

Committee Report

REGULAR CALENDAR

February 27, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Majority of the Committee on Judiciary to which
was referred HB 1319,**

**AN ACT prohibiting discrimination based on gender
identity. Having considered the same, report the same
with the recommendation that the bill OUGHT TO PASS.**

Rep. Jason Janvrin

FOR THE MAJORITY OF THE COMMITTEE

**MAJORITY
COMMITTEE REPORT**

Committee:	Judiciary
Bill Number:	HB 1319
Title:	prohibiting discrimination based on gender identity.
Date:	February 27, 2018
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS

STATEMENT OF INTENT

This bill would add gender identity to NH's existing Human Rights Act, RSA Chapter 354-A, which already includes race, gender, religion, marital status and sexual orientation. It would prohibit discrimination in employment, housing and public spaces (also known as public accommodations), such as restaurants, business, and hospitals, based upon gender identity. The committee heard of many cases of actual discrimination from transgender individuals. The bill is supported by employment lawyers, the Human Rights Commission, and the Business and Industry Association (BIA). The committee heard support from the Chiefs of Police Association who explained that this bill explicitly says a gender identity cannot be asserted for an improper purpose, such as using a bathroom/locker-room to commit a crime. Finally, the committee heard testimony regarding the high rate of preventable suicide in the transgender community; "a staggering 41% of (transgender) respondents reported attempting suicide compared to 1.6% of the general population." A bipartisan majority of the committee believe this bill will save lives and will lead to tolerance, acceptance, and the right to live free to all of New Hampshire's inhabitants, regardless of their gender identity.

Vote 10-8.

Rep. Jason Janvrin
FOR THE MAJORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

HB 1319, prohibiting discrimination based on gender identity. **MAJORITY: OUGHT TO PASS. MINORITY: OUGHT TO PASS WITH AMENDMENT.**

Rep. Jason Janvrin for the **Majority** of Judiciary. This bill would add gender identity to NH's existing Human Rights Act, RSA Chapter 354-A, which already includes race, gender, religion, marital status and sexual orientation. It would prohibit discrimination in employment, housing and public spaces (also known as public accommodations), such as restaurants, business, and hospitals, based upon gender identity. The committee heard of many cases of actual discrimination from transgender individuals. The bill is supported by employment lawyers, the Human Rights Commission, and the Business and Industry Association (BIA). The committee heard support from the Chiefs of Police Association who explained that this bill explicitly says a gender identity cannot be asserted for an improper purpose, such as using a bathroom/locker-room to commit a crime. Finally, the committee heard testimony regarding the high rate of preventable suicide in the transgender community; "a staggering 41% of (transgender) respondents reported attempting suicide compared to 1.6% of the general population." A bipartisan majority of the committee believe this bill will save lives and will lead to tolerance, acceptance, and the right to live free to all of New Hampshire's inhabitants, regardless of their gender identity. **Vote 10-8.**

Original: House Clerk

Cc: Committee Bill File

~~Minority~~ HB 1319
OTP MAJORITY *Janovic*

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Finally, the committee heard testimony regarding the high rate of preventable suicide in the transgender community; "a staggering 41% of (transgender) respondents reported attempting suicide compared to 1.6% of the general population."

A bipartisan majority of the committee believe this bill will save lives and will lead to tolerance, acceptance, and the right to live free to all of New Hampshire's inhabitants, regardless of their gender identity.

R
Janovic
2/28/18

REGULAR CALENDAR

February 27, 2018

HOUSE OF REPRESENTATIVES

REPORT OF COMMITTEE

**The Minority of the Committee on Judiciary to which
was referred HB 1319,**

**AN ACT prohibiting discrimination based on gender
identity. Having considered the same, and being unable
to agree with the Majority, report with the following
amendment, and the recommendation that the bill
OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia

FOR THE MINORITY OF THE COMMITTEE

**MINORITY
COMMITTEE REPORT**

Committee:	Judiciary
Bill Number:	HB 1319
Title:	prohibiting discrimination based on gender identity.
Date:	February 27, 2018
Consent Calendar:	REGULAR
Recommendation:	OUGHT TO PASS WITH AMENDMENT 2018-0680h

STATEMENT OF INTENT

The minority believes that all discrimination is wrong. It further finds this bill to be divisive and harmful to those yet to be enumerated as specifically protected under the Human Rights Commission. RSA 354-A fails to adhere to our constitution, Part 1, Article 1, "All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good." By dividing our people and adding special protections for some, we fail to meet that 'general good.' The directive to the Human Rights Commission needs to be inclusive of all Granite Staters as was stated in an amendment offered by the minority.

Rep. Michael Sylvia
FOR THE MINORITY

Original: House Clerk
Cc: Committee Bill File

REGULAR CALENDAR

Judiciary

HB 1319, prohibiting discrimination based on gender identity. **OUGHT TO PASS WITH AMENDMENT.**

Rep. Michael Sylvia for the **Minority** of Judiciary. The minority believes that all discrimination is wrong. It further finds this bill to be divisive and harmful to those yet to be enumerated as specifically protected under the Human Rights Commission. RSA 354-A fails to adhere to our constitution, Part 1. Article 1, "All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good." By dividing our people and adding special protections for some, we fail to meet that 'general good.' The directive to the Human Rights Commission needs to be inclusive of all Granite Staters as was stated in an amendment offered by the minority.

Original: House Clerk
Cc: Committee Bill File



Amendment to HB 1319

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT establishing a committee to study the state commission for human rights and the
4 law against discrimination.
5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Committee Established. There is established a committee to study the state commission for
9 human rights and the law against discrimination.

10 2 Membership and Compensation.

11 I. The members of the committee shall be as follows:

12 (a) Six members of the house of representatives, appointed by the speaker of the house
13 of representatives, 2 of whom shall be members of the health, humans services, and elderly affairs
14 committee, 2 of whom shall be members of the judiciary committee, and one of whom shall be a
15 member of the children and family law committee.

16 (b) One member of the senate, appointed by the president of the senate.

17 II. Members of the committee shall receive mileage at the legislative rate when attending to
18 the duties of the committee.

19 3 Duties. The committee shall study RSA 354-A, relative to the state commission for human
20 rights and the law against discrimination. The committee shall review the duties of the state
21 human rights commission and the protected classes identified in RSA 354-A. The objective of the
22 study shall be to resolve, unify, and clarify protections for all people under RSA 354-A. The
23 committee may solicit information and testimony from any individual or entity the committee deems
24 relevant to its study.

25 4 Chairperson; Quorum. The members of the study committee shall elect a chairperson from
26 among the members. The first meeting of the committee shall be called by the first-named house
27 member. The first meeting of the committee shall be held within 45 days of the effective date of this
28 section. Four members of the committee shall constitute a quorum.

29 5 Report. The committee shall report its findings and any recommendations for proposed
30 legislation to the speaker of the house of representatives, the president of the senate, the house
31 clerk, the senate clerk, the governor, and the state library on or before November 1, 2018.

32 6 Effective Date. This act shall take effect upon its passage.



2018-0680h

AMENDED ANALYSIS

This bill establishes a committee to study RSA 354-A, relative to the state commission for human rights and the law against discrimination.

MINORITY REPORT

COMMITTEE: Judiciary
BILL NUMBER: 1319
TITLE: Gender
DATE: 2/27/18 CONSENT CALENDAR: YES NO

- OUGHT TO PASS
- OUGHT TO PASS W/ AMENDMENT
- INEXPEDIENT TO LEGISLATE
- INTERIM STUDY (Available only 2nd year of biennium)

Amendment No.
HB 2018-0680k

STATEMENT OF INTENT:

REGULAR CALENDAR

email

Judiciary
HB 1319, prohibiting discrimination based on gender identity. **INEXPEDIENT TO LEGISLATE.**
Rep. Michael Sylvia for the **Minority** of Judiciary. The minority believes that all discrimination is wrong. It further finds this bill to be divisive and harmful to those yet to be enumerate as specifically protected under the Human Rights Commission. RSA 354-A fails to adhere to our constitution Part 1. Article 1, "All men are born equally free and independent; therefore, all government of right originates from the people, is founded in consent, and instituted for the general good." By dividing our people and adding special protections for some, we fail to meet that 'general good'. The directive to the Human Rights Commission needs to be inclusive of all Granite staters as was stated in an amendment offered by the minority.

Just 2/28/18

COMMITTEE VOTE: 10-8 OTP

• Copy to Committee Bill File

RESPECTFULLY SUBMITTED,

Rep. [Signature]
For the Minority

Voting Sheets

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1319

BILL TITLE: prohibiting discrimination based on gender identity.

