

Members of the Judiciary Committee:

I am a life-long gender nonconforming woman, a feminist, a Democrat, and a seventh-generation Mainer who has consistently supported and had many friends within the LGBT community. I am writing today with serious concerns about LD 260 based on what I have seen nationally and internationally in recent years, namely the conflicts between women's rights and the rights of trans-identified individuals. These conflicts are seldom openly discussed; the views expressed here are framed as "transphobia" or "hate", neither of which is remotely true. As recent electoral results and demonstrations have made clear, it's time for an open and civil discussion about these conflicts.

The problem comes down to the definition of "sex" in legislation. When the category of "women" includes some males who identify as women, women lose their ability to legally defend themselves as a sex class. This has resulted in males with a female "gender identity" being housed in women's shelters, incarcerated in the same prison cells with women (with predictable results), taking professional and political positions earmarked for women, and yes, claiming women's sports placements and prizes.

In fact, the inclusion of trans-identified males in women's sports is a large enough problem worldwide that Reem Alsalem, the UN Special Rapporteur on violence against women and girls, published a report in August of 2024 noting that at that time, over 800 medals and placements that should have gone to women and girls went to trans-identified males. Major international sports organizations (World Athletics, World Swimming, World Rugby, UCI (world cycling) have revised their transgender participation policies to reflect recent evidence that the physical effects of male puberty cannot be undone. We all tend to take for granted the rights we enjoy that previous generations had to fight for. I experienced school sports both before and after Title IX, and I do not want to see girls thrust back into the pre-Title IX world in the name of inclusion.

I also do not want to see women denied the privacy, safety, and dignity afforded by the sex-segregated spaces our grandmothers and great-grandmothers fought for. In the UK, attacks on female guards and inmates have resulted in special wings being created for trans-identified male prisoners. Designated changing rooms, bathrooms, and domestic violence shelters - something women had to fight for in order to attain full participation in public life - are perfectly possible for trans people as well. Many of us would gladly work to help that happen. Most trans-identified males are not offenders, and most males are not offenders - but when we can't tell which are and which aren't, it makes no sense to provide women protection from one group but not the other. We can protect the rights of trans-identifying males, and we can protect the rights of women - but when we don't recognize the differences, it is women's rights and safety that are eroded and erased. I urge you to consider these concerns as you debate LD 260.