

Anne M. Gallaudet
Scarborough, Maine

May 8, 2025

Re: LD 233; LD 868; LD 1134; and LD 1704

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

I am writing in opposition of LD 233, LD 868, LD 1134 and LD 1704.

THERE IS NO REAL PROBLEM TO SOLVE: First, although some minuscule number of people may feel they are, rightfully or wrongly, aggrieved by competing against a transgender high school athlete, there are only 2 or 3 high school athletes in all of Maine who are transgender, and maybe, at most, 2 of them are girls who were identified as boys at birth. In the NCAA, within a country of 330 million people, there are only 10 transgender athletes. I note also that the issue of the transgender high school athlete did not become a problem when the transgender athletes first started playing on our high school teams years ago, but only now since the President has made it a lightning rod for his campaign after seeing a post by a Maine legislator. Over the years there has been no claims of unfairness until this political moment. <https://mainemorningstar.com/2025/03/11/there-was-never-a-complaint-lgbtq-mainers-push-back-on-call-to-ban-trans-athletes/> Additionally, evidence of a safety or privacy issue when transgender people share bathrooms, changing/locker rooms and bedrooms, with people sharing their same gender identity is exceedingly rare. See e.g., <https://link.springer.com/article/10.1007/s13178-018-0335-z> Bathroom bans in Maine were resolved a decade ago.

Thus, sadly, these bills have a distasteful ulterior purpose – to play into inane culture wars painting our transgender youth, particularly those who now identify as female, into “a problem” for ciswomen. Voters and legislators are being misled by unsubstantiated information, emotional appeals and outright falsehoods. What is lacking here is a problem to solve substantiated by probative evidence. SHOW ME THE EVIDENCE!!!!

A DISSERVICE TO OUR SCHOOLS and STATE: In the process of buying into this insanity, we fail our youth (to be discussed further below) and we waste valuable limited time on a non-issue and in the process divert our attention from substantive problems affecting our educational system, including the ongoing issues such as (1) financing our schools, (2) funding teachers’ and administrative staff’s salaries, and benefits, (3) tackling deferred building maintenance, restoration, and expansion needs and costs, (4) confronting the special needs of rural schools, individuals with disabilities, and other underserved students, (5) addressing inequities in school sports, and (6) funding more trade schools, for instance.

ALL OUR YOUTH DESERVE OUR SUPPORT/BANS CAN ONLY HURT: The real problem here is the intentional decision to draft bills that are not scientifically supported, and which will cause unnecessary harm to one of the most vulnerable student populations. These bills reveal a shocking lack of empathy for transgender females and clearly disallow them from fully participating in school and athletics and for what – a political win and no other purpose. The above-referenced news article reinforces that there is not a scintilla of scientific evidence to demonstrate that transgender women athletes have advantages over their competitors but rather may face disadvantages being an athlete while simultaneously taking hormones.

While scientific research is not conclusive about the inherent strength, speed and power of transgender girls compared to cisgender girls, a 2024 study from the British Journal of Sports Medicine comparing athletes, funded by the International Olympic Committee, showed that trans athletes who are taking hormones may actually be at a disadvantage.

Another comprehensive review commissioned by the Canadian Centre for Ethics in Sport in 2022 backed these findings, showing that there are too many variables that lead to athletic prowess to be able to say that trans girls are stronger and have inherent advantages over cis girls or women.

Instituting any ban would invade the privacy of all Maine females. It would also wrongly subject students to stereotypic gender norms rather than respect and admire the wide diverse range of women's bodies, looks, skills, talents, etc. These bans would disproportionately impact girls of color as our stereotypes favor white beauty and body shape (although even white girls represent a wide range of sizes and shapes and skills and abilities, and stereotypes such as here do them no favor either.)

IMPORTANTLY IT IS UNCONSTITUTIONAL TO BAN TRANS PEOPLE FROM PLAYING SPORTS: These bills violate Maine state and federal constitutional guarantees as well as Title IX. The Maine Human Rights Act adopted protections for gender identity in 2005. Along with the State, serious professional people in relevant organizations have already addressed transgender athletes participating in school sports.

I am a retired Sociologist and Attorney who specialized in issues of gender discrimination among other things. I taught the Sociology of Sex and Gender at the college level for many years and then, as an attorney, handled countless cases of sex-based discrimination and harassment cases in the employment context and provided advice to managers, including legal guidance on helping management work with employees in the process of transitioning to ensure rights protection and preventing workplace harassment. What my education and workplace experience has taught me is that we all win when we work hard to rid ourselves of biases, stereotypes, rumors, gut feelings, etc. and instead work in the realm of facts and empathy and engage to support each other. Love, not division.

Please vote "ought not to pass" on LD 233, LD 868, LD 1134.and LD 1704.

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