

Dear Chair Klemin and members of the House Judiciary Committee,

My testimony is in support of House Bill 1537. I ask that you give this bill a Do Pass.

I will defer to other individuals on the policy implementation of this legislation and speak towards the community improvement aspects of Hate Crime Legislation. Safe Home conducted a [data analysis of each state for LGBTQ+ individuals](#) and determined that we were the least safe state for this population. With the determination shared here below:

#51: North Dakota

Safety Index Score: -78

North Dakota is the number one worst state for LGBTQ+ safety according to our ranking. This state does not provide public accommodation protections based on gender identity or sexual orientation. North Dakota experiences a higher than average rate of hate crimes against the LGBTQ+ population (14.6 for every 100,000 LGBTQ+ individuals).

There are no high-ranking companies on the corporate equality index in North Dakota. Nor are there any legal protections in place in the public or private employment sector that safeguard LGBTQ+ anti-discrimination rights. North Dakota law prohibits bullying and cyberbullying in schools but contains no language specifically to protect LGBTQ+ youth. North Dakota adoption law does not explicitly allow same-sex couples the right to second-parent adoption.

According to the Us Trans Survey of 2015, “More than half (57%) of respondents said they would feel uncomfortable asking the police for help if they needed it.” It is worth considering this when considering some of the abuse and violence transgender individuals routinely experience

- (46%) of respondents were verbally harassed in the past year because of being transgender
- (9%) respondents were physically attacked in the past year because of being transgender
- (47%) of respondents were sexually assaulted at some point in their lifetime and one in ten
- (10%) were sexually assaulted in the past year..
- (54%) experienced some form of intimate partner violence, including acts involving coercive control and physical harm.

While this is from the 2015 Trans Survey, we can also look to state data for the experiences of our LGBTQ+ High School Youth.

Safety: Sexual Violence, Bullying, and School Environment	Trans	Gay	Straight
Qn93 - Youth coerced into sexual act	23.5%	6.5%	2.5%
Qn92 - Dated someone who tried controlling or emotionally hurting them	40.0%	43.9%	24.1%
Qn23 - Ever bullied on school property	44.0%	28.2%	16.4%
Qn24 - Ever bullied electronically	35.7%	28.9%	14.0%
Qn95 - Bullied because they were perceived as LGB	61.1%	45.0%	7.5%
Qn14 - Did not go to school because felt unsafe at least 1 day in last thirty	23.8%	12.0%	3.7%
Qn12 - Carried a weapon due to feeling unsafe	19.0%	7.4%	5.1%
Qn118 - Felt there we clear rules and consequence for behavior	36.5%	45.5%	60.4%
Qn119 - Felt safe at school most of times or always	37.3%	63.9%	82.4%

Beyond this data, I have heard within the last few months an incident of a knife being pulled on a transgender individual and another incident where a trans person was jumped and roughed up. Both of these incidents happened when the assailants realized the other individual was transgender. I don't believe either of these were filed or reported. I'm sure dozens of situations like this happen that I don't hear about.

When taking this together we have some suggestive data that our state isn't safe for queer populations, we have national data suggesting life is not safe for transgender people, local data that our LGBTQ+ youth are experiencing heightened levels of violence, and some suggestive data to indicate they are not turning to the police for help.

While nothing here is particularly definitive, I do believe it paints a pretty clear picture that the LGBTQ+ community is both targets of violence and does not believe there to be remedy for that. I'm not talking just about hate crimes, but about the many small and large ways they can experience abuse across their life and their faith in the system to help them.

I've heard testimony against hate crime policy and legislation amount to telling folks it isn't needed nor does it prevent crime. I welcome those folks to offer constructive solutions to the violence the data captures every time we care to look. Hate Crime Legislation is one solution to build trust in marginalized communities that their lives do matter. That the violence they experience isn't just tolerated and there is recourse for them to take.

Please consider voting Do Pass for these reasons. Thank you for your time, consideration, and service to our state,

Best regards,
Faye Seidler