DATE: February 27, 2018

LOB ROOM: 208

MOTIONS: OUGHT TO PASS WITH AMENDMENT

Moved by Rep. Sylvia

Seconded by Rep. Hopper

AM Vote: 8-10 Failed

Amendment # 2018-0608h

MOTIONS: OUGHT TO PASS

Moved by Rep. Janvrin

Seconded by Rep. Hynes

Vote: 10-8

CONSENT CALENDAR: NO

Statement of Intent: Refer to Committee Report

Respectfully submitted,



Rep Sandra Keans, Clerk

HOUSE COMMITTEE ON JUDICIARY

EXECUTIVE SESSION on HB 1319

BILL TITLE: prohibiting discrimination based on gender identity.

DATE: 2/27/18

LOB ROOM: 208

MOTION: (Please check one box)

OTP ITL Retain (1st year) Adoption of Amendment # 0680h (if offered)

Moved by Rep. SYLVIA Seconded by Rep. HOPPEL Vote: 8-10

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)

Moved by Rep. JANVAIN Seconded by Rep. HYNES Vote: 10-8

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

MOTION: (Please check one box)

OTP OTP/A ITL Retain (1st year) Adoption of Amendment # _____ (if offered)

Moved by Rep. _____ Seconded by Rep. _____ Vote: _____

CONSENT CALENDAR: ___ YES X NO

Minority Report? X Yes ~~X~~ No If yes, author, Rep: SYLVIA Motion _____

Respectfully submitted: Sandra Keans
Rep Sandra Keans, Clerk



STATE OF NEW HAMPSHIRE
OFFICE OF THE HOUSE CLERK

1/5/2018 10:30:16 AM
Roll Call Committee Registers
Report

2018 SESSION

*Prohibiting Discrimination based on
gender identity*

JUDICIARY

Bill #: *HB 1319*

Title:

PH Date: *1* / *11* / *2018* *Recessed*
2 / *13* / *2018*

Exec Session Date: *27* / *27* / *18*

Motion: *OTP*

Amendment #: *—*

MEMBER

YEAS

NAYS

Hagan, Joseph M. Chariman		✓
Rouillard, Claire A. Vice Chairman		✓
Hopper, Gary S.		✓
Sylvia, Michael J.		✓
Hull, Robert <i>HOEZEL</i>		✓
Wuelper, Kurt F.		✓
Graham, Robert V.		✓
Hynes, Dan	✓	
Janvrin, Jason A.	✓	
Leavitt, John A.		✓
Wall, Janet G.	✓	
Horrigan, Timothy O.	✓	
Berch, Paul S.	✓	
Kenison, Linda B.	✓	
Keans, Sandra B. Clerk	✓	
DiLorenzo, Charlotte I.	✓	
Altschiller, Debra	✓	
Sullivan, Brian M. <i>SMITH</i>	✓	
TOTAL VOTE:		

10 - 8

FEBRUARY 13, 2018

RECONVENED **Hearing
Minutes**

Elaine Thomas, Nashua, NH, representing grandson - support

Originally was heartbroken to learn of grandson, but soon realized the discrimination and harassment he lived with was for real. This bill is needed so everyone can be safe.

Jennifer J. Smith, MD, Pembroke, NH, representing self - support

Society gets fixated on body parts --- changed in the last 50 years.

***Shana Aisenberg, Freedom, NH, representing self - support**

In 1993 transitioned from male to female, but living in rural Virginia with employment discrimination and related stresses, de-transition to male so she could work in chosen field of music. In 2012, 20 years later to find discrimination from friends, people she had known previously. Want to see that non-conforming kids grow up to feel safe, to be themselves. Submitted written testimony.

***Dante Rey Diffendale, Keene, NH, representing self - support**

Expressed concern over many people showing discrimination against him as a transgender male. Wants to be a positive, contributing member of society. Submitted written testimony.

***Christy Hegarty, Durham, NH, representing family - support**

Testifying on behalf of her transgender daughter (12), her father and her two sisters. The present administration's positions taken in the last year and a half is upsetting. She is anxious that she will be discriminated against because the federal protections were swiftly removed last year. Just recently, the Department of Education will no longer investigate complaints filed by transgender students and the constant aggressive attacks on the LGBTQ community. It is time to protect the transgender people like her daughter. Submitted written testimony.

***Vivian Murphy, Rochester, NH, representing self - support**

Even though she recognized years ago she was different but did not act on (did not "come out" until a serious illness threatened her life. She beat cancer and found her voice. No longer hides, no longer lives in fear, no longer deny who she is and no longer be silenced. Support this bill so people may rise or fall based on their own merits rather than because of their perceived difference. Submitted written testimony.

***Gerri Cannon, Somersworth, NH, representing - support**

NH resident for 40 years, worked in the computer industry for 31 years during which time he was monitored by company employees to make sure he dressed appropriately. When he told Human Resources he would be transitioning to a woman on the job, two months later he was released. Not much has changed. 13 years later she was elected to the Somersworth School Board as an "out" individual, since then she has received harassment and foul messages. Submitted written testimony.

Roger Schneeweis, no info on pink card - oppose

"changing law won't change no minds."

Danni-Lee, representing self - support

Society has a lot of individuals who are problems to society but we should judge individuals by their actions. Job problems.

Mason Pasch, Nashua, NH, representing self - support

He has lost job opportunities; suicide for transgenders is a major crisis; please support this bill.

***Dr. Joelle Ruby Ryan, Newmarket, NH, representing self - support**

She is a professor of Women's and Gender Studies at University of New Hampshire, but today is speaking as an individual. New Hampshire is the only state in New England that does not protect transgender people. 11 states, over 200 cities have passed gender identity bills and it's had a positive impact on communities. She has faced discrimination and prejudice has taken a toll on her. She has a strong desire to see next generation treated as all citizens wish to be treated. Submitted written testimony.

***Walker T. Brown, Hooksett, NH, representing self - support**

As a grandfather of a transgender teenager, he has seen the pain his grandson goes through at the hands of people who are ignorant of their struggles. Grandson's suicide attempt failed. Grandfather has learned that transgender people who are able to transition to live as the gender they know themselves to be have their dysphoria (the mismatch between their mind and body) decreased and their depression and anxiety decreases as well. He knows his grandson has a long way to go both medically and emotionally.

He was compelled to testify in support of HB 1319 to ensure that gender identity is added to the categories protected from discrimination and hope is soon will become law. Submitted written testimony.

***Karen Young, Londonderry, NH, representing Harvard Pilgrim HealthCare - support**

She is Chief Inclusion Officer of Harvard Pilgrim HealthCare want to improve the quality and value of health care for all people, that includes transgender and non-binary members in New Hampshire serving since 2009. They know transgender and non-binary people receive health care in non-trans-friendly settings which produces further negative impacts to their health. It is a necessary, critical and urgent next step to assure everyone is protected from violence and discrimination. Submitted written testimony.

Grace Alden, Plainfield, NH, representing self - support

Retired police officer. During transition continue to work. Town Manager spent money trying to figure out what to do; totally not necessary.

Roger Clemons, Bartlett, NH, representing self - support

Don't know what it is, but obvious it is. Work with adults and kids.

Nancy Brennan, Weare, NH, representing self and human rights- support

She is not scared as she looks around the room or when she enters a restroom. Current scientific studies point to biological reasons. Believes you stand for what is right.

***Jillian Leigh, Portsmouth, NH, representing self - support**

If you are born transgender, life is not a lark. You know instinctively you should have been the other gender. If you choose to transition, you know you risk everything - marriages, relationships with children, families, friends, jobs, careers, and financial stability. Please, clarify the existing law, so that everyone in NH is afforded equal protection. Submitted written testimony.

***Dr. Laura Frye, Associate Medical Director, Manchester Community Health Center - support**

She has been a family physician in New Hampshire for over 22 years, For las 11-12 years been caring for many transgender patients who have educated her about the medical and social situation they face every day of their lives. She has reviewed th policies of both the American Medical Association (AMA) and the American Academy of Family Physicians (AAFP) regarding their long standing anti-discrimination stance. We know from research and personal interactions that being transgender is not a mental illness or a choice for a person born with a mismatch of genes and identity. Suicide attempts and perhaps the most tragic among adolescents as their secondary sexual characteristics become prominent and create dysphoria. This bill will give them protection and hope to live life as other citizens do. Submitted written testimony.

