



**Proponent testimony submitted to the
Ohio House Government Accountability & Oversight Committee
House Bill 160: Ohio Fairness Act
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Chair Blessing III, Vice Chair Reineke, Ranking Minority Member Clyde, and Members of the House Government Accountability and Oversight Committee, thank you for the opportunity to provide testimony in support of House Bill 160. As Ohio's statewide coalition, the Ohio Alliance to End Sexual Violence (OAESV) advocates for comprehensive responses and rape crisis services for survivors and empowers communities to prevent sexual violence.

House Bill 160 seeks to establish the Ohio Fairness Act, which would prohibit discriminatory practices on the basis of sexual orientation, gender identity, or gender expression. Fifty-nine years ago, the Ohio General Assembly passed the Civil Rights Act of 1959 to "prevent and eliminate the practice of discrimination in employment against persons because of their race, color, religion, national origin, or ancestry." The act also guaranteed fair access to public facilities and private businesses. The General Assembly recognized that it was not right for Ohioans to suffer discrimination based on the color of their skin. They recognized that people of color were and are human beings. Gay and transgender individuals are also human beings. They lived in Ohio and contributed to society in 1959, and they do so today.

Our state and our nation have a long way to go to achieve true racial equality, but without the backbone of public policy to legally prohibit discrimination, we could never dream of achieving it at all. House Bill 160 is that foundational step for the protection of LGBTQ Ohioans, and in the year 2018, it is past due.

From the standpoint of sexual violence and our work to support survivors, the Ohio Alliance to End Sexual Violence supports House Bill 160 for a number of reasons:

First, LGBTQ people face higher rates of poverty, stigma, and marginalization, which put them at greater risk for sexual assault. Additionally, they face higher rates of hate-motivated violence, which often takes the form of sexual assault.ⁱ Transgender women are 4.3 times more likely to be murdered than cisgender women, and at least 87% of those murders are of trans women of color.ⁱⁱ

While House Bill 160 would not correct the deeply-entrenched systemic problems that threaten the lives and well-being of LGBTQ individuals, it would establish a basic foundation for an Ohio that recognizes their worth as human beings and their right to participate freely in society. We cannot advocate for the prevention of sexual violence if we cannot first acknowledge the humanity of those who are victimized.

Secondly, LGBTQ survivors of sexual violence face discrimination when attempting to access the criminal justice system and supportive services. In a survey administered by the National Coalition of Anti-Violence Programs, 85% of respondents reported having worked with an LGBTQ survivor who was denied services because of their sexual orientation or gender identity. Such services include domestic violence shelters, housing accommodations, healthcare, health insurance, chemical dependency treatment, and mental health services. No one who is sexually assaulted should be denied access to these services following their victimization.

Lastly, House Bill 160 would support multidisciplinary efforts to prevent sexual violence. Preventing any crime requires that anyone who may be victimized by that crime is afforded basic rights and protections under the law – the same that other individuals in society enjoy. We cannot promote the value of protecting the lives, safety, and well-being of LGBTQ people if we are unwilling to legally acknowledge their right to live, learn, and work free from discrimination.

Many years ago while working as a rape crisis advocate, I witnessed an egregious act of discrimination that deeply affected me and has influenced my work ever since. I believe sharing it with you today will help you understand the deeply demeaning and life-threatening impact acts of LGBTQ discrimination have on the victim. I was at a hospital emergency department supporting a survivor through the rape exam process who self-identified as a lesbian. Having very short hair and a traditional masculine appearance, she was immediately treated with disdain by the hospital staff. When the exam was over, she and I both overheard a conversation just outside the exam room door between the ER nurse assigned to the victim and the police officer who had been called to pick up the rape kit. The police officer said to the nurse, “So, I assume this isn’t even worth my time?” to which the nurse responded, “Definitely not. If it weren’t for her tattoo saying ‘Daddy’s girl,’ I wouldn’t even know she was a she.” They both laughed. The victim ran from the exam room and out of the hospital – crying, humiliated, and victimized a second time. Needless to say, her rape was never investigated, her rapist never brought to justice, and her faith in the professionals and systems that are supposed to help victims shattered forever. These consequences were needless, arising entirely from discrimination that this survivor did not deserve to suffer.

If enacted, House Bill 160 will not change hearts or minds. It will not prevent professionals or business owners from treating LGBTQ people like second-class citizens just because they are required to serve them. As any person of color would surely attest, anti-discrimination laws don’t cure bias or hate. What House Bill 160 would do is recognize that whether or not anyone likes or

agrees with how they choose to live their lives, LGBTQ individuals are human beings and being gay or transgender is not against the law. They contribute as much value to our society as any other demographic in this state, and it is well past time that we acknowledge their worth as citizens and accept our shared humanity. The Ohio General Assembly did what's right in 1959. I'm confident it can do it again in 2018.

Thank you for the opportunity to submit this testimony. I welcome any questions the committee members may have.

ⁱ Human Rights Watch: Sexual Assault and the LGBTQ Community. Retrieved from:

<https://www.hrc.org/resources/sexual-assault-and-the-lgbt-community>

ⁱⁱ Human Rights Campaign and Trans People of Color Coalition. "Addressing Ant-Transgender Violence." Retrieved from: <http://assets2.hrc.org/files/assets/resources/HRC-AntiTransgenderViolence-0519.pdf>