

**Aaron Rose**

Harpowell, Maine

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**Opposing LD 868, LD 1002, and LD 1704**

Senator Carney, Representative Kuhn, and distinguished members of the Joint Standing Committee on Judiciary. Thank you for the opportunity to address the Committee. My name is Aaron Rose. I am a resident of Harpswell, a freshman in the Honors College at the University of Maine, and a recent graduate of the Maine School of Science and Mathematics. I am here today to speak in strong opposition to LD 868, LD 1002, and LD 1704.

During my time at MSSM, many of my friends were genderqueer. They used the restrooms and lived in the dormitories that aligned with their identities. This was never a source of conflict. Despite claims that gender-inclusive policies increase safety risks, I have found no credible data to support this, and in fact, I found compelling evidence to the contrary.

A 2018 study comparing cities with and without laws similar to LD 868 found “the passage of such laws is not related to the number or frequency of criminal incidents in these spaces” (Hasenbush, Flores, Herman). A 2022 study found that restricting access to restrooms and locker rooms increases the risk of sexual assault for non-cisgender youth, transgender and non-binary youth faced between 1.26 and 2.49 times the risk of sexual assault (Murchison, Agénor, Reisner, Watson).

Even beyond the ineffectiveness of these laws, their practical consequences are deeply problematic. Many “multi-occupancy restrooms” in Maine, such as those in Neville Hall at the University of Maine, are built with floor-to-ceiling stalls and locking doors, designed for privacy

and safe, all-gender use. Requiring these restrooms to be single-gendered would leave some buildings without any accessible restrooms for one gender.

From a legal standpoint, LD 868 also raises serious constitutional issues. **Sec. 1. 20-A MRSA §14 sub-§2** targets only sports designated for “females,” “women,” or “girls,” but not those for “males,” “men,” or “boys.” This is discrimination based on sex and would likely violate both state and federal equal protection guarantees.

Furthermore, **Sec. 1. 20-A MRSA §14 sub-§4-H** asserts that the bill must not violate the Americans with Disabilities Act (ADA). Yet gender dysphoria, which is federally recognized as a protected condition under the ADA (Williams v. Kincaid, 2022), is precisely what these laws would discriminate against. Denying access to gender-affirming spaces contradicts the very protections the bill claims to uphold.

LD 1002, if passed, will put lives at risk. During my four years at MSSM, I had several friends with gender dysphoria. One died by suicide. I found the note for another. I was the first responder to my roommate’s suicide attempt. These experiences are deeply personal, but they are not unique. Trans and non-binary youth in Maine are under immense pressure, and their lives often depend on small acts of acceptance.

According to a 2020 study, transgender youth who felt supported by even one adult in their school reported 8.9% fewer suicide attempts compared to those with no support (Price, Green). Those who felt accepted by any adult saw a 40% reduction in suicide attempts. And this need is growing. In 2021, over 42,000 children in the U.S. were diagnosed with gender dysphoria, up from under 25,000 the year before (Respaut, Terhune).

LD 1704 attempts to offer a blanket solution to complex issues. While no one disputes the importance of protecting students from harm, this bill would prevent administrators from

implementing tailored, evidence-based policies that reflect the specific realities of their schools. In many schools, the threat of misconduct doesn't come from gender-diverse students; it is directed at them. This bill ignores that reality.

According to the Maine Integrated Youth Health Survey, 1.6% of Maine high schoolers identify as transgender, and another 1.6% are questioning, representing over 1,800 students. Based on national data, youth subject to restroom and locker room restrictions experience a 36% rate of sexual assault, compared to 25.9% among gender-diverse youth without such restrictions (Murchison et al.). Statistically, LD 1704 would result in an estimated 182 additional sexual assaults against genderqueer students in the next year alone.

These bills will not protect Maine's youth. They will isolate, endanger, and stigmatize a vulnerable population that is already disproportionately at risk.

I plead with you: Do not turn your back on Maine's transgender and non-binary students. I respectfully urge the Committee to vote ought not to pass on LD 868, LD 1002, and LD 1704. Thank you for your time and thoughtful consideration.

Hasenbush, A., Flores, A.R. & Herman, J.L. Gender Identity Nondiscrimination Laws in Public Accommodations: a Review of Evidence Regarding Safety and Privacy in Public Restrooms, Locker Rooms, and Changing Rooms. *Sex Res Soc Policy* 16, 70–83 (2019). <https://doi.org/10.1007/s13178-018-0335-z>

*Health Disparities of Maine transgender youth*. Maine Integrated Youth Health Survey 2019.

(2020, September 9).

<https://www.maine.gov/miyhs/sites/default/files/2023-01/FINAL%20Trans%20Youth%20Infographic%209-3-20.pdf>

Murchison GR, Agénor M, Reisner SL, Watson RJ. School Restroom and Locker Room Restrictions and Sexual Assault Risk Among Transgender Youth. *Pediatrics*. 2019 Jun;143(6):e20182902. doi: 10.1542/peds.2018-2902. Epub 2019 May 6. PMID: 31061223; PMCID: PMC8849575.

Price MN, Green AE. Association of Gender Identity Acceptance with Fewer Suicide Attempts Among Transgender and Nonbinary Youth. *Transgend Health*. 2023 Feb 8;8(1):56-63. doi: 10.1089/trgh.2021.0079. PMID: 36895315; PMCID: PMC9991447. <https://pmc.ncbi.nlm.nih.gov/articles/PMC9991447/pdf/trgh.2021.0079.pdf>

Respaut, R., & Terhune, C. (2022, October 6). Putting numbers on the rise in children seeking gender care. Reuters Investigates. <https://www.reuters.com/investigates/special-report/usa-transyouth-data/>