

**3/20/2024**

**HF4657 Testimony**

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Thank you Chair Moller, Vice Chair Feist, members of the Public Safety Finance and Policy Committee and Rep. Curran for the opportunity to testify today.

My name is Amber Muhm. I work at The Aliveness Project as an HIV Outreach & Prevention Specialist, a Trans Community Specialist and as a co-lead of our trans feminine support group Tea Time, and I'm a proud transgender woman and mother of two trans kids here today in support of HF 4657.

Our country is currently experiencing a terrifying increase in anti-LGBTQ+ and specifically anti-transgender violence, which is what my testimony will focus on. According to data from the Human Rights Campaign<sup>1</sup>, at least 335 trans and gender nonconforming people since 2013 have been documented as victims of fatal violence in the United States, with a staggering 51% (171) of those deaths occurring in the past four years. Trans women of color are particularly targeted, comprising 85% of the 10 year case total with 69% occurring against black trans women specifically. The HRC has classified these an "epidemic of violence" and asserts that this number is likely much, much higher. A study by the UCLA's Williams Institute<sup>2</sup> found that transgender people are four times more likely to experience violent victimization when compared to cisgender people. This is sadly a local issue; in Minnesota last year we had three high profile cases of anti-trans violence resulting in a mass shooting, two deaths and a ripple effect of fear throughout the local trans community.

As transgender Minnesotans, we know that the trans panic defense is still legal in our state and that it can potentially be used by our killers to evade justice and further disrespect our dead. According to the Williams Institute study I referenced earlier<sup>3</sup>, the LGBTQ+ panic defense has been used 104 times in 35 states since the 1960s, resulting in 33% of cases having charges reduced. For decades we have been subject to this abhorrent victim blaming, with courts allowing our assaulters and murderers to weaponize our gender identities and sexual orientations to avoid the full consequences of the harm they cause us. This is not a hypothetical legal debate; trans panic defenses are a known and effective legal strategy, and unless we act now they will continue to be used against us.

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<sup>1</sup> The Epidemic of Violence Against the Transgender and Gender Non-Conforming Community in the United States - HRC Digital Reports

<sup>2</sup> Gay and trans panic defenses continue to be used in court cases in many US states - Williams Institute (ucla.edu)

<sup>3</sup> Gay and trans panic defenses continue to be used in court cases in many US states - Williams Institute (ucla.edu)

Despite our state's history of LGBTQ+ legislative victories, there is one glaring omission: out of the 12 states that have passed trans refuge laws<sup>4</sup>, only two have not also banned the trans panic defense: Maryland and Minnesota<sup>5</sup>. As a trans woman and community organizer this is insulting, infuriating and frankly unacceptable. How can we call ourselves a refuge for trans folks if such an obvious inequity of justice is still possible? How is it that in the 25 years since Matthew Shepard's horrific murder we are still having this debate? Why is our mere existence so "controversial" that we are denied basic legal equity, even in death? How many of us have to be slaughtered in cold blood, our bodies left to rot on alleyway concrete before we take action and address this issue? How many grieving families have to be further traumatized in needlessly drawn out legal proceedings? Enough is enough. Trans panic defenses are a barbaric misuse of our legal system, further stigmatizing an already vulnerable minority population and perpetuating violent queerphobic, transphobic and transmisogynistic rhetoric. Trans refuge needs to be an ongoing commitment, a continued effort to ensure that those who come within our borders seeking safety and support receive it. Minnesotans, both lifelong and newly welcomed, deserve better than this. HF4657 is critical civil rights legislation and deserves to move forward. The trans community is watching.

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<sup>4</sup> Movement Advancement Project | Transgender Healthcare "Shield" Laws ([lgbtmap.org](http://lgbtmap.org))

<sup>5</sup> Movement Advancement Project | Gay/Trans Panic Defense Bans ([lgbtmap.org](http://lgbtmap.org))