

January 20, 2021

Dear Chair Prozanski and Vice-Chair Thatcher and members of the committee,

My name is Mikki Gillette, my pronouns are she/her/hers and I'm the Major Gifts Officer at Basic Rights Oregon and I'm testifying in support of SB 704, which bans the use of the LGBTQ panic defense here in Oregon. The LGBTQ panic defense allows a person accused of harassing, assaulting or killing an LGBTQ community member to say they did so out of a fear or "panic" they felt upon learning of their victim's gender identity or sexual orientation.

As a transgender woman, I cannot stress the importance of this bill enough.

Trans people in our society live with a fear of violence day to day, particularly young trans women of color, who experience by far the greatest amount of anti-LGBTQ violence.

2020 was the deadliest year on record for trans people in the U.S., with at least 44 trans people being killed because of who they are.

Through my work at Basic Rights, I've seen first-hand how killings like these devastate families and communities. I met the family of Aja Racquell Rhone-Spears, a Black trans woman murdered in Portland last August, and witnessed how they struggled to understand the hatred that stole their loved one from them.

I also assisted the group Justice for Nikki, a grassroots collective of family members, activists and community volunteers who came together to bring attention to the killing of Nikki Kuhnhausen, a transgender teen killed in a hate crime in Vancouver, WA in 2019.

Justice for Nikki helped successfully pass the Nikki Kuhnhausen Act, which banned the LGBTQ panic defense act in Washington last year.

When I talked with Nikki's mom Lisa, who'd been shattered by the loss of her only daughter, why the law was important to her, she shared that she couldn't imagine having to listen to the man accused of killing her child say his action was in any way justified because Nikki was transgender.

To me, this is why this law is so vital. There's an epidemic of violence against trans people in our country. One way for our state to counter it is to affirmatively say there's no excuse for ever harassing, assaulting, or killing someone based on their sexual orientation or gender identity.

No family or community, like Aja Racquell's or Nikki's should ever have to mourn a loss like the ones they have.

I ask that you please listen to their families, as well as the recommendations of the American Bar Association and the LGBT Bar and vote to have Oregon join Washington, California and the nine other states that have passed a ban this.

In doing so you'll help protect the most vulnerable among us, and create a fairer, more equitable state for everyone.

Thank you for your time and consideration.