

Testimony Opposing LD 233

Honorable members of the committee,

My name Katie Brydon. I am a parent and a teacher. I am testifying today as a private citizen, but I also serve on the School Board for the Bangor School Department and am Chair of the City of Bangor's Advisory Committee for Racial Equity, Inclusion, and Human Rights. I live at 51 Poplar Street in Bangor, Maine. I spend every day of my life working to help others, uplift our most vulnerable populations, and make Maine a state I'm proud to raise my children – one of kindness, hope, and belonging. I am deeply concerned about the potential negative impacts of LD 233 on our state's students and communities.

Please, I am urging you, as individuals tasked with learning and evolving with humanity, to understand the complexities of the bill before you. Please understand that while it is often presented as a simple binary – male or female – the scientific understanding reveals a far more nuanced spectrum, encompassing a range of variations in chromosomes, hormones, and genitalia. The existence of intersex individuals is a powerful testament to the fact that biological sex does not always fit neatly into prescribed boxes. To attempt to codify a rigid, black-and-white obstacle in law when the reality is a vibrant spectrum feels not only inaccurate but deeply unjust.

Believe me, I understand the nuance of your work. I also serve on boards that need to consider various perspectives. But LD 233 is a simple no because it doesn't make sense for our children, our families, and to science. This bill will be detrimental to the well-being and inclusivity of our schools and would divert crucial attention from more pressing issues facing Maine.

As an experienced public servant and teacher, I know firsthand that these bills would harm Maine schools and communities in the following ways:

- **Creating a Supportive School Environment:** Schools should be dedicated to fostering a supportive environment where every student, regardless of their identity, can access education and fully participate in school activities. These bills would undermine this fundamental principle for a vulnerable group of students.
- **Enhancing School Climate through Extracurricular Participation:** A positive school climate is strengthened when more students feel welcome and are encouraged to participate in extracurricular activities. These bills would create unnecessary barriers, potentially reducing participation and negatively impacting the overall school environment.

- **The Value of Sports Participation:** Involvement in sports imparts crucial life lessons such as perseverance, dedication, self-assurance, and teamwork. We should be striving to increase opportunities for young people to engage in sports, not erect discriminatory barriers that could subject girls across Maine to intrusive scrutiny and the risk of public ridicule.

Furthermore, as a mom of two girls, I am deeply concerned that these bills would leave *all* girls vulnerable to scrutiny and harassment:

- **Risk of Invasive "Gender Checks":** These bans could invite unwarranted and traumatizing "gender checks" on any girl participating in sports based on subjective perceptions of her physical attributes.
- **Fueling Bullying and Harassment:** Passing these bills would embolden individuals, including spectators and fellow competitors, to bully and harass girls by falsely accusing them of being transgender. This legislation would inadvertently provide another tool for discriminatory behavior.
- **Violation of Privacy:** Any attempt to enforce these bans would necessitate a blatant violation of the privacy of all Maine women and girls.
- **Disproportionate Impact and Policing of Gender Norms:** These bans empower schools to police adherence to gender norms, leading to unfair scrutiny of girls' bodies, a phenomenon that has been shown to disproportionately affect girls of color. This will undoubtedly generate fear, distrust, and confusion among students, families, and educators.

It is also crucial to recognize that:

- **Existing Mechanisms for Fair Play:** The issues surrounding sports participation are already being appropriately addressed by relevant organizations and governing associations to ensure fairness at all levels. *Legislative intervention at this level is unnecessary and counterproductive.*
- **Multifaceted Nature of Athletic Success:** Athletic success is not solely determined by gender. Transgender athletes, like all athletes, exhibit a wide range of abilities, dedication, and conditioning. Being transgender is not a guarantee of either success or failure in sports.
- **Underlying Political Agenda:** It is evident that anti-transgender activists are using the issue of transgender athletes to advance a broader agenda aimed at eroding the civil rights of LGBTQ+ individuals, people of color, women, immigrants, and other marginalized groups.

Finally, I urge you to consider the broader implications for our state:

- **Standing Against National Political Interference:** Maine must resist the encroachment of national political agendas that seek to undermine our right to self-governance and the creation of our own laws.
- **Constitutional Violations:** Bills that discriminate against transgender students violate fundamental state and federal constitutional guarantees of equal protection. Specifically, LD 233, LD 868, and LD 1134 are discriminatory based on sex and are therefore unconstitutional.
- **Adherence to Title IX and the Maine Human Rights Act:** Title IX prohibits sex discrimination and does not mandate the exclusion of transgender or intersex athletes. Furthermore, the Maine Human Rights Act has included protections for gender identity since 2005.
- **Preventing Federal Overreach and Protecting Maine's Civil Rights:** Any attempt by the federal government to strip Maine's funding for protecting transgender individuals is an overreach based on a misinterpretation of the law. Passing these discriminatory bills would reward such bullying tactics and create a dangerous precedent for further attacks on the civil rights of all Mainers. It will not enhance the safety or fairness of our state for anyone.

Instead of focusing on legislation that marginalizes and harms vulnerable children, I implore you to prioritize the critical issues facing our state, such as the housing crisis, the opioid epidemic, rising costs of living, and supporting our tourism industry. These are the issues that demand our time, resources, and attention.

I urge you to reject LD 233 and instead focus on building a more inclusive, supportive, and prosperous Maine for all its residents.

Thank you for your time and consideration.

A handwritten signature in black ink that reads "Katie Brydon". The signature is fluid and cursive, with a long, sweeping underline.

Katie Brydon
51 Poplar Street, Bangor
katiebrydon@gmail.com

Katie Brydon
Bangor, ME
LD 233

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