

# **RE: Opposition for LD 2239 – LD 2239 - An Act to Designate School Sports Participation and Facilities by Sex**

April 13, 2026

Senator Carney, Representative Kuhn, and distinguished members of the Judiciary Committee:

My name is Jamie Beck, and I write to you today as a mother of three boys aged 9, 11, and 13, a youth sports coach, and an advocate for the civil rights and safety of all Maine students to testify in strong opposition to **LD 2239**. While framed as a "protective" measure, this legislation is a direct assault on the established legal framework of our state and the well-being of a vulnerable student population.

## **Violation of the Maine Human Rights Act**

LD 2239 is fundamentally incompatible with **Title 5, Chapter 337, Subchapter 5-B** of the Maine Human Rights Act (MHRA). Specifically, this bill seeks to strip away rights guaranteed under **§4601**, which explicitly states:

"The opportunity for an individual at an educational institution to participate in all... extracurricular activities without discrimination because of... **sexual orientation or gender identity**... is recognized and declared to be a civil right."

By mandating participation based solely on biological sex at birth, LD 2239 creates a statutory conflict that effectively nullifies the protections of **§4602**. That section defines "unlawful educational discrimination" as any act that excludes a person from participation in or denies them the benefits of athletic programs based on their gender identity. Maine law has already settled this issue: discrimination in education is a violation of a student's basic civil rights.

## **Misplaced Privacy Concerns vs. Practical Solutions**

Proponents of this bill often cite "privacy" as a justification for excluding transgender students from facilities. However, if the goal is truly to protect the comfort and privacy of *all* students, the solution is infrastructure, not exclusion.

Mandating that all locker rooms and bathrooms include private changing and showering stalls would ensure that every student—regardless of their gender identity—has the dignity of a private space. LD 2239 ignores this inclusive solution in favor of a policy that isolates and stigmatizes transgender youth. As someone who felt uncomfortable changing in front of my same-sex peers, ensuring all student athletes have equal access to privacy and

respect for their individual personhood would be much more meaningful than excluding transsexual students by violating human rights law.

## Addressing the Myth of "Proven Harm"

The narrative that transgender inclusion in sports or facilities poses a safety risk to cisgender students is not supported by data. On the contrary, statistics show that transgender individuals are far more likely to be the *victims* of violence than the perpetrators.

- **Risk of Assault:** There is no empirical evidence linking inclusive bathroom or sports policies to increased sexual assault. A study from the **UCLA Williams Institute** found no link between transgender-inclusive policies and any increase in safety incidents in restrooms or locker rooms.
- **Victimization Rates:** Converse to the opinions of this bill, national data, such as the **U.S. Transgender Survey**, indicates that nearly **47%** of transgender individuals are sexually assaulted in their lifetime.
- **The School Environment:** Research published in *Pediatrics* (2019) found that when transgender youth are restricted from facilities that match their gender identity, their risk of sexual assault actually **increases**. For transgender girls, the risk of sexual assault was **2.49 times higher** in schools with restrictive facility policies compared to inclusive ones.

LD 2239 does not address a "proven harm." Instead, it creates a legislative solution for a non-existent problem at the cost of real, measurable harm to Maine students. This bill is a discriminatory attempt to reverse decades of progress in civil rights. I urge this committee to vote **Ought Not to Pass** and uphold the integrity of the Maine Human Rights Act.

Thank you for your time and for your commitment to the rights of all Maine citizens.

Respectfully,

Jamie Beck, Bangor, ME

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Bangor  
LD 2239

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