

Lincoln Tiner
Old Town, ME
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Senator Carney, Representative Kuhn, and Honorable Members of the Judiciary Committee. Thank you for the opportunity to address the Committee. My name is Lincoln Tiner, I'm a Mainer born and raised currently living in Old Town. I am here as a trans disabled veteran to testify in opposition to the bills before the committee today.

Injustice is the rot which erodes the foundations of democracy, liberty, and equality. These bills presented today signal to the entire *state*, the entire *country*, and the entire *world* that the State of Maine deems injustices targeting the trans community *acceptable*. By passing these bills, you would be stripping *me and the entire Maine trans community* of our human rights. It would allow me to be barred from employment or allow a boss to fire me *just because I'm trans*. It would allow my landlord to kick me out *just because I'm trans*. It would allow any coffee shop or restaurant to deny me service *just because I'm trans*. It would allow banks to deny me credit for crucial milestones such as buying a home, *just because I'm trans*. It would allow schools and universities to deny me a basic education *just because I'm trans*. These bills pave the way for thousands of Mainers to be openly and legally discriminated against *just because we're trans*.

I joined the military right after the trans ban had been lifted by President Biden in 2021. Though the law had changed, the bigotry remained, and I experienced the transphobic environment these bills promote. It resulted in me attempting suicide. So when I say that the hatred these bills promote kills people, I truly mean it. My companymates treated me as though I wasn't a *human being*. A group of commanding officers targeted me for being trans and falsified a report to force an unnecessary, involuntary hospitalization without proper authority. I was missing for three days until concerned authorities realized what these men had done. Rather than be punished, my commanding officer was promoted while my career was ruined. I now have severe, service-connected PTSD due to their transphobia. Legislation such as the bills proposed today serve to legitimize the blatant discrimination and bigotry I experienced. This legislation strips me of basic human rights and signals to all those who already view me as subhuman that even my own state doesn't recognize my own humanity. This legislation will exacerbate the oppression trans people across the state already endure on a daily basis.

I just received my BA in history at the University of Maine this past December as part of their 4+1 program. While I should be focusing on my finals, preparing for graduation, and hanging out with friends, I am instead having to beg lawmakers to not extinguish my human rights. These bills, if passed, will create an atmosphere that makes it impossible for people like me to exist. During my studies, I have learned about some of the most horrific human

rights violations in our world's history, including genocides such as the Holocaust. Removal is the first step in these actions. By removing "gender identity" as a protected group in the Maine Human Rights Act, these bills enable the removal of people like me from our homes, schools, and public spaces. Extinguishing our basic civil rights is the first step in the annihilation of the trans community. All of these bills fulfill Sections 2 and 3 of Article II of the United Nations' definition of genocide:

2. Causing serious bodily or mental harm to members of the group;
3. Deliberately inflicting on the group conditions of life calculated to bring about its physical destruction in whole or in part¹

The Holocaust began with targeting the transgender community, particularly trans women who are the focus of many of these bills. *We are the canary in the coal mine*. If legislators in the State of Maine extinguish my civil rights and the civil rights of an entire community based upon our identity, then they are taking the first steps in committing genocide against transgender people in the State of Maine. These bills cause serious bodily *and* mental harm to trans people across the state by authorizing our social deaths—often a precursor to physical death.² These bills deliberately inflict conditions which expose trans people to discrimination that removes us from our homes, schools, and public spaces. These bills are spelling out the deaths of countless trans people across our state by creating an environment where having basic things such as a roof over our heads and using the bathroom are threatened.

During his time in the ghetto during the Holocaust, Herman Kruk, librarian of the Vilna Ghetto Library wrote in his diary that "A human being can endure hunger, poverty, pain, and suffering, but he cannot tolerate isolation."³ These bills will isolate the trans community. They will remove us from society. These bills promote an atmosphere of terror for the trans community and passing these bills would mark the beginning of further legislation culminating in our annihilation.

While at the University of Maine, I walk through MLK Jr. Plaza almost every day. A quote engraved on the polished stone surface reads, "Injustice anywhere is a threat to justice

¹ "Convention on the Prevention and Punishment of the Crime of Genocide," Dec. 9 1948, S. Exec. Doc. O, 81-1 (1949), 78 U.N.T.S. 277. For further resources on the definition of genocide, please see: <https://www.un.org/en/genocide-prevention/definition>; <https://www.un.org/en/genocideprevention/documents/Genocide%20Convention-FactSheet-ENG.pdf>.

² Social death is the loss of social identity and social integration due to ostracization, in this case based upon the identity of an entire community. Social death can often be a precursor to violence and physical death, particularly in the context of genocide. For more on social death, please see: Jana Králová, "What Is Social Death?" *Contemporary Social Science* 10 no. 3 (2015): 235–48, doi:10.1080/21582041.2015.1114407.