Ellen Vermilyen, no info - support

As a child transgender was difficult to understand but she is happy with her decision. Also scary as a parent.

***Bill Monza, Rochester, NH - representing self - support**

He is an ally of Freedom New Hampshire and support transgender folks' right to freedom from discrimination in housing, employment and public places, hospitals, restaurants, etc. Has met friends from his church who are transgender and found them like anyone else, go hiking, play golf. They care about their families, jobs, goals and aspirations. Submitted written testimony.

***Robin Helrich, Hopkinton, NH, representing daughter - support**

Proudly supports HB 1319 for without this law there are no protections from being discriminated against if a transgender person is denied housing, employment or access to public accommodations. Her daughter came out as transgender, the instant she did, she lost many of her civil rights. Imagine if you became the "other" overnight and lost many privileges you took for granted. Imagine if you or someone you loved was denied a job or housing simply for living as the person he or she is? Imagine if you are fresh out of college and looking for a job and knowing there are less than 20 states in the USA where he or she would be safe from discrimination. Submitted written testimony.

***Gina Rosset Smith, Meredith, NH, representing self - support**

Long time resident of New Hampshire believes that our transgender neighbors and friends deserve to be treated with dignity and respect. Submitted written testimony including her note to Rep. Vadney re gender-specific situation. Submitted written testimony.

Barbara MacLeod, Wilmot Flat, NH, representing self - support

As a mother sees children being treated differently and it hurts.

Kimberly Morin,, representing self - oppose (excited opposition)

Excuse to be predators; won't feel safe in private; body parts determine, not emotion; puts women in the back seat.

Rich Gulls, State Employee Association (SEA) - support

***Mikayla Bourque, representing self and SEA/SEIU - support**

On September 15, 2016 the state of New Hampshire as an employer passed a policy and procedure on transgender employment. This also directed state agencies to add gender identity protection on all state literatures. She has seen many differences in the 25 years working for the state and seen improvements in processes and procedures. Submitted written testimony.

***Marcia Garber, Manchester, NH, representing self - support**

Believed her youngest child, a daughter was just a "tomboy" as a youngster. Over time the intensity of feelings, behaviors and distress brought parents to seek professional help. When learned child was transgender, they had no ideas what that would mean for him(CJ). They were relived and dumbfounded at the same time. They didn't have protections then and his 20 years were short and horrific. CJ is deceased. Submitted written testimony.

***Eric Golden - support**

Submitted written testimony. He is father of 5 children one of whom is a transgender child. This bill is not about "special rights", "special interests" or "extra rights". We need to protect our transgender residents, our friends and neighbors in areas of employment, housing and public accommodation and have all the rights that we all take for granted.

***Ken Norton, Executive Director, National Alliance on Mental Illness (NAMI-NH) - support**

Studies on the higher risk for suicide for individuals who are lesbian, gay, bisexual or transgender are of grave concern. He led the development of NAMI NH's Connect Suicide Prevention Program which was designated as a national best practice in suicide prevention, intervention and post intervention. They Connect Program has trained in 40 states and in over 35 tribal nations. NAMI NH strongly believes that passing this legislation to prohibit discrimination based on gender identity will help decrease risk for suicide. Submitted written testimony.

***Victoria Horrock, New Hampshire Legal Assistance (NHLA)- support**

She is the Fair Housing Project Co-Director. The project advocates for people who are victimized by housing discrimination and domestic violence. They have limited options to help people who face housing discrimination based on gender identity. Federal regulations prohibit discrimination based on gender identity in federally subsidized housing; but no state or federal laws explicitly prohibit such discrimination in private housing. New Hampshire is the only state in New England that does not provide protection and prohibit gender identity discrimination in housing.

***Laura Morrison, Concord NH, representing self - support**

She had no idea her daughter was trans until two years ago when she came out to her family at age 28. She is beginning to understand how many trans people secretly struggle with their identity for a very long time due to the discrimination they face many waiting until later in life to come out. Before her daughter came out she was protected; now she is not! She deserves all of the protections that everyone else enjoys in this state. Submitted written testimony.

Emmet LeBlanc, Freedom MH - support

He is a transgender man and support passage of the bill.

Alex McEntee, Concord, H, representing self - support

Supports this bill because it is the right thing to do.

***Jessica MacFadzen, Penacook, NH, representing self - support**

She has always lived here in New Hampshire, except for time in military, state employee for more than 27 years. Came out four years ago and experienced the discrimination in public - refused service in a restaurant, turned away by several building managers while looking for an apartment but the worst came in the work place abuse from co-worker. no longer felt safe at work until someone in a leadership role made it clear discrimination would not be tolerated. Submitted written testimony.

***Sara Bennett, Laconia, NH, representing self - support**

Lifetime resident on New Hampshire. Kept her secret for many years fearing what could happen to her if she came out to family, friends, etc. Went further into depression and anxiety, stress. Over 20 years later she came out. Fortunate to have an employer who has gender identity in their anti-discrimination policies. This bill can provide simple and explicit protections that play a vital part in how a person can be a contributing member of society. Submitted written testimony.

***Lisa Bunker, Exeter, NH, representing self - support**

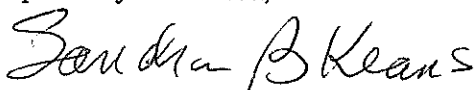
Spoke about people's anxiety about "transgender thing". Anxiety blows things out of proportion, and anxiety works the same whether the danger is real or not. Trans people face real danger in the world every day just trying to live their lives the same as everyone else. Is asking that specific and explicit equal protection under the law, the same as is already afforded to many other categories of people. Submitted written testimony.

***Lisa Draper, GLSEN-NH, TLC Family Resource Center - support**

Volunteers as a regional coordinator for GLSEN-NH and works as an educator for the TLC Family Resource Center in Claremont. Lives in Claremont and is representing the transgender youth from Claremont Middle School, Fall Mountain Regional High School, Newport Middle High School and Stevens High School who participate in TLC's Rural Outright Program. They ask that the legislators consider their futures and that they will have the same opportunities and protections as all New Hampshire citizens. Submitted written testimony.

Pink Cards: support, Boyd Hegardy, Rep. William Marsh, and Rep. Kevin Scully

Respectfully submitted,



Rep. Sandra B. Keans, Clerk

HOUSE COMMITTEE ON JUDICIARY

CONTINUED PUBLIC HEARING ON HB 1319

BILL TITLE: prohibiting discrimination based on gender identity.

DATE: February 13, 2018 (Recessed Public Hearing January 31, 2018)

ROOM: 208

Time Public Hearing Reconvened: 10:05

Time Adjourned:

RECESSED 12:00
REOPEN 1:00
ADJOURNED 1:45

(please circle if present)

Committee Members: Reps. Hagan, Rouillard, Keans, Hopper, Sylvia, Hull, Wuelper, R. Graham, Hynes, Janvrin, Leavitt, Wall, Horrigan, Berch, Suzanne Smith, Kenison, DiLorenzo and Altschiller

Bill Sponsors:

Rep. Butler
Rep. Dean-Bailey
Rep. Bean
Rep. Darrow
Sen. Reagan

Rep. Stone
Rep. Hennessey
Rep. Gargasz
Sen. Bradley
Sen. Woodburn

Rep. Fothergill
Rep. Crawford
Rep. McMahon
Sen. Innis
Sen. Fuller Clark

CONTINUED HEARING:

TESTIMONY

Use asterisk if written testimony and/or amendments are submitted.

① DAVID WEBER: UNIV. UNIT. EXERCISE - SUPPORT

③* KUNDS JAKOWS - SUPPORT - DISRESPECT CAUSING MANY OTHER PROBLEMS LIKE HOMELESSNESS. LONG OVER-DUE

③* STEPHANIE CAWLEY - SUPPORT IDENTITY DISPHORIA

④* SARA DUSTIN NH WOMEN'S FOUNDATION CHANGE TO END VIOLENCE HARASSMENT. NOW INDIVIDUAL SCHOOL DIST. MAKE OWN POLICY. PUBLIC SAFETY CRUCIAL

⑤ LIAM MAGAN TRANSGENDER SUPPORT SEVERE HARASSMENT AT WORK.

⑥ ELAINE THOMAS - SUPPORT ORIGINALLY HEARTBROKEN BUT ~~STAY~~ REALIZED THIS WAS FOR REAL.

