# Michigan Lawmakers Approve Ban on 'Gay Panic' Legal Defence



On Thursday, Michigan lawmakers approved House Bill 4718, which prohibits the use of the "gay panic" or "trans panic" legal defense. This legal strategy has been used by defendants to claim that discovering a victim's sexual orientation or gender identity justified an assault or murder. The bill now awaits Governor Gretchen Whitmer's signature, who is expected to endorse it.

The bill was sponsored by State Representative Laurie Pohutsky, who recalls being deeply impacted by the 1998 murder of Matthew Shepard, a gay student from the University of Wyoming. The "gay panic" defense was unsuccessfully attempted by one of Shepard's murderers.

Research by Carsten Andresen revealed Michigan ranks sixth for the use of this defense, with ten cases between 1970 and 2020. The American Bar Association has opposed such defenses, claiming they undermine justice for LGBT victims.

Pohutsky clarified that the bill does not excuse violence committed by LGBT individuals, emphasizing that everyone should be held accountable under existing laws, regardless of sexual orientation or gender identity. Emme Zanotti from Equality Michigan highlighted that banning this defense is a significant step toward preventing violence against LGBT individuals.

The House passed the bill along party lines, signaling ongoing legislative support for the LGBT community in Michigan.