



Planned Parenthood of Southern New England

**Testimony of Gretchen Raffa, MSW  
Director, Public Policy, Advocacy & Strategic Engagement  
Planned Parenthood of Southern New England, Inc.**

**In support of Senate Bill 58 *An Act Concerning Gay and Transgender Panic Defense*  
March 29, 2019**

Good afternoon Senator Winfield, Representative Stafstrom and honorable members of the Judiciary Committee. My name is Gretchen Raffa, Director of Public Policy, Advocacy & Strategic Engagement at Planned Parenthood of Southern New England testifying in support of *Senate Bill 58 An Act Concerning Gay and Transgender Panic Defense*. Planned Parenthood of Southern New England serves over 60,000 patients yearly for reproductive and sexual health services in 16 health centers across the state. As a health care provider and advocate, Planned Parenthood's top priority is ensuring that all individuals have access to the health care and information they need, including the full range of reproductive health services and education, to make positive sexual and reproductive health decisions. We understand how important it is for all people to have access to high-quality, nonjudgmental health care that affirms their identity, their family, and their sexuality — as well as the ability and resources to make their own health care decisions with dignity.

Planned Parenthood believes that reproductive rights are deeply connected to LGBTQ rights and we are proud to be a provider for so many in the LGBTQ+ communities. People achieve reproductive freedom when they have full autonomy over their bodies and lives – this not only includes access to health care, but it is the ability to live without fear of harm from discriminatory policies. We believe that the ability to access health care is a basic human right and we must work to eliminate unnecessary hurdles or barriers for people to access that care. We are committed to making our world a place where no one experiences discrimination or violence because of their gender identity, gender expression, or sexual orientation and Senate Bill 58 is an important anti-bias policy that would be a helpful improvement to state law.

Despite the progress made in LGBTQ rights, archaic legislation at all levels of government continues to threaten LGBTQ people's ability to access health care, raise their families, and live their most authentic lives. We are seeing truly appalling bills across the country and administrative rules and rhetoric from the Federal government targeting the LGBTQ communities, especially transgender and gender nonconforming people, and repeated attempts to undo the nearly half-century of progress by LGBTQ activists in the fight for civil rights, justice, and equality.

The gay and trans “panic” defense is a legal strategy which asks a jury to find that a victim's sexual orientation or gender identity is to blame for the defendant's violent reaction, including murder. It is not a free-standing defense to criminal liability, but rather a legal tactic which is used to bolster other defenses. When the defense is employed, the perpetrator claims that their victim's sexual orientation or gender identity not only explain – but excuse – their loss of self-control and subsequent assault. By fully or partially acquitting the perpetrators of crimes against LGBTQ+ victims, these defenses imply that LGBTQ+ lives are worth less than others.<sup>i</sup> In one of the most recognized cases in 1998, Matthew Shepard, a 21-year-old college student, was beaten to death by two men and the men attempted to use the gay “panic” defense to excuse their actions. These defenses are rooted in homophobia and transphobia and a policy to prohibit the use of this defense will be one way to remove bias from the courtroom.

Connecticut lawmakers have been a leader in securing legal rights and protections for LGBTQ people in our state over the last several decades. S.B. 58 prohibiting the use of gay and transgender panic as a criminal defense is one more policy that will help further protect against the bias and discrimination LGBTQ people face in our state. In 2013, the American Bar Association unanimously approved a resolution calling for state legislatures to eliminate the gay and trans panic defenses through legislation.<sup>ii</sup> We would be following the states of California, Illinois, and Rhode Island who have banned such defenses and five other states have bills in their legislatures this year. Planned Parenthood supports SB 58 and will continue to fight for policies that protect the rights of all people to ensure our patients and our communities have what they need to live healthy, safer and self-determined lives. Thank you for your consideration of this bill.

<sup>i</sup> <https://lgbtbar.org/programs/advocacy/gay-trans-panic-defense/>

<sup>ii</sup> American Bar Association, *Gay and Trans Panic Defenses Resolution (2013)*, available at <http://lgbtbar.org/wp-content/uploads/2014/02/Gay-and-Trans-Panic-Defenses-Resolution.pdf>.