

**Letter of Support from Judy Shepard
President of the Matthew Shepard Foundation
February 26, 2021**

In support of Minnesota SF 1512 and HF 1648, the LGBTQ+ Panic Defense Ban

Senator Scott Dibble, Representative Hollins and members of the Minnesota Legislature:

My name is Judy Shepard and I am President and co-founder of the Matthew Shepard Foundation. This letter, on behalf of the Foundation, is in support of Senate Bill SF 1512 and HF 1648 to ban the indefensible LGBTQ+ panic defense from use under Minnesota criminal law. When signed into law, Minnesota will be among the national leaders, including 12 other states (given Virginia's legislative approval this week) and the District of Columbia, to adopt this overdue criminal reform. You will send a message to the rest of the nation and to the world that Minnesota's justice system is free from bias and hatred.

Your legislation, in fact, describes the very aims of the Matthew Shepard Foundation. When our twenty-one-year-old son, Matthew Shepard, was brutally murdered in 1998, his assailants tried to escape legal justice by claiming that Matthew's sexual orientation was to blame for their violent actions. My husband Dennis and I launched the Matthew Shepard Foundation not only to honor Matt's memory but to advance his personal dedication to civil and human rights, as well as to advocate for criminal justice and fairness as I am today.

By sharing Matt's story with you today, the Matthew Shepard Foundation inspires individuals, organizations and communities to embrace the dignity and equality of all people. For more than twenty years, we have worked to Erase Hate and prevent future crimes against LGBTQ+ people. Your legislation will help all of us to achieve our mission.

The LGBTQ+ panic defense is a direct affront to the memory of Matt and all the other LGBTQ+ victims of hate crimes, because this so-called defense upholds in court the notion that violence, even homicide, is a reasonable or understandable response to a life lived openly. The LGBTQ+

panic defense allows perpetrators of violence to avoid facing the full legal consequences of their crimes, and it subjects LGBTQ+ individuals to violence two times over: first, in the terrible physical and psychological suffering that they endure at the hands of their assailants, and again in an outdated legal system that denies equal justice.

We know from crime statistics that the LGBTQ+ community continues to be subjected to violence at rates significantly above the state and national averages, despite advances in legal protections. From gay bashing to actual homicides, LGBTQ+ individuals are victims of violence simply because of their sexual orientation or gender identity.

The LGBTQ+ “panic” defense relies on ugly stigmas particular to LGBTQ+ people to justify horrific violence against LGBTQ+ individuals. When a perpetrator uses the LGBTQ+ “panic” defense, they are claiming that the victim’s sexual orientation, gender identity or gender expression not only explains—but excuses—a loss of self-control and the subsequent violent assault or murder. Under the LGBTQ+ “panic” defense, a hate crime victim's very identity simultaneously becomes the reason for their murder and the exoneration of their murderer.

To end this injustice, in 2013, the American Bar Association’s House of Delegates unanimously approved Resolution 113A urging all states to ban the LGBTQ+ “panic” defense. It is time for Minnesota to close this legal loophole and join the 13 U.S. jurisdictions that have already banned the “panic” defense. With SF 1512 and HF 1648, the state of Minnesota is taking another step towards ensuring our justice system is free from the bias and hatred in our world.

We look forward to a world in which violent offenders can no longer escape the consequences of their despicable actions, and LGBTQ+ people are valued as equal citizens under law.

Judy Shepard

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