① TERNBERG SMITH M/D - SOCIETY GETS FIXED ON BODY PARTS
SOCIETY HAS CHANGED IN LAST 50 YEARS
SUPPORT

② SHANE HISENBERG SUPPORT - 1993 CAMP OUT AND HAS HAD
AS GAY HISTORY OF DIFFICULT EMPLOYMENT BECAUSE OF DISCRIMINATION
ADDITION 20 YEARS BECAUSE ASSESSMENT

③ DONITREY DIFFENDALE - SUPPORT

④ GARY HENRY SUPPORT BROTHER. RECALLED IN
1ST GRADE - GENERALLY GAY UNTIL THIS SCHOOL
YEAR HAS BECOME POPULAR EST. AFTER DEPT OF EDUC'S
ANNOUNCEMENT OF NO GAY

⑤ WIMMY MURPHY - EVEN THOUGH RECOGNIZED YEARS AGO
DID NOT ACT ON UNTIL A SERIOUS ILLNESS THAN
CAMP OUT.

⑥ GEORGE CAROL - TRANS YEARS GONE BY WITH FAMILY.
NEXT MEMBER OF SCHOOL BD IN SOMERSWORTH
ELECTED AS AN OUT "INDIVIDUAL."

⑬ ROGER SCHWETZESS - CHANGING THE WAY WE CHANGE
OPPOSED
MINDS.

⑭ DANNI-KEE - SUPPORT - SOCIETY HAS A LOT OF INDIVIDUALS
WITH ARE PROBLEMS TO SOCIETY BUT WE SHOULD
JUDGE INDIVIDUALS BY ACTS. JOB PROBLEMS

CONT'S
1319
2

15 MASON PASCH - SUPPORT - TRANS HAS LOST JOB OPPORTUNITIES - SUICIDE FOR TRANS IS MAJOR CRISIS.

* 16 JOELLE RYAN - SUPPORT ^{UNIT PHD.} FAIRNESS & SAFETY.
BEING TRANSGEN & NOT PROBLEM - ITS HARASSMENT

* 17 WALKER BROWN - SUPPORT - GRANDCHILD

* 18 KANE YOUNG - SUPPORT HARVARD PILGRIM HEALTH

19 GRACE ALDEN ^{SUPPORT} RETIRED POLICE OFFICER DURING TRANSITION CONTINUED TO WORK. TOWN MGR SPENT & TRYING TO FIGURE OUT WHAT TO DO - TOTALLY NOT NECESSARY

R. 20 ROGER CLEMENS - SUPPORT - DON'T KNOW WHAT IS - BUT OBVIOUS IT IS - WORK W/ ADULTS & KIDS.

21 NANCY BRENNAN - NOT SCARED AS I LOOK AROUND THE ROOM OR ^{WHEN I} GO TO RESTROOM. CURRENT SCIENTIFIC STUDIES POINT TO BIOLOGICAL REASONS.
STAND FOR WHAT IS RIGHT

* 22 JILLIAN HEIGA - SUPPORT TRANS NOT A LARK - RISK EVERYTHING - FAMILY, JOBS, HOMES, RELATIONSHIP W/ CHILDREN.

* 23 DR. KARA FRYE MED DIRECT. MAN. COMM HEALTH CTR
NOT A CHOICE - EVIDENCED BY STUDIES

CONT.
1319

(3)

- (24) ELLEN VERMILYEN SUPPORT - CHILD TRANS DIFFICULT TO UNDERSTAND BUT SAE'S HAPPY W/ DECISION. SCARY AS A PARENT.
- * (25) BILL MONZA SUPPORT - HAS MET SEVERAL & FOUND THEM LIKE ANYONE ELSE AT CHURCH, HIKING, ON GOLF COURSE.
- * (26) ROBIN HELRICH - SUPPORT - MOTHER OF DAUGHTER
- * (27) GINA ^{ROSET} SMITH - SUPPORT - NEIGHBORS FRIENDS DESERVE TO BE TREATED W/ DIGNITY & RESPECT.
- (28) BARBARA MACHEOD SUPPORT MOTHER - SEES CHILDREN BEING TREATED DIFFERENTLY & IT HURTS.
- (29) KIMBERLY MORIN ~~OPPOSED~~ EXCITED OPPOSITION EXCUSE TO BE PREDATORS. WON'T FEEL SAFE IN PRIVATE BODY PARTS DETERMINE NOT EMOTIONS. PUTS WOMEN IN BACK SEAT.
- (30) RECH GULLS - SEA SUPPORT -
- * (31) MIRAYLA BOURQUE SEASIDE SUPPORT
- (32) WM MARSH - SUPPORT GONE
- * (32) MARCIA GORBER SUPPORT DECEASED SON

CONT.
1319

(4)

* (33) ERIC GOLDEN - SUPPORT FATHER OF ~~M~~^M ~~F~~^F → 4 OTHER CHILDREN

* (34) KEN NORTON - NAMI SUPPORT STUDIES ABOUT SUICIDE ARE OF GREAT CONCERN.

* (35) VICTORIA HORROCK - NH LEGAL ASSIST. SUPPORT FED HOUSING PROHIBITS

* (36) LAURA MORRISON SUPPORT

(37) EMMET HERBANO SUPPORT FREEDOM NH TRANS

(38) ALEX McENTEE SUPPORT RIGHT THING TO DO

* (39) JESSICA MACFADZEN SUPPORT TRANS MILITARY
27 YEARS AS DISPATCHER FOR STATE POLICE

* (40) ⁴¹ SARA BENNETT - SUPPORT TRANS

~~41 BOYD H SUPPORT~~

* (41) ⁴¹ LISA BUNKER SUPPORT TRANS

42 LISA DIAPAO CLEVELAND - SUPPORT

FEBRUARY 13, 2018

Testimony

My name is Linds Jakows and I live in Manchester Ward 3. I am the Campaign Manager with Freedom New Hampshire, and I stand in strong support of HB 478. Thank you for taking the time to consider this important issue affecting so many Granite Staters.

Most people know from a very young age that they are either male or female. But that is not true for everyone. I'm someone who does not fit into either gender. Instead of using "he" or "she", I used the pronoun "they". For example, instead of, "She is the campaign manager", you would say, "They are the campaign manager".

Because of discrimination against people like me, I worry about the prospect of finding work in between contract jobs. I worry about others closing the door in front of me before I'm given the opportunity to prove that I can get the job done.

It's surprising to learn that we have no explicit protections against discrimination in employment, housing, or public spaces like hospitals and restaurants.

This is especially shocking because discrimination against transgender people is so common. For example, according to a recent study here in New Hampshire, more than one in five (21%) respondents reported being fired, denied a promotion, or experiencing some other form of mistreatment related to being transgender in the past year. One in ten (10%) respondents experienced homelessness because of being transgender. And more than one in five (22%) reported being denied equal treatment, verbally harassed, or physically attacked in public spaces. This is heartbreaking.

No one should have to fear being fired from a job, denied an apartment, or kicked out of a restaurant just for being who they are.

It's inspiring to see an outpouring of support for this bill from communities across the whole state of New Hampshire, some of whom were unable to be here in person today. Transgender constituents and their families, businesses, faith leaders, and law enforcement agents are calling for the clear need for gender identity to be added to the list of classes under the state's non-discrimination law. Adding "gender identity" to the list is a simple, commonsense update that will ensure transgender people are fairly and equally protected under the law—nothing more, nothing less.

Since this bill was in front of the Health & Human Services committee last year, support has only grown. HB 1319 now has 12 Republican cosponsors from throughout the state. It is endorsed by the bipartisan Children's Caucus and the Children's Behavioral Health Collaborative, demonstrating that those who care about our state's youth know protection from discrimination makes families stronger. The Business & Industry Association has identified it as a top priority for strengthening the state's labor force and making our economy more competitive.

We know this is a new issue to a lot of us. What we see time and again is that as Granite Staters get the opportunity to meet their transgender neighbors, they come to see that this update is about nothing more than giving everyone – including

transgender people – the opportunity to truly live free. We've been hard at work building more support through dozens of house parties, documentary screenings, and our "Ask a Trans Person Anything" panel series, all across the state. Tomorrow night the NH Young Republicans and Young Democrats are holding a bipartisan, co-hosted panel event at UNH. The time for passage is now.

I would like to submit additional written testimony for supporters who were not able to be here in person today for your consideration.

Again, we thank you for listening to so many voices from across the state, and we urge you to vote OUGHT TO PASS on this bill.

3

3

My name is Stephanie Cawley and I stand in support of HB 1319.

