

Anne M. Gallaudet
Scarborough, Maine

May 8, 2025

Re: LD 1337: An Act to Amend the Human Rights Regarding Female Athletes and Safety in the Women's Single-sex Shelters; and LD 1432: An Act to Remove Consideration of Gender Identity from the Maine Human Rights Act

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

I am writing in opposition of LD 1337 and LD 1432.

LD 1432 eliminates protections for “gender identity” from Maine’s Human Rights Act (HRA). In doing so, supporters of this bill hope to ensure that transgender people are no longer a “protected class” under the Maine HRA. The supporters hope transgender people will no longer be able to seek protections under the Maine HRA with respect to employment, housing, public accommodations, education, and credit extension and for acts of retaliation for having sought help under the Maine HRA.

In referencing this bill on his Facebook page, the sponsor of LD 1432 says that the inclusion of “gender identity” in the Maine HRA “infringes on the rights of 99% of the Maine population” and “forces us to kneel at the altar of made-up woke fantasy.” This argument is flippant, dangerous and not grounded in any substantial evidence. I note that the Maine HRA adopted protections for gender identify TWENTY YEARS AGO – long before people had their dander up over “wokeness”.

LD 1337 exempts from the definition of "place of public accommodation" in the Maine HRA privately owned and operated facilities that provide emergency shelter to women or temporary residence for women who are in reasonable fear of their safety. The bill also amends the provisions in the Maine HRA governing unlawful educational discrimination to provide that they may not be construed to affect the rights of a female athlete under the federal laws known as Title IX of the Education Amendments of 1972. The proponents of this bill aim to disenfranchise transgender people of the rights that they have held under the Maine HRA *since 2005*. With respect to women’s shelters, Passage of LD 1337 would permit women’s shelters to legally refuse to house transgender females, thus forcing the transgender female to seek a shelter for men or to the streets. How heartless and oppressive is that?

There is not a scintilla of evidence that protecting transgender people infringes on the rights of everyone else or that they should be disenfranchised of their rights under the Maine HRA. Right now, this concern about protecting cisgender females has arisen particularly in the arena of sports. 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 turned the issue into 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.

Additionally, 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. The Maine Morning Star in summarizing research on differences stated:

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.

<https://mainemorningstar.com/2025/03/11/there-was-never-a-complaint-lgbtq-mainers-push-back-on-call-to-ban-trans-athletes/>

These bills show how dismissive some people are toward a vulnerable population of fellow Mainers was evident by their claims lacking any reasonable basis. Threats by our President, acting as a bully, are unconscionable. Appeasing a bully only invites more bullying. Selling out vulnerable people is disgraceful and that is not the Maine way. I note once we sell out one group, be warned - there is always the next group and soon someone you love is reached. Mainers are inclusive and welcoming. We help our neighbors. We don't deprive our neighbors of dignity and respect, and we certainly don't eliminate their protections from the Maine Human Rights Act just because we deem such protections inconvenient due to federal level bullying or based on a gut feeling. The evidence is consistent and overwhelming that our transgender youth and adults experience a *disproportionate* amount of discrimination, harassment, bullying and isolation and need and deserve our support and respect.

Please vote "ought not to pass" on LD 1337 and LD 1432.

Anne Gallaudet,
Scarborough, ME