



GOVERNMENT OF THE DISTRICT OF COLUMBIA
Dupont Circle Advisory Neighborhood Commission 2B

August 29, 2019

Councilmember Charles Allen
Chair, Committee on the Judiciary and Public Safety
Council of the District of Columbia
1350 Pennsylvania Avenue NW, Suite 110
Washington, DC 20004
callen@dccouncil.us

RE: Reintroduction of DC Council Bill B22-0102 – the “Secure A Fair and Equitable Trial Act of 2017”

Dear Councilmember Allen:

At its regular meeting on August 14, 2019, the Dupont Circle Advisory Neighborhood Commission (“ANC 2B” or “Commission”) considered the above-referenced matter. With 9 of 9 Commissioners in attendance, a quorum at a duly-noticed public meeting, the Commission approved the following resolution by a vote of (9-0-0):

WHEREAS, 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,

WHEREAS, when the defense is employed, the perpetrator claims that their victim’s sexual orientation or gender identity not only explains – but excuses – their loss of self-control and subsequent assault,

WHEREAS, by arguing to fully or partially acquit the perpetrators of crimes against LGBTQ victims because of sexual orientation or gender identity, these defenses imply that LGBTQ lives are worth less than others,

WHEREAS, the legislation being supported here would require that upon the request of either the prosecutor or the defendant, the court would instruct the jury against letting bias, sympathy, prejudice, or public opinion influence its decision. It also would establish limits on defenses that seek to excuse violence on the basis of a victim’s identity,

WHEREAS, in June of 2019 New York became the sixth state to ban the gay and trans “panic” defense, as millions of revelers celebrated WorldPride in Manhattan – joining California, Illinois, Rhode Island, Nevada, and Connecticut as states that currently have this law, and

WHEREAS, the murders of Ashanti Carmon and Zoe Spears, two DC transgender women of color, within weeks of one another and other recent acts of violence against members of the LGBTQ community clearly underscore the need for this type of legislation.

THEREFORE, BE IT RESOLVED that ANC 2B urges the DC Council to reintroduce and support the "Secure A Fair and Equitable Trial Act of 2017" to ban the use of the "gay panic" or "trans panic" defense in DC Courts.

Commissioners Randy Downs (2B05@anc.dc.gov) and Daniel Warwick (2B02@anc.dc.gov) are the Commission's representatives in this matter.

ON BEHALF OF THE COMMISSION.

Sincerely,

A handwritten signature in blue ink that reads "Daniel Warwick". The signature is written in a cursive, flowing style.

Daniel Warwick
Chair