I am a proud Transgender woman and more importantly a parent to 3 children, all in college and doing very well. One is at UNH, one at Plymouth State University and one at Colby College in Maine.

I have been a healthcare professional for 38 years. The first 6 years as an Emergency Medical Technician and the last 32 as a Registered Nurse. I am a homeowner, taxpayer and an avid outdoors enthusiast and I have lived in Center Conway NH for 31 years.

We heard from the previous day of testimony that trans people may be protected already against discrimination based on a 1988 court ruling. But this hinges on declaring oneself as having a disability, something which in my case as well as many other Trans people is simply untrue. This is sometimes also able to be argued under "sex discrimination", but that is also not always enough. Transgender people deserve a law against discrimination that is crystal clear and explicitly includes "gender identity".

And as a healthcare professional, I believe we should provide competent and compassionate care to everyone who has mental health issues. I myself suffered from gender dysphoria, a DSM recognized mental health diagnosis until I finally transitioned.

Additionally, many of us face the loss of loved ones, job and housing discrimination and being turned away at public accommodations due to our Trans status. And this discrimination can lead to depression and anxiety. But just being transgender is not a mental illness.

About 12 years ago after many years of torment, I finally went back to therapy to deal with my conflicted emotions regarding my gender identity.

I had tried to deal with this back when I was a teenager, but I was young and immature and back then, the world was not kind to transgender people. In fact, the word transgender was rarely used. Typically the words used to describe people like me, were derogatory in nature. The information regarding trans people was often simply wrong even among so called experts.

About 9 years ago I began my transition and at the time I was working as a nurse at Memorial Hospital and at Kennett High School in North Conway. Living and working in New Hampshire, concerned me knowing that I was about to begin my transition from what people saw me as, a man, to the woman that I always knew I was.

I knew that Maine had strong explicit language in its laws that protect transgender people. So I found a job as a Nursing Supervisor at a Critical Access Hospital in Bridgton Maine, where I still work. I did not want to risk being fired just because I was transgender.

At the time, my kids were still in Middle and Grade School with college plans for all three. I couldn't take the chance of losing my job and risking their futures.

So even though I live in and love New Hampshire, I chose to work in Maine because I was protected there from discrimination whereas in New Hampshire, I would not have that same level of protection.

I still live in New Hampshire and still love this state. I'm a frequent hiker and spend every opportunity doing something in the outdoors, hiking, biking, skiing, snowshoeing, etc.

I want to help make this state the best possible state not just for myself, but for the Trans children growing up now and for everyone else regardless of their race, sex, religion, sexual or gender identity.

We have a graying state and economists recognize that keeping and attracting young people to our state will strengthen our economy and is in fact, necessary for our economic vitality. The millennial generation expects and demand an inclusive society. If we continue to be the laggards in this area of creating a welcoming and open economy, then the younger generation will go elsewhere ultimately hurting our economy. Apparently Governor Sununu has recognized this reality by saying that he will support HB 1319.

As a member of my hospital's Nursing Leadership Team, we are already grappling with the nursing shortage and it is expected to worsen over the coming years as the Baby Boom generation retire from the workforce. If we further exacerbate the loss of younger workers by refusing to create the open inclusive society, then who will care for you and I as we age and our health conditions get increasingly more complex?

Finally, I'd like to address some of the points raised by those in opposition to this bill. You heard some alarming and erroneous statistics regarding suicide attempts by Trans people at our previous hearing.

First, Gender Confirmation Surgery (GCS) is not in anyway connected to this proposed legislation. However, at the last hearing we heard that there is a 40-50% suicide rate following GCS. This is a false statistic. The actual statistic is that post operative regret for GCS is the same as for most other major surgeries, typically less than 3%.¹ Should we ban appendectomies and cholecystectomies?

Those alarming statistics cited by the opponents numbers come from studies that show a 41% LIFETIME suicide attempt rate among self-identified Transgender adults and a 50% suicide attempt rate among Trans teenagers². And considering the discrimination and bullying that Trans people endure, is this any surprise? This is a circular argument in that the opponents of this bill argue against fair treatment of Trans people and then the effects of this discrimination

causes mental health issues which is then cause for not supporting fair and equitable treatment of Trans people.

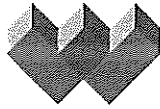
And the US National Trans Survey that was completed in 2015 shows that transgender people who are able to transition, have their psychological distress decreased. Further this study showed that in the past year, 20% of those who held or applied for a job during that year reported being fired, being denied a promotion, or not being hired for a job they applied for because of their gender identity or expression. Respondents who had a job in the past year reported being verbally harassed (11%), physically attacked (1%), and sexually assaulted (1%) at work because of their gender identity or expression.³

Another question raised by those opposing this bill, was the concern for privacy for non Trans people and students. We all care about safety and privacy of all people. We transgender people especially care about safety as we are often the targets of harassment and assaults. Absolutely nothing in this bill would make harassment or assault in a bathroom legal. This is a law that's been on the books in 18 other states, and the sky has not fallen – people have continued to mind their own business in bathrooms. I urge you all to listen to Chief Colarusso, who testified at the last hearing that this “bathroom predator” myth is “the boogeyman.”

I urge you to support HB 1319. Thank you for your time.

1. https://www.researchgate.net/publication/262734734_An_Analysis_of_All_Applications_for_Sex_Reassignment_Surgery_in_Sweden_1960-2010_Prevalence_Incidence_and_Regrets
2. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/AFSP-Williams-Suicide-Report-Final.pdf>
3. 2015 U.S. Transgender Survey: New Hampshire State Report. (2017). Washington, DC: National Center for Transgender Equality.

4



new hampshire
WOMEN'S FOUNDATION

February 13, 2018

Representative Joseph Hagan, Chair, Judiciary Committee
New Hampshire House of Representatives
107 North Main Street
Concord, NH 03301

RE: Testimony in Support of HB 1319

Dear Chair Hagan and Honorable Members of the Committee:

The New Hampshire Women's Foundation invests in equality and opportunity for New Hampshire women and girls through grantmaking, research, education, and advocacy. We support HB 1319 as a much-needed update to the Law Against Discrimination. Over the years, the Law Against Discrimination has evolved to ensure that people don't face discrimination because of who they are, resulting in protections against discrimination based on race, age, gender, and sexual orientation. It is long past time to extend those same protections to transgender people.

Nothing in HB 1319 would change the fact that it is already illegal to assault a woman in a public restroom or locker room. Eighteen states and over 200 municipalities have prohibited discrimination against transgender people; some of these anti-discrimination provisions have been on the books for decades. These jurisdictions have not experienced increases in harassment, violence, or any other public safety issues in public restrooms or locker rooms. Prohibiting discrimination does not weaken laws against assault, nor compromise their enforcement.

Anyone who is concerned about public safety should be concerned about the fact that nearly one in two transgender people will be sexually assaulted during their lifetime. Indeed, transgender people face disproportionate rates of discrimination, harassment, and violence in all areas of their lives. Forcing transgender people out of the public facilities consistent with the gender they live every day makes them far more vulnerable to assault. Instead, we should seek to guarantee that transgender people can use the public facilities where they are safest – those consistent with the gender identity they live every day.

The New Hampshire Women's Foundation is pleased to be a resource to the Committee if members have any questions or concerns. Thank you for the opportunity to provide this testimony.

Very truly yours,

Sarah Mattson Dustin
Director of Policy

My name is Liam Magan and I live in Keene. I was born in Concord and am 24 years old. I lived in Penacook until I was four, and grew up in Epsom where my family still lives. I graduated from Keene State College in 2016. New Hampshire is the only home I've ever known, and I can't imagine living anywhere else.

After many difficult years in the food service industry, I have found a career that brings me true joy. I am an apprentice with a septic system evaluator, and look forward to becoming licensed by the state so that I can perform inspections on my own.

I am a transgender man, meaning I was born female and have transitioned to male. Two years ago, I began my transition after struggling with my identity for many years. Today, I am more me than I have ever been. But it has not been an easy road. Before coming out, the confusion and uncertainty I felt about accepting my own gender identity and the fear of what others would think about me caused a lot of anxiety. But the support I received from many people after coming out to them gave me confidence, and helped me to start living honestly as a transgender man.

One of the people who was supportive of my gender identity was my assistant manager at the restaurant Five Guys, where I had started working the year before transitioning. She even encouraged me to tell the general manager about my gender identity. That's when the discrimination began.

Over many months in 2016, I was harassed and mistreated almost daily by coworkers and Five Guys management. Many of my coworkers respected my identity – by calling me by my name, Liam, and addressing me as he, him and his – but senior management did not.

