

Testimony Opposing LD 868

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

My name is Helen Cohen. As a lifelong Mainer, I oppose LD 868. This bill attempts to legislate in a way that strips families and educators of the ability to meet students' needs with privacy and compassion. It goes far beyond school sports, it is discriminatory, legally flawed, and deeply harmful to Maine's youth.

This bill does not increase safety, it increases stigma. There is no evidence that allowing trans students to use appropriate facilities increases risk to others. The only documented harms are to trans students themselves when they are denied access. It also directly conflicts with federal protections under Title IX and the Equal Protection Clause. It opens schools up to costly lawsuits and forces them into impossible legal conflicts, while also harming students.

This bill claims to protect privacy, but privacy and inclusion are not in conflict. Maine schools can and do provide private changing spaces. No child should fear harassment just for needing basic facilities. This bill disregards the 2014 Maine Supreme Court ruling in *Doe v. RSU 26*, which affirmed the right of a transgender student to use the girls' bathroom. The court, and the people of Maine, have already spoken that this bill should not pass.

This bill tries to disguise exclusion as safety, but it's neither safe nor just.

Thank you for letting me share my perspective with the Committee. If a bill singles out and excludes a group of children from basic school life, it doesn't matter how it's framed, it is discriminatory. I urge you to vote "Ought not to Pass" on this bill.

Sincerely,

Helen Cohen