

Allowing this panic defense to exist creates a secondary justice system - one which blames victims of violence for the harms done to them. It says to the LGBT community that we cannot trust the courts and prosecutors - who are there to stand in for us when we are victims of crime - because they do not view us as fully human beings worthy of protection under the law. It is beyond time for Minnesota to ban this archaic homophobic and transphobic form of defense.