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LD 1432

As a Licensed Clinical Social Worker, I know that these bills would leave ALL girls vulnerable to scrutiny and harassment. These bans would invite any person to call for an invasive or traumatizing “gender check” on any girl who wants to play sports if they think she is “too tall” or “too strong.” Bans embolden spectators, community members, and fellow competitors to bully and harass girls by accusing them of being trans. If these bills pass, they will become another weapon for bullies to use against girls in Maine. Any attempt to enforce this ban blatantly violates the privacy of all Maine women and girls. These bans empower schools to engage in policing adherence to gender norms, which unfairly scrutinizes girls’ bodies, and have been shown to affect girls of color even more. These bans will cause fear, distrust, and confusion for students, families, and educators. [Specific to LD 1337] Trans women in Maine already face serious barriers to accessing appropriate shelter—not to mention disproportionate risks of violence—when they are unhoused. Shelters know how to keep all women safe and have been doing it for years. The issues of sports participation are already being handled appropriately by the correct organizations and governing associations to ensure fairness. Changes to Maine law are unnecessary, and help no one. Sports should be as fair and safe as possible for all students. That’s why school districts and sports associations already make rules about who can participate in different sports at different levels. Athletic success isn’t determined solely by gender. Like other athletes, trans athletes vary in ability, drive and conditioning. Being a trans athlete is no guarantee of great success or failure. Anti-trans activists are seeking broad exclusion of a vulnerable group of students with a one-size-fits-all rule even though individuals are different. Some people are using trans athletes as a weapon to further an agenda to roll back civil rights of LGBTQ people, people of color, women, immigrants, and many others. Maine must stand up against the national political agenda interfering with our rights to make our own laws. Bills that discriminate against transgender students violate both state and federal constitutional guarantees of equal protection LD 233, LD 868, and LD 1134 are discriminatory on the basis of sex and therefore are not constitutional. Title IX prohibits sex discrimination and does not require a prohibition on transgender or intersex athletes. The Maine Human Rights Act adopted protections for gender identity in 2005. Any attempt to strip Maine’s federal funding for protecting trans people is a federal overreach because it is inaccurate about the law and Maine acted in accord with law at all times. Passing this would reward the federal government’s bullying tactics and open the door for further attacks on Mainers’ civil rights, but it won’t make Maine more safe or fair for anyone. [Specific to LD 380] Repealing Maine’s Shield Law would subject Maine’s already-strained healthcare infrastructure to out-of-state criminal prosecutions for providing standard-of-care health care as legally allowed in this state. Maine state law has allowed doctors and patients to safely give and receive the care they need, and LD 380 would especially cause great harm to health care providers.

Most Sincerely,  
Abigail M. Lourie LCSW