



April 14, 2026

### In Opposition to LD 2239

An Act to Designate School Sports Participation and Facilities by Sex

Senator Carney, Representative Kuhn, and Distinguished Members of the Committee on Judiciary:

I write on behalf of the Maine Psychological Association (MePA), in strong opposition to LD 2239: An Act to Designate School Sports Participation and Facilities by Sex.

MePA is a non-profit association that represents psychologists and psychological examiners in Maine. Our mission is to advance psychology as a science, as a profession, and as a means of promoting human welfare. Our membership consists of practicing psychologists, psychological examiners, academicians, researchers, students, and others who are invested in the science and practice of psychology in Maine.

MePA's commitment is to advocate for the mental health and well-being of all Maine persons, including supporting transgender persons and maintaining their inclusion in the Maine Human Rights Act. Gender identity was added as a protected class over a decade ago, in 2005, by Maine voters.<sup>1</sup> MePA strongly opposes legislation, ballot measures, or other policies that target or undermine the health and well-being of transgender and gender diverse people – including the young people impacted by the proposal before you – which seeks to target and exclude transgender and intersex students.

Psychologists understand that gender is a nonbinary construct that allows for a range of gender identities and that a person's gender identity may not align with their sex assigned at birth. While gender refers to the trait characteristics and behaviors culturally associated with one's sex assigned at birth, in some cases, gender may be distinct from the physical markers of biological sex. Specifically, gender identity refers to "a person's deep felt, inherent sense of being a girl, woman, or female; a boy, a man, or male; a blend of male or female; [or another] gender".<sup>2</sup>

There is no scientific basis for discriminating against sexual and gender minorities. In fact, history has repeatedly illustrated that stigma, stereotypes, and propagation of fear are often used as tools in establishing and maintaining oppressive and discriminatory legislation and policy against sexual and

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<sup>1</sup> See APA Resolution on Opposing Discriminatory Laws, Policies, and Practices Aimed at LGBTQ+ Persons at <https://www.apa.org/about/policy/resolution-opposing-discriminatory-laws.pdf>.

<sup>2</sup> See American Psychological Association's Resolution on Gender Identity Change Efforts, 2021. <https://www.apa.org/about/policy/resolution-gender-identity-change-efforts.pdf>

gender minorities.<sup>3</sup> In contrast, affirming environments are strongly associated with reduced rates of depression, anxiety, and suicide risk in transgender youth.

Our position of advocating for and supporting all persons is consistent with the guidance of the American Psychological Association, American Psychiatric Association, National Association of Social Workers, American Academy of Pediatrics, and dozens of other leading medical and mental health organizations across the country.

It is for these reasons that we oppose LD 2239 and urge all Maine voters to “vote no” when this issue comes before them in November.

Sincerely,



Stacy Whitcomb-Smith  
President  
Maine Psychological Association

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<sup>3</sup>See APA Resolution on Opposing Discriminatory Laws, Policies, and Practices Aimed at LGBTQ+ Persons at <https://www.apa.org/about/policy/resolution-opposing-discriminatory-laws.pdf>.