

Rachel A. Sugarman
Augusta, Maine
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Re: LD 868 An Act to Ensure Equity and Safety in Athletics, Restrooms, Changing Rooms and Housing at Elementary, Secondary, and Postsecondary Schools: LD 1002 An Act to Protect Children's Identification by Requiring Public Schools to Use the Name and Gender Specified on a Child's Birth Certificate, LD 1704 An Act to Prohibit a School Administrative Unit from Adopting a Policy That Allows a Student to Use a Restroom Designated for Use by the Opposite Sex

Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee,

My name is Rachel A. Sugarman. I live in Augusta, Maine. Thank you for the opportunity to testify. I am here today in opposition to the bills before the committee. I will share my experiences regarding LD 868, An Act to Ensure Equity and Safety in Athletics and Restrooms.

I approach you as a mother, an engaged community member, a teacher, a childcare director, and a foster parent, advocating for the protection of transgender and non-binary rights, not only in Maine but also on a national level.

My passion and love for the LGBTQ+ community began in high school when I graduated in 1999. Throughout my life, I have had the extraordinary privilege of witnessing my peers' authentic selves and those of many of my students and foster children. For some reason, I have been the person to whom people feel comfortable revealing their identities in a world where they often do not feel safe. I am honored and blessed by these experiences.

Transgender and non-binary individuals in our society as a whole have suffered a longer duration of fear-induced discrimination than any other minority group. Their plight is only visible to us due to the tireless fights of many of our Stonewall siblings, who risked their lives in a hateful world to break free of the shackles our society had wrapped around them. The world our children are growing up in today is vastly different. Children grow up with mentors who provide examples that their identities are valid, that they deserve equal rights, and that they deserve medical care like everyone else.

"It is not a choice to be transgender, the choice is simply how and when you come out, and who you come out to." - Zoey

As a high school teacher, I witnessed students discover and embrace their true selves in countless ways. But none demonstrated more courage than our trans and non-binary students, who navigated their identities despite facing unique challenges that their peers never had to consider.

Our partnership with Outright Maine became a crucial foundation for creating genuine safety for these students. But the real catalyst for meaningful change was a student I'll call Tim—a dedicated member of our civil rights team whose commitment to justice transformed our entire school community.

Tim didn't just advocate—he took bold action, working tirelessly alongside civil rights advisors to develop a comprehensive "Transgender Policy" that would fundamentally reshape our school culture. When the school board ultimately passed this policy, it wasn't merely symbolic. It created concrete protections with immediate impact:

The policy mandated respect for students' authentic gender identity, names, and pronouns without requiring the often-inaccessible medical or legal documentation burden. It eliminated unnecessary gender-segregated activities that created daily stress for trans students. Perhaps most significantly, it guaranteed bathroom access based on gender identity, including gender-neutral options that benefited everyone seeking privacy.

The results were transformative. These changes didn't just protect "minorities"—they enhanced safety and dignity for our entire student body. When teachers and administrators called students by their chosen names rather than those assigned at birth, we weren't just following policy. We were affirming their fundamental human dignity and creating an environment where authentic learning could flourish.

Conversely, misgendering isn't simply an innocent mistake or matter of opinion—it actively marginalizes students and communicates that their core identity is somehow less valid or important than others as the National Education Association emphasized in its 2022 report, *Why Pronouns Matter*, these seemingly small acts of recognition have profound impacts on student well-being and academic success.

Our experience proves that when schools truly commit to protecting trans and non-binary students, everyone benefits from the culture of respect and authenticity that follows.

As a high schooler navigating same-sex bathrooms, I endured a gauntlet of humiliation that shaped my daily routine. Fellow students turned what should have been a basic necessity into a minefield of psychological abuse—gawking at my chest size, mocking my weight, and hurling slurs like "lesbo" and "slut" that cut to the core of my developing identity.

These weren't minor inconveniences. They forced me to develop complex avoidance strategies that no child should need: waiting until bathrooms emptied before entering, hiding in stalls when others arrived, and changing for PE in bathroom stalls rather than with my peers. Each day became an exhausting exercise in hypervigilance and shame.

Growing up in the 90s, I lacked the vocabulary to articulate my experience. I recognized my difference but had few visible role models, as most LGBTQ+ individuals of previous generations remained hidden, protecting themselves in a less accepting world.

This reality stands in stark contrast to the unfounded narrative that transgender individuals somehow threaten bathroom safety. The uncomfortable truth is that policies restricting bathroom access aren't built on documented incidents or evidence of harm—they're constructed from the same foundation of fear that has marginalized vulnerable people throughout history.

My experience wasn't unique. Countless young people continue facing similar ordeals today, especially those whose gender identity doesn't align with their assigned sex at birth. When we debate bathroom policies, we're not discussing theoretical concepts—we're deciding whether to perpetuate or prevent the very real trauma I experienced.

The fears driving restrictive bathroom legislation mirror the same anxieties that forced my generation into silence and shame. These policies don't create safety—they institutionalize the very bullying that made school bathrooms places of terror rather than basic accommodation.

True safety comes not from exclusion but from creating environments where every person's dignity remains intact, regardless of gender identity or expression.

“Transgender people are over four times more likely than cisgender people to experience violent victimization, including rape, sexual assault, and aggravated or simple assault,” according to a new study by the Williams Institute at UCLA School of Law (Gender Identity Disparities in Criminal Victimization: National Crime Victimization Survey, 2017–2018).

“From 2018 to 2022, 48 anti-transgender laws were enacted in the U.S. across 19 different state governments” (State-level Anti-transgender Laws Increase Past-Year Suicide Attempts Among Transgender and Non-binary Young People in the USA, 2024). The study, State-level anti-transgender laws increase past-year suicide attempts among transgender and non-binary young people in the USA, “examined the causal relationship between these laws and suicide risk over these five years, using national survey data collected from more than 61,000 transgender and nonbinary youth. Results concluded that, during this time, anti-transgender laws significantly increased incidents of past-year suicide attempts among transgender and nonbinary youth by as much as **72%**” (State-level Anti-transgender Laws Increase Past-Year Suicide Attempts Among Transgender and Non-binary Young People in the USA, 2024).

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I sincerely hope that you consider these stories and especially these key points:

- Anti-transgender laws *increase* suicide attempts by 72%. Over 40% of transgender adults report having attempted suicide in their lifetime, compared to 4.6% of the general population.
- Gender-affirming care *lowers* the odds of moderate to severe depression by 60% and the odds of self-harm or suicidal thoughts by 73%. Medical organizations, including the American Academy of Pediatrics, the American Medical Association, and the American Psychological Association, all support gender-affirming care as medically necessary.
- Using the correct pronouns and names for transgender youth creates safe spaces and fights against discrimination. Surveys indicate that 67% of transgender youth report improved mental health when teachers and staff use their correct names and pronouns.
- School department Transgender Policies protect the safety of LGBTQ+ youth and promote inclusion. Nearly 80% of transgender students report feeling unsafe at school, directly impacting their academic performance and attendance.
- It is not a choice to be transgender.

Sincerely,

Rachel A. Sugarman