

April 2, 2018

The Honorable Scott Wiener
Senator, 11th District
State Capitol, Room 4066
Sacramento, CA 95814-4900

RE: SB 990 (Wiener) – SUPPORT

Dear Senator Wiener,

Bay Area Lawyer's for Individual Freedom (BALIF) is pleased to support SB 990. If passed, SB 990 will ensure that the dignity and identity of transgender people are honored in incarceration settings and that LGBTQI people and others at high risk of sexual assault and harassment have an equal opportunity to access rehabilitative, educational and work programs that will help them succeed upon release.

BALIF is the San Francisco Bay Area's bar association of lesbian, gay, bisexual, transgender, queer and intersex (LGBTQI) persons in the field of law. BALIF takes action on questions of law and justice that affect the LGBTQI community; strengthens professional and social ties among LGBTQI members of the legal profession; builds coalitions with other legal organizations to combat all forms of discrimination; promotes the appointment of LGBTQI attorneys to the judiciary, public agencies and commissions in the Bay Area; funds scholarships for LGBTQI laws students and fellowships for public interest lawyers working on LGBTQI issues, and provides a forum for the exchange of ideas and information of concern to members of the LGBTQI legal community.

Due to circumstances outside of their control, LGBTQI people are typically at much greater risk for sexual victimization and other forms of assault or harassment in custody. Because of this, prison and jail staff often remove LGBTQI people from the general population and house them with limited or no access to rehabilitative programming, educational programming, religious programming and work opportunities which are critical for successful rehabilitation and for earning credits towards release. As a result, LGBTQI people experience more isolation, spend more time in custody, and leave custody less prepared to succeed. Transgender incarcerated individuals suffer the additional indignity of not having the opportunity to affirm their own gender identity when entering a facility. Current law does not clearly require staff to refer to the individual by their specified name, gender identity, gender pronoun or honorific. This demeans the dignity, and erases the authentic identity, of transgender individuals.

SB 990 will allow incarcerated individuals housed outside of general population for more than five days to receive the same programming opportunities as individuals housed in general population, which will help reduce isolation and reduce recidivism. BALIF proposed a similar provision in a

resolution that overwhelmingly passed the California Conference of Bar Associations' Conference of Delegates in 2017. SB 990 will also change state law to require that incarcerated people be given an opportunity to indicate during the intake process their gender identity, preferred first name, gender pronoun, and honorific and for all department staff, facility staff, and contractors to use the incarcerated person's preferences in all written and verbal communication.

For these reasons, we support your SB 990 and thank you for your leadership to advance this critical legislation.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter Catalanotti', is placed on a light blue rectangular background.

Peter Catalanotti
BALIF Board Chair