Good morning. My name is Jordan Blair Woods and I am a law fellow at the Williams Institute on Sexual Orientation and Gender Identity Law and Public Policy. The Williams Institute advances sexual orientation and gender identity law and public policy through rigorous independent research and scholarship. Many of our prior reports have found that lesbian, gay, bisexual, and transgender people are frequent targets of violent crime, including homicide. For a long time, society condoned such violence.

The gay and trans panic defense accepts the idea that an ordinary person would act rashly and kill a person in the heat of passion simply upon discovering that a person is LGBT. The defense is rooted in irrational and deep-seated fears of homophobia and transphobia.

In eliminating the defense, the bill has meaningful consequences for how defendants who kill LGBT people based on these irrational fears are punished. Along with California’s existing hate crime law, this bill communicates a vital message that the state does not condone violence that targets LGBT people.

Panic defense did not appear until the late-1960s, and relies on outdated ideas that homosexuality and gender nonconformity are mental diseases. The defense has been already eliminated in some states, and has never appeared in court opinions in over two-thirds of the states.

For these reasons, the American Bar Association recently undertook a comprehensive process in looking at gay panic defenses and adopted a resolution to curtail gay and trans panic defenses through state legislatures. This bill is carefully modeled on their approach.

Thank you.