



SUIT UP MAINE

May 5, 2021

Sen. Carney, Rep. Harnett, and Honorable members of the Committee on Judiciary:

My name is Kelli Whitlock Burton and I am a resident of Waldoboro. I offer this testimony on behalf of Suit Up Maine, an independent, all-volunteer constituent action group representing more than 5,000 Mainers in all 16 counties in opposition to LD 926, “An Act To Ban Biological Males from Participating in Women’s Sports,” and LD 1401, “An Act To Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females at Schools That Receive Federal Funding.”

Research suggests that children who play sports have higher self-esteem, better grades, and lower rates of obesity, depression, suicide, and tobacco, drugs, and alcohol use. With benefits such as these, we should be encouraging children to play sports. Not entertaining legislation that only seeks to stigmatize kids and subject those who don’t conform to an outwardly feminine appearance to an invasive pelvic exam if their participation on a girls’ or women’s sports team is challenged.

Trans women have been allowed to compete in women’s NCAA collegiate athletics since 2011 and trans girls have participated in girls’ sports in Maine schools since 2013 under a policy from the Maine Principals’ Association. But even after all this time, the number of trans students who play sports is low. Nationwide, only 12% of trans girls play high school school sports¹ and only about 50 trans women compete in NCAA athletics.² Since the MPA enacted its trans-inclusive athletics policy, only about 30 trans students have requested permission to play. 30 out of nearly 50,000 student athletes across the state. Bills such as those before you would most certainly lower that number further.

Compared to LGBTQ youth who don’t play sports, those that do are more likely to feel safe in their classrooms.³ That’s important as research suggests that 41% of trans boys,

¹ Play to Win: Improving the Lives of LGBTQ Youth in Sports. <https://bit.ly/3nRphwK>

² “How Some States Are Moving to Restrict Transgender Women in Sports.” New York Times. 2021 March 11. <https://www.nytimes.com/2021/03/11/sports/transgender-athletes-bills.html>

³ Play to Win: Improving the Lives of LGBTQ Youth in Sports. <https://bit.ly/3nRphwK>

34% of trans girls, and 31% of non-binary youth don't feel safe. That bears repeating. Trans kids don't feel safe in school. According to the Maine report of the 2015 U.S. Transgender Survey, 67% of transgender K-12 students in Maine report being verbally harassed, 26% have been physically attacked, and 4% have been sexually assaulted because of their gender identity.⁴ The 2019 Maine Integrated Youth Health Survey found that compared to cisgender students, trans students are twice as likely to be bullied, nearly 4 times as likely to have been injured or threatened with a weapon, and 3 times more likely to have skipped school because they didn't feel safe.⁵ Why on earth would anyone introduce a bill that allows schools to discriminate against students who are already so marginalized?

Perhaps the answer to that question can be found outside Maine. Four states have laws banning trans girls and women from participating in girls' and women's school sports and at least 25 other states—including Maine—are considering similar legislation. Those bills and the ones before you aren't about sports. They are part of a documented, national attack on transgender rights by a coalition of anti-LGBTQ hate groups⁶ that has spawned more than 100 bills in at least 33 states to strip trans people of their civil rights, health care, and self-determination. We cannot allow this national campaign of intolerance and hate to get a foothold in Maine. I urge you to reject these bills with a unanimous Ought Not to Pass.

Thank you.

Kelli Whitlock Burton
Co-Leader, Suit Up Maine

⁴ 2015 U.S. Transgender Survey, Maine State Report.

<http://www.transequality.org/sites/default/files/docs/ustsmeStateReport%281017%29.pdf>

⁵ Maine Integrated Youth Health Survey.

<https://data.mainepublichealth.gov/miyhs/files/Snapshot/2019TransgenderInfographic.pdf>

⁶ "State anti-transgender bills represent coordinated attack, advocates say." NBC News. 2021 Feb 17.

<https://www.nbcnews.com/feature/nbc-out/state-anti-transgender-bills-represent-coordinated-attack-advocates-say-n1258124>