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Good afternoon, Members of the Judiciary Committee:

I write to oppose the Republican proposal before you which will clear the way for banning high school trans athletes from competing on girls' sports teams.

Nobody seems concerned about trans kids competing on male sports teams, a fact that seems, well, odd. It seems that what's sauce for the goose would be sauce for the gander.

Setting that aside, what bothers me about those pushing hardest to bar trans kids from competing on girls' teams is the cruelty of it.

Cruelty is a strong word. And it fits.

I don't know which element of this situation is cruelest: the slurs and accusations hurled at these kids and amplified by social media? the disingenuous "I'm all for live and let live," invariably followed by "BUT"? The equally disingenuous argument, "'They' should have their own league?"

Two kids in the entire state of Maine are competing in high school girls' track and field and cross country. Just. Two.

What "league" can they form? What meaningful competition can they have? Without a true, actual, functional league to compete in, how can they experience the beautiful, meaningful, life-shaping relationships and experiences that high school sports provide?

I'm asking these questions as a woman who coached girls' and boys' high school track in a public school for over thirty years.

Answer: they can't, they can't, and they can't.

Telling trans kids they they can have their own league and compete against each other is no alternative at all. That would push them out of high school sports, shunt them off to the side, and leave them with nothing—no coaches, no teammates, no school bus rides to and from meets, no after-meet bus stops at McDonalds, no team warmups with all their bonding and camaraderie, no opportunities to rise above the personal and physical challenges track presents. It leaves these kids with nothing. Anyone who has ever belonged to a sports team and been better for that experience will understand the magnitude of that loss.

Equally terrible is the argument that only two trans kids are competing in Maine high school track, and because there are only two, because they are such a tiny minority, the majority should prevail and those two kids should "lose." Put another way, the argument says, it's unfair for the majority to be inconvenienced in order to protect these two kids' opportunity to compete in track and field.

That's a strange and, frankly, warped definition of "fair."

History is full of evidence that taking opportunities from a tiny minority of people in favor of the majority doesn't achieve justice or fairness—it does precisely the opposite.

Fairness requires reasonable, meaningful dialogue and compromise. And compromise, as a very wise Judge Kevin Cuddy told one of my Law and Ethics classes, means that both sides leave the table unhappy because both had to make meaningful concessions.

How to answer the argument that cis girls may lose a medal or a ribbon to a trans kid? I don't know—and quite honestly, nobody knows how a kid losing a medal is going to feel, including whether they'll feel any differently about losing to a trans competitor than they would to a cis competitor.

There seems to be a presumption that every cis female athlete, without exception, will feel crushed and offended.

But we know that because every kid is different, every kid is going to experience that situation differently.

To my knowledge, no broad-based, objective polling of high school athletes about their feelings on this issue has been done. So we don't know how, as a group, high school track athletes feel about it. Seems like that would be an important piece of the puzzle.

What we do know, though, is that cis kids whose parents are teaching them to accept wins and losses with equal measure of grace and humility, to practice generosity of spirit, and to prefer the loss of a place on a medal podium to the marginalizing of fellow human beings, will likely be just fine.

On we go—hopefully in the direction of inclusion.

#Dirigo