I do not use my birth name because it is not a part of my identity. I am Liam. But my managers did not respect this and refused to change my name on the schedule or in the computer system to Liam. So every time I worked the register, my birth name was printed on customer receipts. Even if customers saw me as male due to my appearance, the visibility of my birth name would immediately out me. It meant that every time I clocked in or out, my birth name showed up on the screen, easily seen by any of my coworkers. Any time that I ordered food for my break, my birth name was printed on the tickets that my coworkers read to prepare my food.

One coworker knew my gender identity but intentionally treated me as a woman, not a man, because he did not accept who I was. Despite asking management not to work with him, most of my shifts were scheduled with him anyway. In fact, most of my shifts were being scheduled with him and other coworkers who were harassing me.

On one particularly hectic day, the district manager of Five Guys was in the restaurant to help out. He consistently treated me as the wrong gender when he saw me. He claimed that he was just confused because he only knew me from my paperwork that listed my birth name. After a busy lunch rush, during which my coworkers were not only correcting my supposed mistakes but treating me as the wrong gender all morning, I was at a breaking point. I went to the back

GOOD MORNING Members of the JUDICIARY COMMITTEE

My name is Elaine Thomas. I have been a resident of NH for over 50 years. I am here today in support of HB 1319 a bill to update the already existing anti discrimination bill to include housing, jobs and public spaces for transgender people, but first I want to thank you for your service and to let you know how much I appreciate this opportunity to testify.

Having had 2 boys, I was thrilled when my only biological grandchild was a girl! We grew to be good friends and sometimes I thought she was the only one who paid any attention to me. We did many things together and especially enjoyed hiking in the White Mountains when we stayed in the AMC huts.

When she was in her early teens, she became he. I was heartbroken as you might imagine. However, love took over and my first comments to him were "I love you and always will. What do you want me to do?" He told me to address him by his new name and to use the male pronouns. I immediately agreed to do this. Using his chosen name has been pretty easy but I still slip up with the pronouns. He is very forgiving. I continue to be on a learning curve to learn all I can and have become politically involved to be sure he has equal rights.

He is now 16 and an A student, involved in a YMCA Leaders program, Teen NH, a participant on the school's diversity athletic program where he mentor's students with disabilities and recently has been selected to represent Nashua South in the Hugh O'Brian Youth Leadership Program a nationwide program to develop young leaders. (www.hoby.org)

My goal in being here today, which is something I have never done, is to have my grandson be able to stay in NH instead of having to relocate to a state with transgender protections. He has tremendous potential and deserves not to suffer discrimination and hatred in his future.

I thank you for your attention and am asking that you vote yes on HB 1319.

Some resources:

Freedomnewhampshire.org

pflagnh.org

National Geographic – Gender Revolution January 2017
(<https://www.nationalgeographic.com/magazine/2017/01/>)

#9 R

Good afternoon members of the Judiciary Committee as well as members of the audience. My name is Dante Rey Diffendate and I'm a resident of Keene, NH. I just turned 34 on the 28th and I am a transgender man. In today's day and age I shouldn't have to prefix man with the word transgender. I should not have to go on to another job interview where I have all the qualifications of the job I'm trying to get, ~~like~~ as well as possess the necessary interpersonal skills to have a great interview. Then I get up and go to shake the hand of the individual interviewing me and they look at me and say "Thank you ma'am." I then I then say I'm actually a sir

Can feel the atmosphere in the room completely change. I should ~~only~~ ~~not~~ be either given an offer of employment or not get the job based on the skills I possess the things I can offer a company, my interpersonal skills, and my personality, not anything else. I realized last week when I spoke to certain members of your committee one of the concerns that almost all members I talked to said ~~the~~ that since the transgender community as well as our Allies are trying to implere that we need ~~because~~ might seem like we are trying to say our community is special because why

cant All americans have these protections. let me explain it this way: When in our own history slavery was abolished the reason that African Americans sought the protection that they were struggling to obtain is because they had faced discrimination. Well the same is unfortunately true now, we are striving to get HB 1319 signed into law because we have faced discrimination based solely on the fact that we have challenged what society has defined as gender norms. All we, or should I say all I am doing is striving to be a positive contributing member of society. The United States are a place of equal

opportunity, the land where
you can pursue your
dreams, where you can
live out your dreams. HB1319
would make it where I
and other people like me
can pursue our dreams
and live out our dreams.

I want to say thank you
for affording me the opportunity
to stand in front of you
exactly as the man I am
nothing more nothing less
and hopefully make you
realize just why we need
HB1319 to be signed into
law. Please show me that
you agree that I can
have the opportunity to
be a contributing member
of my community and my
state by voting Yes in
regards to HB1319.

10

Testimony for HB1319

I am the parent of a transgender daughter. She is 12 years old. Her name is Lia. She attends the Oyster River Middle School here in the state of New Hampshire. Our daughter has been blessed with many friends that she has known since preschool. These friends, their parents and teachers have been supportive of our transgender daughter throughout her social transition that started in Kindergarten. Our child has been lucky to not have to struggle for acceptance while growing into the young lady that she is becoming. We are extremely grateful that we have not had to overshadow her childhood with fights at the state level for her basic human rights of using the bathroom or for being able to play a sport with her friends.

However, The past year and a half has been upsetting for Lia. The present administration has proven to be a downward spiral of negativity and terror for my child. We are no longer shocked by the decisions that are made and passed through each month but know that they have a profound effect on our family. Although, life goes on and she gets up and does her best to move through her days like all the other kids...Lia continues to fear the worst...that someone may take her away from us and make her go to conversion therapy (which, i must mention, our state only weeks ago, BARELY passed to ban in the house, fingers crossed that the Senate will keep my child in mind going forward). She is anxious that she will be discriminated against because the guidance for protections that were put in place at the federal level were swiftly removed last year. And Just yesterday, it was announced that the Department of Education will no longer investigate complaints filed by transgender students. These are Lia's examples of discrimination. We have explained to our daughter that we will protect her and keep her safe. However, It has been hard for us to convince our child that things will continue to be okay, when we are witnessing the persistent, aggressive, attacks by the current administration on the LGBTQ community. Lia is very aware of the challenges that transgender women face in our country and in the world. She understands that there are many transgender women that have come before her and have had to struggle with discrimination in ways that she can't imagine, to be able to simply survive, from one day to the next.

I am testifying today, on behalf of our transgender daughter, her father and her two sisters, because they need to know that their home state of New Hampshire, where the motto clearly states LIVE FREE OR DIE, will protect Lia's right to continue to live her life authentically and freely, just like her sisters. She deserves to have the same rights in applying for jobs and housing, as her sisters. She needs to know that when and if she is suffering with an illness or having been in an accident that she will receive the same care at our hospitals, as her sisters. Our law against discrimination has long protected me against discrimination because I am a woman, and it has protected people of color and the lesbian, gay and bisexual communities-now it's time to update it to protect transgender people like our daughter. Please vote YES ON HB 1319.

Christy Hegarty, Durham, NH

christyhegarty@gmail.com

R-11

Testimony on HB1319 from NH resident Vivian Murphy 2/13/18

My name is Vivian, and I am from Rochester. As a transgender woman, I can attest to the unnecessary suffering the transgender community has endured at the hands of the fearful.

We here in NH take great pride in our motto "Live free or die." I was unable to live free. I was born in 1951, before there were words to describe being transgender. Even at 5 years old, I knew I was different, and that to survive, I had to deny my truth and adopt a false persona. I was forced to spend 50+ years living a lie so others would feel more comfortable, and so I would feel safe.

I have suffered from failed relationships, depression, anxiety, self-denial, shame and guilt. I am a target for discrimination, invalidation, and rejection from others, for what I am without them knowing or caring who I am. Again, I am a target for how I look, not for who I am.

On my first day of a new job, as I sat alone at lunch listening to the talk around me, I was indirectly discriminated against as somehow the word transgender came up in the conversation. A fellow employee said "Those f***ing things should be killed." I wanted to scream yet I kept silent.

Twenty years ago I was told I had 6-8 months to live. I was scared but I decided that I had already given up on myself once and I wouldn't do that again this time. I beat cancer and in doing so, I found my voice. I will no longer hide, I will no longer live in fear, I will no longer deny who I am. I will no longer be silenced.

