

May 13, 2023

Testimony re: LD 930: “An Act to Allow Only Students of Female Gender to Participate in Women’s and Girls’ Scholastic Sports” – **OUGHT NOT TO PASS**

Senator Carney, Representative Moonen, and honorable members of the Joint Standing Committee on Judiciary:

Thank you for the opportunity to provide these comments in strong support of LD 930. My name is Chris McLaughlin, and I am a licensed clinical social worker with over 22 years of experience providing behavioral health services to children and families across a variety of treatment settings here in Maine. For all of those years, I have worked directly in some capacity with transgender and gender diverse youth and their parents and families. For two decades, I have provided training to schools, community organizations, and healthcare facilities around the unique needs of transgender and gender diverse clients. I am also honored to be the Executive Director of the Maine Chapter of the National Association of Social Workers (NASW-ME). A large part of my job at NASW-ME is to represent the interests of Maine’s social workers as they endeavor to meet the behavioral health needs of Maine people across all settings and ages, from Fort Kent to York and all places in between. On behalf of our over 1,000 members here in Maine, I’m honored to share thoughts on this important proposed legislation.

We are in firm opposition to LD 930. The debate around whether transgender girls (individuals who were assigned male at birth but identify as female) should be allowed to compete in female sports is complex and involves a range of ethical, medical, and legal considerations. We applaud the very recent efforts from the Biden-Harris Administration for proposing new draft regulations for the Title IX Athletics Rule, which would have no restrictions on trans kids playing with their friends from ages K-8, and that overall bans on trans youth sports participation are unlawful at all ages. While schools could potentially limit trans youth participation in high school sports, there would be numerous legal obstacles to doing so. Under these proposed regulations, states could not completely ban young people from sports based on their trans identity.

NASW-ME advocates for the inclusion of transgender girls in female sports for several reasons:

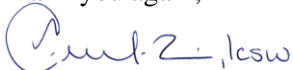
1. **Gender Identity Recognition:** Accepting transgender girls on female sports teams affirms their gender identity, which can be vital for their mental and emotional well-being. Denying them this opportunity is quite simply discriminatory and harmful.
2. **Equality and Nondiscrimination:** In many jurisdictions, it is considered discriminatory to exclude people from activities based on their gender identity. This principle of equality and non-discrimination applies to sports as well.
3. **Inclusion and Participation:** Sports should be inclusive and allow for the participation of all people. Advocates argue that the benefits of participation in sports, such as teamwork, discipline, and the enjoyment of physical activity, should be available to all youth, including transgender girls.
4. **Reducing Harm and Promoting Mental Health:** Transgender youth face significant stigma, discrimination, and exclusion, which can lead to behavioral health problems. Inclusion in sports can reduce these harms and promote better mental health.
5. **Legal Rights:** In many countries, transgender people have the legal right to live in accordance with their gender identity, which includes participation in gender-separated activities, such as sports.

Of course, we understand that there are challenges and concerns to consider as well, such as ensuring fair competition. Some will argue before you today that transgender girls may have physical advantages over cisgender women, depending on the timing and extent of any hormone treatments. To this point, various sports organizations like the International Olympic Committee have guidelines in place to create a more level playing field, such as requiring transgender women to maintain a certain testosterone level. However, let us be very clear, the scientific research demonstrates that trans girls do not show any “advantage” over cisgender girls and women. For young people, who are playing sports for fun, for community, and to learn important life lessons, it’s clear that there is no scientific reason to scrutinize their bodies or exclude them. They simply deserve equal opportunities to play. Policies that fully include trans girls on sports teams with other girls harm no one. Sports bans limiting or denying their participation in sports do nothing to address the real problems that currently exist in girls’ and women’s sports, such as fewer opportunities to play, second-class resources, and the long-standing history of sexual abuse of student athletes by doctors and coaches. I would ask the sponsor and co-sponsors of LD 930 what steps they have taken to offer legislative solutions to address these well-known and real issues plaguing girls’ sports across Maine and the country? Rather than continue these baseless attacks on some of the most vulnerable citizens of our state, trans youth, could we instead come together and work to combat the real problems at hand instead of continuing to be distracted by bills such as LD 930 that do nothing to address the barriers, disparities, and inequities that exist in girls’ and women’s sports?

NASW-ME is frankly concerned for the wellbeing of our state’s young people in light of the growing number of anti-LGBTQ+ and misguided "parental rights" bills that have come forth this session. Trust me when I say that our state’s young people are watching. New data from The Trevor Project (2023) from a study of more than 28,000 LGBTQ young people (aged 13–24) across the United States found that nearly 1 in 3 young people said that their mental health was poor most of the time or always due to the anti-LGBTQ+ policies and legislation that are currently sweeping the country. At the time I am writing this testimony, the Human Rights Campaign (HRC) has identified more than 520 anti-equality bills related to the lives of LGBTQ+ people that have been introduced across the United States. More than 50 of these hateful and harmful bills have already been enacted this year. We must work together to keep Maine above this fray and elevate our state to be a role model for our country by showing how we care for and provide for ALL of our children. The American people are also asking for better. In recent HRC polling, 64% of all likely voters think there is "too much legislation" aimed at "limiting the rights of transgender and gay people in America," including 72% of Democrats, 65% of Independents, and 55% of Republicans.

I urge this committee to take action to protect the lives of transgender and non-binary youth by voting “Ought Not to Pass” on LD 930. I want to thank you all for your work on this issue. Please do not hesitate to reach out to NASW ME for any support we can offer, including any social work representation and participation in any future work sessions for LD 930.

Thank you again,



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Executive Director
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References:

<https://www.thetrevorproject.org/survey-2023/>

<https://transequality.org/blog/let-us-play-make-your-voice-heard-for-trans-intersex-youth>

<https://www.cces.ca/transgender-women-athletes-and-elite-sport-scientific-review>