



**ANC 2F**  
WASHINGTON, D.C.

**ADVISORY NEIGHBORHOOD COMMISSION 2F**

Government of the District of Columbia

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*Angela Kissel, Executive Director*

September 4, 2019

David Grosso, Councilmember At-Large  
Council of the District of Columbia  
1350 Pennsylvania Avenue NW, Suite 402  
Washington, DC 20004

**RE: ANC2F Support for and Request to Reintroduce The Secure A Fair and Equitable Trial Act of 2017**

Dear Councilmember Grosso,

On the evening of August 15, 2019, at a properly noticed meeting with a quorum present, ANC2F considered and approved the following letter requesting that you and your Council colleagues reintroduce and pass the Secure A Fair and Equitable Trial Act of 2017 (B22-0102) by a vote of 6-0.

As introduced, the Secure A Fair and Equitable Trial Act of 2017 (ban on gay and trans "panic" defense bill) would have required 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 have established limits on defenses that seek to excuse violence on the basis of a victim's identity.

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. It is not a free-standing defense to criminal liability, but rather a legal tactic which is used to bolster other defenses. 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. By fully or partially acquitting the perpetrators of crimes against LGBTQ+ victims, these defenses imply that LGBTQ+ lives are worth less than others.

In June 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. On the national level, both the United States House of Representatives and the Senate have seen bills introduced into their chambers, though they have to date not been successful in passing national legislation. The

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failure of Capitol Hill to get this legislation passed is all the more reason why this bill is important at the local level and why the Council of the District of Columbia must act.

ANC2F looks forward to supporting and working with the Council on this and similar issues and are eager to work collaboratively to ensure passage of this important legislation.

A handwritten signature in black ink, appearing to read "John Fanning". The signature is written in a cursive, flowing style with a large initial "J" and a long, sweeping tail on the "g".

Commissioner John Fanning  
Chairman, ANC 2F

CC: Muriel Bowser, Mayor of the District of Columbia  
Phil Mendelson, Chairman, Council of the District of Columbia  
Charles Allen, Chairman, Committee on the Judiciary and Public Safety  
Gottlieb Simon, Office of the Advisory neighborhood Commissions