I have paid my dues and all I want in return is to live what's left of my life with dignity. I and the transgender community are so much more than just transgender. We are your neighbors, your children, your brothers and sisters, your wives and husbands, mothers and fathers, your co-workers and fellow parishioners, your teachers and first responders, your defenders and your leaders! We deserve the right to live without fear of being fired from our jobs, denied housing or service at a restaurant or hospital just because we are different..... A life less lived is a life not lived.

I and the thousands of transgender people in NH have lived in the shadows long enough. But we need you, our elected NH Legislators, to ensure that like all people in our great state, we too, are treated fairly, equally and justly so that we rise or fall based on our own merits rather than because of our perceived difference.

Contact Info: 43 Chamberlain St. Rochester, NH 03867 - 603 335 1385
vivianjeanne@aol.com I would be available for further questions or discussion.

2/13/2018
NH House Judiciary Committee
HB 1319 Testimony

My name is Gerri Cannon and I currently live in Somersworth, New Hampshire. I've been a resident of New Hampshire for 40 years.

I worked in the computer industry for 31 years. I helped bring Digital Equipment Corporation to New Hampshire. Years later, I helped plan, design, market and deploy electronic mail systems around the world.

Digital Equipment merged with Compaq and then with HP. During my last year with HP, I was put on notice that the way I dressed after hours while traveling on business was inappropriate. You see, I had kept a secret since I was 12 years old. I identified as a Transgender woman.

I was monitored by employees that traveled with me to make sure I wasn't dressed inappropriately. They told me that I had to decide: dress as a Man or as a Woman. So, I decided to live full time as Gerri. I informed Human Resources that I would be transitioning on the job. Two months later I was released, and another person was hired into my group, to do a job I had been doing.

When I consulted with a lawyer back then, he informed me that I wouldn't have a case, based on the laws at that time. Not much has changed in 13 years.

I was elected to the Somersworth School Board this past year. I ran on my own merits. My community read my resume in the papers and learned how I stood on local issues, and they elected me. I received a lot of praise from my supporters, my church and the community. I also received a lot of foul messages and harassment on the internet from others who just don't understand that Transgender people are real people, too.

Every day, I am on guard, aware that someone may cause me harm, either physically or verbally, because of who I am. For five years I drove a tractor trailer across our Country. Whenever I crossed a State Line I worried that someone would take issue with me. Every time I used a women's restroom I worried that somebody would be waiting for me, to cause me bodily harm. As a transgender person, I live in fear, because think that I'm a pervert or a child molester. I'm tired of being called something that I have never been and neither have all of the other transgender people I know.

I'm a loving parent. I'm a loving Grandparent. I'm a respected member of the United Church of Christ. I am a human being, just like everyone else. I just happen to be a transgender woman.

I have been supporting the transgender community for almost 20 years. I receive weekly phone calls and electronic mail from people who have been discriminated against for being transgender. Last spring, a young transgender person told me that after coming out to her supervisor, she received a text message the next morning from the manager. The message said she shouldn't report to work. They didn't need her anymore.

This is the reality: Transgender people in New Hampshire are losing our jobs. We are losing our housing. We are the ones being victimized in restaurants and in public facilities. But our laws do not adequately protect us like they do others.

One last thought. When a transgender person loses their job and then loses their home, they become statistics in our State. Transgender people are at greater risk of violence against them, homelessness, and suicide. Being fired, harassed, and invalidated by others are all contributing factors.

Please vote Ought to Pass on this bill. There are thousands of Transgender Men, Women, Children, Families and communities relying on you. We are a strong part of New Hampshire's future. Help us welcome everyone in to our state to work, live, play and grow with dignity.

Thank you,

Gerri Cannon
Somersworth School Board – At Large
603 841-5410

R-12

2/13/2018
NH House Judiciary Committee
HB 1319 Testimony

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Thank you,

Gerri Cannon
Somersworth School Board – At Large
603 841-5410

#16

Good afternoon. My name is Dr. Joelle Ruby Ryan and I am from Newmarket, NH. I am a professor of Women's and Gender Studies at UNH but I speak to you today as an individual. Thank you for the opportunity to speak to you today about a topic I am very passionate about. I am here to support HB 1319 and to testify to the need for protection on the basis of gender identity and expression. As a lifelong resident of NH, I care deeply about the future of our state and in making it a more just and inclusive place. Like many transgender and gender nonconforming people, I have faced discrimination in many different arenas, including employment, housing and public accommodations. I have been denied jobs, denied housing, been thrown out of public restrooms, and treated in a discriminatory way in a hospital setting simply for being transgender. I have faced street harassment and threats of violence. While no bill is a panacea, this bill is vitally important to protect all Granite Staters, including transgender people, from discrimination on the basis of gender identity. NH is the only state in New England who does not protect transgender people and I believe it is time for NH to follow their lead and pass HB 1319. Multiple towns in NH, including Durham, Portsmouth and Newmarket have passed nondiscrimination bills to protect city employees and build momentum and support for a statewide bill. 18 states and over 200 cities have already passed gender identity bills and it has had a positive impact on the community to create more education, fairness and safety for all. I ask that you not fall into the trap of allowing out-of-state lobbyists to use fear-mongering tactics to defeat this bill. Contrary to their assertions, gender identity nondiscrimination bills do not make women and children more unsafe in public restrooms. There has been no uptick in violence due to these bills. And that's why the NH Chiefs of Police and NH Coalition Against Domestic and Sexual Violence support this legislation. In addition, it is important to remember that there are already laws established against harassment and these would be fully enforced in the unlikely case of any issue that might arise. The transgender community is one of the most vulnerable populations in American society. Research and surveys clearly demonstrate the discrimination that transgender people face and the need for legal protections. The impact of all the discrimination and prejudice that I have faced has taken a toll on my physical, mental and spiritual health. I have a strong desire to see that the next generation of transgender and non-binary people do not have to face this oppression. Please do the right thing and pass HB 1319 to ensure that all Granite Staters, including transgender people, are treated justly and fairly in our state. Thank you for your time.

TESTIMONY ON HOUSE BILL #1319
SUBMITTED BY WALKER T. BROWN

#1319

As the grandfather of a transgender teenager, I am aware of the pain that transgender people go through at the hands of people who are ignorant of their struggles.

Like many people in my generation I never knew anyone who was transgender. I thought of the transgender people I read about in the press as different and strange. I didn't wish them any harm, but I wasn't sure that I wanted to get to know them either.

Then my grandson made a serious suicide attempt. Through subsequent hospitalizations and therapy, he was finally able to reveal the fact that he felt like a boy inside a girl's body. My son and daughter-in-law, responded with love and concern. Our extended family also surrounded him with love and understanding. In spite of acceptance by those closest to him, my grandson still has a long way to go both medically and emotionally. It hurts me to see the pain he feels as he copes with a society that still does not accept him for who he is.

I have learned that transgender people who are able to transition to live as the gender they know themselves to be have their dysphoria (the mismatch between their mind and body) decreased and their depression and anxiety is subsequently decreased significantly as well. I know I will rest easier when my grandson is able to be recognized as the boy he is.

In support of my grandson and other transgender people, I am compelled to be here in support of HB 1319 to ensure that gender identity is added to the categories protected from discrimination. No longer should transgender people be denied the same rights all Americans deserve. I urge you to vote in support of this bill and hope that it will soon become law.

Walker Brown
1465 Hooksett Road, #419
Hooksett NH 03106



R-18

Dear Chairman Hagan and members of the House Judiciary Committee:

My name is Karen Young and I am a resident of New Hampshire and speaking as Chief Inclusion Officer of Harvard Pilgrim Health Care, a key business, employer and health insurer in New Hampshire. I am writing today in support of HB 1319 to prohibit discrimination based on gender identity in the State of New Hampshire.

As a New Hampshire business and employer, we join others in the business community, Eastern Bank and BIA to testify to the importance of New Hampshire being an inclusive state, to attract and keep talented workers here and to attract more investment and economic vitality to our state.

It is as a health insurer, that I want to address my remarks today. As a health insurer, we want to improve the quality and value of health care for the people and communities we serve – and that includes the transgender and non-binary members that we have been serving since 2009. As a health plan, we have come to understand the increased amount of stress and vulnerability involved in navigating the health care system, including challenges with insurers. And, we have taken steps to address the challenges including the way data is collected for claims processing. In the past, data fields that could only be completed as “male” or “female” triggered denials of claims for services such as mammograms, pap smears or prostate checks. We have removed these “gender edits” so that that claims are processed to support what a member’s body needs to receive appropriate health care. We have come to understand that navigating the health insurance landscape is even more difficult for those who are non-binary and transgender and have provided dedicated nurse care managers to provide navigational assistance that is caring, personalized and informed. In short, with these and other actions, we have taken steps to address the challenges.

