

Joelle Maslak
Golden, CO 80401
jmaslak@antelope.net

May 25, 2019

Senate Judiciary Committee
Colorado Senate
200 E. Colfax RM 346
Denver, CO 80203

Dear Senate Judiciary Committee Members:

I wish to testify IN SUPPORT of HB20-1307 (ban on gay panic or transgender panic defense) for the hearing on MAY 26, 2019. In particular, I wish to write about how it would impact transgender people. I am doing so in my personal capacity and because of my volunteer work helping to support other transgender people. I am not representing any company or organization.

A frequent topic of discussion in trans support groups is our interactions with the court system. Like any group of people, we have the potential to be the victim of a crime, a witness to a crime, or someone who is accused of committing a crime. Every aspect of interaction with the criminal justice system, in any of these three capacities, is terrifying for many trans people. We deserve the same justice others get in the court system, but we do not always get that justice, in large part because of a persistent bias - that we are somehow less trustworthy or more deceitful, despite no evidence showing this. This bill addresses one part of that bias.

Last year, I was the victim of a sexual crime. I believe I was targeted on the basis of my gender identity. There were multiple reasons I did not report this crime to police - first, I wasn't sure I could trust the police to be respectful of me as a victim. While this bill would not address the treatment of trans people by police, the second problem is relevant to this bill: what would the trial look like, if my report resulted in a prosecution? Certainly I expected my testimony would be relevant to that trial. But what I did not want to do, despite being open about my identity, is to face dismissal of the seriousness of the crime because of my identity. I was, and still am, not convinced that the State of Colorado court system could treat a transgender victim with the appropriate sensitivity.

While this bill will not solve the inequality of the criminal court system in Colorado, it's an important and necessary step in that direction. It could help victims come forward because it is a very strong statement by the Colorado Legislature, if passed, that Colorado will not tolerate attacks against transgender people by the court process.

Sincerely,

Joelle Tori Maslak