³ Herman Kruk, *Library and Reading Room in the Vilna Ghetto, Strashun Street 6*, in *The Holocaust and the Book: Destruction and Preservation*, ed. Jonathan Rose, trans. Zachary M. Baker, (Amherst: University of Massachusetts Press, 2008), 192.

everywhere.” Extinguishing the basic civil rights of an entire minority is clearly an injustice, and the threat does not stop with attacking the trans community. For those who have studied history, we know the Holocaust did not stop with trans people. So I would ask, *who’s next?* You begin by striking out ‘gender identity’ but where will it stop? When will the strikethrough extend to sexual orientation, to disability, to race, to national origin, or to sex? *If one group’s human rights can so easily be extinguished, then so can all others.* I highlight these minorities in particular since they are already facing attacks on their human rights in other arenas. So while today’s bills may target trans people, tomorrow’s may target the disability community, or people of color, or immigrants, or women... Where will it stop? If this bill passes, the *floodgates will open* to extinguishing minority human rights *across the board.*

I saw that one of the representatives co-sponsoring the bill is from Milford which is less than a mile away from where I live. When I was at home, drafting this testimony while trying to complete finals and prepare for graduation, all I could wonder was “How can someone like Representative Gary Drinkwater, who lives only a few miles away, but has never even met me, hate me so much that he wants to strip me of my civil rights?” Why does Representative Drinkwater and the other supporters of these bills want to extinguish the civil rights of their own neighbors? The only reason is pure, uncontrolled hatred. Hatred for people they do not know, over issues they do not understand. History has seen this before, with hatred toward Indigenous peoples, the Black community, women, immigrants, Muslims and Jews, queer folks, and so many other minorities who have had to fight tooth and nail just to exercise the basic freedoms promised in our Constitution. The trans community is the new target of this age-old propaganda claiming to “protect the public” from a threat which doesn’t actually exist, all as an excuse for oppression.

How can my own neighbor, someone that drives the same streets as me, buys groceries at the same Hannaford as me, and lives mere miles down the road from my own home, attempt to define me as subhuman in the eyes of our state law? *All of us in the trans community are someone’s neighbor.* We are the kid biking down the street with their friends. We are the woman buying groceries at the store. We are the man in line at the coffee shop. We are the person walking their dog at the park. *We are your neighbors.*

By sponsoring these bills, Representative Drinkwater and his colleagues are refusing to recognize the basic human dignity of their own neighbors. They are attempting to codify me and thousands of others as second-class citizens, as subhuman, as undeserving of basic civil rights essential to our survival in this society. In order to succeed, they demonize us by making baseless claims that we’re a threat and our communities need protection from us. This is categorically false and intended to distract from the real problems our state, and country as a whole, are facing.

If you *really* wanted to protect kids in school sports, you would stop sending ‘thoughts and prayers’ and start implementing gun control so we don’t get shot before we can make it to the next game or meet. If you *really* wanted to protect women and girls, you’d ensure their access to life-saving medical care and teach men and boys that ‘no means no.’ If you *really* wanted to help our state, you would be combating hunger and poverty and improving our education system. If you *really* wanted to help our state, you would be working to protect small businesses and workers when this summer’s tourism industry—so crucial to our state’s economy—is utterly decimated because of the federal administration’s economic and foreign policies encouraging lucrative tourists to boycott us. Right now, Maine is riddled with social and economic problems that desperately need the attention of our state legislature. The trans community is not one of them.

Instead of addressing these problems to *truly* help Mainers, here we are debating basic civil rights that have already been codified decades ago. We’re wasting time and taxpayer dollars to undo years-worth of progress at the whims of people who have never even met the folks they are attacking. Passing these bills will result in lawsuits which will cost millions. All for what? To attack your own neighbors who have done nothing to deserve it? Those who seek to pass these bills are at ‘best’ pointing to pseudoscientific nonsense and at worst just making their bigotry immediately obvious to everyone by falsely accusing trans people of being threats to cis women and girls. Their arguments reek of desperation, desperation for any sort of excuse to go after someone they deem different. This is exactly what happened in Nazi Germany with the plethora of minorities, most notably Jews, that Hitler targeted for elimination. First, the Nazis had to ensure these communities suffered social death and were ostracized. Then their rights were stripped. Then they were removed. Then they were slaughtered. The strategies, particularly regarding isolation and removal, are identical and a common thread among genocides. Removing protections isolates the trans community, and isolation grants control to those wishing to eradicate us. We are living under an authoritarian regime, and the sponsors of these bills are serving as mouthpieces for this regime’s well-known hatred of the trans community. We have to put a stop to this nonsense before it’s too late.

Please, I am begging this committee, if you care about truly helping the State of Maine, if you care about justice and freedom, *if you care about basic human rights for Mainers like me*, please vote ‘ought not to pass’ on all of these bills. This legislation does nothing but harm our own neighbors and violate the very rights and freedoms our nation stands for. Learn from history. *We have been here before*. Everything happening with our current federal government, which is encouraging and enabling these sorts of actions at the state level, has happened previously in history. Those who extinguish civil rights, those who target minorities for removal from society, those who attack *entire communities*—their own neighbors—based solely upon their identity... They have *never* been on the right side of

history. This is not what Maine stands for. This is not what the United States of America stands for. We defeated authoritarianism once, and we will defeat it again. Vote 'ought not to pass' and honor America's values of life, liberty, and the pursuit of happiness *for all*

Thank you for your time,

Lincoln Tiner