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THE MAINE SENATE
130th Legislature

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Testimony of Senator Craig V. Hickman in Support of
LD 1688, An Act To Improve Consistency within the Maine Human Rights Act
Before the Joint Standing Committee on Judiciary

Friday, May 14, 2021

Senator Carney, Representative Harnett, and distinguished colleagues of the Joint Standing Committee on Judiciary, good morning. My name is Craig Hickman. I represent Senate District 14, 11 towns in Southern Kennebec County, in the Maine Senate. I ZOOM before you today on behalf of the Maine Human Rights Commission to present **LD 1688, An Act To Improve Consistency within the Maine Human Rights Act**.

As the Senate Chair of Labor and Housing, as the first openly gay African American to serve in both chambers of the Legislature, as a former cross-gendered performance artist and substitute teacher, and as the owner of a public accommodation, I am the Maine Human Rights Act personified.

I would, therefore, like to thank Senator Carney and Director Sneirson, especially, for allowing me to present this bill, my first and only bill of this session, given my late arrival to the 130th Legislature. I have always said I would be a strong voice for those who cry in the dark, and the Maine Human Rights Act exists precisely to protect the people behind those voices.

This bill addresses inconsistencies in the protections provided in different areas of jurisdiction under the Maine Human Rights Act. The bill provides more inclusive protection by:

1. Including adult family members dependent for care in the definition of "familial status";
2. Including familial status as a protected class in employment;
3. Including age as a protected class in public accommodations; and
4. Clarifying the scope of the Maine Human Rights Act application in education.

The bill also clarifies that the sexual orientation provisions in the Maine Human Rights Act extend to gender identity. We need to get the language right so that the law means what it says and does what it means.

Labor and Housing Committee, Chair * Veterans and Legal Affairs Committee * Citizen Trade Policy Commission, Chair
Equity Subcommittee, Maine Climate Council * Senate Committee on Conduct and Ethics

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Given the political discourse of late, especially regarding some of the legislation this committee has previously heard, extending protections to gender identity is crucial. As a former cross-gendered performance artist who toured the country to present my literary performance piece entitled “Portraits of a Black Queen,” and who was featured in two books authored by Leslie Feinberg, one entitled *Transgender Warriors: Making History from Joan of Arc to RuPaul*, the other entitled *Trans Liberation: Beyond Pink or Blue*, it’s about time that the law is clear that trans people must not be discriminated against in employment, housing, education, or public accommodations.

Back in 1993, when I was young and some say pretty, a paragon of androgyny, the cover photo of my book *Rituals: Poetry and Prose* caught the eye. Leslie Feinberg featured that photo in *Transgender Warriors* with the following quote. This was back in 1996:

“I find that as a cross-gendered artist and person that I have a very big responsibility to myself and to the people who hear and read my work because gender roles stifle and in my opinion are the basis for all oppression...

“I often am seen by people as a ‘What’s that?’ to which I usually respond ‘Isn’t beautiful enough?’ And faces fall and crack and eyebrows may raise and people are left thinking about something that they didn’t expect to be thinking about. And so I suppose when I go out into the world I carry it all with me and my very presence is for most people a confrontation.”

I will close with a quote from James Baldwin, my favorite American writer, which is featured in my award-winning memoir, *Fumbling Toward Divinity: The Adoption Scriptures*. It goes like this:

“Identity would seem to be the garment with which one covers the nakedness of the self: in which case, it is best that the garment be loose, a little like the robes of the desert, through which one's nakedness can always be felt, and, sometimes, discerned. This trust in one's nakedness is all that gives one the power to change one's robes.”