



Fred McCann

(207) 209-3413 fred@fredmccann.com 244 Danforth Street, Apt 1 Portland, Maine 04102

**Testimony in Opposition of
LD 868: An Act to Ensure Equity and Safety in Athletics,
Restrooms, Changing Rooms and Housing at Elementary,
Secondary and Postsecondary Schools**

May 6th, 2025

Senator Carney, Representative Kuhn, and members of Committee on Judiciary, I appreciate the opportunity to provide testimony regarding this legislation. My name is Fred McCann. I'm a resident of Portland and I'm currently serving as Vice President on the Portland Water District Board of Trustees.

Our schools should foster an inclusive environment where every student can thrive and participate in extracurricular activities. LD 868, however, does the opposite; it excludes and discriminates against transgender individuals by limiting their right to participate in sports, use appropriate restrooms, and sleeping accommodations based solely on their gender identity. This bill singles out an entire class of people without any evidence of harm being caused by their inclusion.

This bill is not only unfair but also unethical, as it affords cisgendered individuals more rights and consideration than transgendered people. It is discriminatory and goes against the Maine Human Rights Act. Enforcing this bill would lead to invasive and traumatizing physical examinations of all individuals, both cisgender and transgender, to police adherence to gender norms, which is dehumanizing and a gross invasion of privacy.

Enacting LD 868 would create a private right of action that could be used as a cudgel against educational institutions, forcing them to adopt illegal discriminatory practices and creating unreasonable liability for all schools. Additionally, the bill's narrow legal definitions of the terms "male" and "female" are not based on science but on animus towards transgender individuals and set a dangerous precedent for future discrimination against transgender Mainers, such as restricting access to health care and full participation in civil society.

In conclusion, LD 868 is harmful, discriminatory, and counterproductive to the goal of creating a welcoming and inclusive educational environment for all students. I urge the committee to vote against this bill and uphold the principles of equity and fairness for all Mainers.

Sincerely,

Fred McCann