

Testimony Against Legislation to Remove Gender Identity Protections from the Maine Human Rights Act

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

Thank you for the opportunity to testify today regarding proposed bill LD1432, which would remove gender identity as a protected class under the Maine Human Rights Act.

My name is Dr. Hien Nguyen, and I am an Economic Professor and the Cody van Heerden Chair in Economics & Quantitative Social Sciences at College of the Atlantic, Bar Harbor, Maine. I am writing today to respectfully urge you to **oppose** this legislation, which would impose significant harms on transgender and non-binary Mainers who already face substantial barriers to full and equal participation in our society.

Current Socioeconomic Challenges Facing Transgender People in Maine and Beyond

Transgender individuals in Maine and across the United States currently face disproportionate levels of discrimination and socioeconomic hardship:

- **Employment Discrimination:** National surveys indicate transgender workers experience unemployment at twice the rate of the general population. In states without explicit protections, 27% of transgender employees report being fired, denied promotion, or not hired specifically due to their gender identity. Maine's current protections have helped mitigate these disparities locally, but removing them would likely reverse this progress.
- **Housing Insecurity:** One in five transgender individuals nationwide reports experiencing homelessness at some point in their lives due to discrimination and family rejection. In Maine, where housing costs continue to rise, the transgender community is particularly vulnerable without explicit legal protections against housing discrimination.
- **Healthcare Barriers:** 33% of transgender people report postponing or avoiding necessary medical care due to discrimination or financial constraints. In rural areas of Maine, where healthcare options are already limited, discrimination can effectively eliminate access to essential care entirely.
- **Economic Disadvantage:** The combined effect of these barriers has created profound economic disadvantages, with transgender Americans being more than twice as likely to live in poverty compared to cisgender Americans. In Maine, where

many communities already struggle with economic challenges, this compounds existing hardships.

- **Educational Disruption:** Transgender students report higher rates of harassment, assault, and exclusion in educational settings, leading to higher dropout rates and diminished career opportunities. Maine's educational institutions have made progress in creating supportive environments under current law.

The Critical Role of the Maine Human Rights Act in Addressing These Disparities

The inclusion of gender identity in the Maine Human Rights Act since 2005 has been instrumental in:

1. **Establishing Clear Legal Standards:** The current law provides clear guidance to employers, landlords, and service providers about their legal obligations, reducing confusion and promoting compliance.
2. **Creating Mechanisms for Redress:** When discrimination does occur, the law provides transgender Mainers with legal recourse through the Maine Human Rights Commission, often resolving cases without costly litigation.
3. **Preventing Discrimination Before It Occurs:** The existence of explicit protections has an important preventative effect, encouraging businesses and institutions to implement inclusive policies proactively.
4. **Supporting Economic Participation:** By reducing barriers to employment, housing, and public services, these protections enable transgender Mainers to contribute more fully to our state's economy and community life.
5. **Aligning with Medical Consensus:** The current law reflects the overwhelming consensus among medical and mental health organizations that respecting gender identity is essential to individual wellbeing.

Consequences of Removing These Protections

Removing gender identity from the Maine Human Rights Act would:

- **Create a Legal Vacuum:** Transgender Mainers would lose explicit protections in employment, housing, public accommodations, credit, and education simultaneously.
- **Send a Harmful Message:** Such action would signal that discrimination against transgender people is acceptable in Maine, potentially encouraging increased discrimination and harassment.

- **Damage Maine's Economy:** States that have enacted discriminatory legislation have faced significant economic consequences, including lost business investment, reduced tourism, and difficulty attracting skilled workers.
- **Increase Public Health Costs:** Research consistently shows that discrimination increases mental health challenges and substance use disorders, which ultimately increases healthcare costs borne by the state.
- **Put Maine Out of Step with Regional Standards:** All other New England states maintain explicit protections for transgender residents, potentially placing Maine at a competitive disadvantage.

The Broader Significance of Maintaining These Protections

Maintaining gender identity protections in the Maine Human Rights Act is not merely about protecting one group; it reflects fundamental values of fairness and equal opportunity that benefit all Mainers:

- **Supporting Rural Communities:** In small towns where options for employment, housing, and services are limited, discrimination can be particularly devastating. These protections ensure all Mainers can access what limited resources exist.
- **Promoting Public Health:** When transgender people can access healthcare without discrimination, preventive care improves and emergency services are less burdened.
- **Strengthening Families:** Many transgender Mainers are parents, partners, and caregivers. When they face discrimination, entire families suffer the consequences.
- **Affirming Maine Values:** Our state has a proud tradition of independence, fairness, and respect for individual dignity. These protections honor that tradition.

Conclusion

I urge this committee to reject any legislation that would remove gender identity protections from the Maine Human Rights Act. Doing so would represent a significant step backward for our state, causing immediate and lasting harm to some of our most vulnerable residents while undermining Maine's reputation as a fair and welcoming place.

The current protections have served our state well for nearly two decades, providing clear standards that have helped reduce discrimination while allowing transgender Mainers to live with greater dignity and security. Dismantling these protections would not solve any genuine problem but would instead create new hardships for individuals who already face significant challenges.

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Instead of retreating from our commitment to equal rights, I encourage this legislature to consider how we might strengthen supports for all marginalized communities in Maine, creating a state where everyone truly has an equal opportunity to thrive.

Thank you for your consideration.

Respectfully submitted,

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