We know that when non-binary and transgender people receive health care in non-trans-friendly medical settings there are even further negative impacts to their health.

From the 2015 U.S. Transgender Survey,

- **More than one-quarter (27%) of those who saw a health care provider in the past year reported having at least one negative experience related to being transgender**, such as being refused treatment, verbally harassed, or physically or sexually assaulted or having to teach the provider about transgender people to get appropriate care.
- In the past year, **18% of respondents did not see a doctor when they needed to because of fear of being mistreated as a transgender person**

As a health insurer, this is our business. It is important to recognize that while progress has been made – when it comes to health care and access to health care – including gender



Harvard Pilgrim
Health Care

identity protection is a **necessary, critical and urgent** next step to address health care inequity.

It is necessary to provide a consistent, state-wide standard so that those who receive health care throughout the state of New Hampshire know that they are protected.

It is critical because we know that there are real challenges and experiences of discrimination and harassment that negatively impact health.

And it is urgent. Our neighbors, family and friends and citizens of New Hampshire **urgently** need their basic rights to safety and security to be affirmed and to be protected -- not subjected to discrimination and violence simply because of their gender identity or expression.

I would like to thank you for the opportunity to testify in support of House Bill 1319 to prohibit discrimination based on gender identity in the State of New Hampshire.

On behalf of Harvard Pilgrim Health Care, I urge you to support HB 1319.

Sincerely,
Karen Young

R-22

HR1319 Testimony

Hello, my name is Jillian Leigh. I live in Portsmouth, and I'm transgender. I love this state, and I particularly love our state motto, "live free or die." Because freedom is more important than anything, and that includes being free to be your true self.

For most NH residents, gender identity isn't something you think about. You're born male or female, and how you feel inside matches your gender on the outside.

But if you're born transgender, like me and thousands of others in NH, the outside doesn't match the inside. You know instinctively that you should have been the other gender. For me, like many others, years of therapy, prayer, and all my willpower never got rid of the dysphoria I felt most of my life, until I began to transition to my true gender identity.

Some people have tried to convince this committee that being transgender is a choice. They might mean well, but, with all due respect, they don't know what they're talking about. Because for many transgender folks, the only choice, other than transitioning, is to live a life of misery, often with gender dysphoria so acute that suicide seems like a viable option.

Those of us who choose to transition know that we risk everything – our marriages, our relationships with our children, our families, our friends, our jobs and careers, our financial stability, everything. Because taking the risk is better than the alternative.

I didn't come here today looking for sympathy, or for any special treatment. Just to ask you, our representatives, to clarify the existing statute and extend "equal protection under the law" to all Granite-Stators. To ensure that transgender people can't be denied housing, or fired from their jobs without cause, as too many transwomen I know have been.

And please, allow everyone to use the bathroom that matches their gender identity. There's never been a documented case of any transgender person harming anyone in a women's bathroom. It just doesn't happen. On the other hand, I can't think of anything much scarier than being forced to use a men's room. Or making any woman or girl, including my own daughter, risk using a men's or boy's bathroom.

Some who have testified advocate waiting, not changing the law at this time. But the transgender kids who are getting bullied in NH public schools today, and beaten up in restrooms, they can't wait. Neither can transgender adults who have transitioned and then been kicked out of their apartments, or fired from their jobs. And the transgender kids and adults in NH who are contemplating suicide, today, they absolutely can't wait.

So I'm asking you, our elected representatives, to do the right thing. Please, clarify the existing law, so that everyone in NH is afforded equal protection. Approve HB1319. Thank you!

TESTIMONY by Dr. Laura R. Fry

23

February 13, 2018

Representatives Hall

Concord, NH

Good morning, my name is Dr. Laura R. Fry, and I am the Associate Medical Director for the Manchester Community Health Center here in Manchester NH

I have been a Family Physician in NH for over 22 years and caring for mostly underserved populations during that time. For the last 11-12 years, I have been caring for many Transgender patients who have been superb in educating me about the medical and social situation they face every day of their lives.

I am here today to support legislation which would guarantee that these Granite Staters do not suffer discrimination because of their gender identity.

In preparation for this I reviewed the Transgender policies of both the AMA and the AAFP, and I'd like to briefly summarize some of the salient points for you today.

The AAFP, an organization that I have been a proud member of for over 30 years states:

The American Academy of Family Physicians today reaffirmed its policies against discrimination by approving a resolution that specifically opposes state and federal laws that compromise the safety and health of transgender people.

The action, which opposes laws prohibiting transgender people from using public facilities that match their identity, adds to the AAFP's long-standing policy against discrimination.

AAFP's policy opposes "all discrimination in any form, including but not limited to, that on the basis of actual or perceived race, color, religion, gender, sexual orientation, gender identity, ethnic affiliation, health, age, disability, economic status, body habitus or national origin."

These words speak to a long standing antidiscrimination stance, and I am proud to stand with them

A brief summary of some of the AMAs various resolutions tells that they

- 1) Advocate for policies that promote social equality and access to services for all
- 2) Support private and public health insurance to cover treatment for gender identity
- 3) Believe that the physician's nonjudgmental recognition of patients' sexual orientations, sexual behaviors and gender identities enhances the ability to render optimal patient care in health as well as illness.

For my part, I would like to address the burden of suffering for Transgender people. We know from research and from personal interactions that being transgender is not a mental illness or a choice for a person born with a mismatch of genes and identity. However, strong family and societal norms and consequent far too frequent rejection, discrimination and frank hate crimes can have a seriously detrimental effect on a person's health. Yes suicide attempts and tragic successes are alarmingly high in this population, and perhaps the most tragic among adolescents as their secondary sexual characteristics become prominent and create dysphoria.

New Hampshire can be proud to have championed non-discrimination legislation for so many of our citizens. I cannot think of one reason why we would permit ourselves to single out people who have an authentic and persistent disconnection between the sex assigned to them at birth and the internal sense of who they are, of no choice and fault of their own. We owe it to them to try our hardest to lighten their load, to tell them they are our brothers and sisters and as free to live their lives in peace and safety as all of us in New Hampshire.

Thank you.

R-25

Good morning. My name is Bill Monza and I live in Rochester Ward 4. I am an ally of Freedom New Hampshire, and I strongly supported HB 478 last year and HB 1319 this year. Due to time constraints last month, I was unable to testify. Thank you for extending this hearing to continue listening to a discussion of this important anti-discrimination bill.

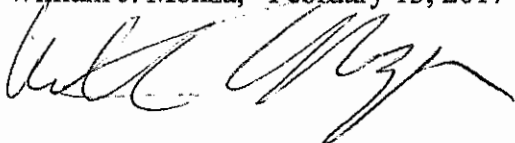
I came to New Hampshire for a summer and stayed for over 40 years, helped raise a family, and retired as a high school Special Educator in 2011. I have taken advantage of many things New Hampshire offers, from biking and hiking, skiing and snowshoeing, to yoga and meditation classes. I love New Hampshire. I am not transgender, but try to be an ally in spirit and in action. I am friendly with some transgender folk, particularly from my church, and am a golf buddy with one of them. These individuals range from professionals such as a research scientist, a lawyer, a master machinist, a drug counselor/therapist who works with drug addicts and their survivors, a physics professor with a doctorate, and a graduate of Phillips Exeter Academy presently enrolled in Harvard Divinity School. So, *despite the discrimination* that they have faced, and sometimes still face in their career choices, in housing and in public settings such as restaurants regarding their gender identity, they have *persevered* and are *positive contributors to their communities*. Of course, there are others I have met who are sorting out what they are experiencing and many are often younger folk. Like any young person, support and understanding are critical. There's no place for discrimination regarding their gender, regarding *who they are*. As trite as this may sound, trans folk are "*just like you and me*" in the most important ways: They care about their families, their jobs, their goals and aspirations, and are often quite humorous as well as sensitive to other persons' needs, my guess is because of the discrimination they have dealt with daily. During those occasions when I did not get a job that I applied for, or an apartment or a house loan that I sought, I may not have been happy, but as a straight male, I never had to consider my gender being the reason I was refused, and neither should transgender folk.

A final point: I try to be an ally, for example, in the workplace (I now work part-time), in social situations, and on the golf course by educating and informing, hopefully in a non-judgmental way. I support transgender folks' right to freedom from discrimination under the law, so it is vital that we pass HB 1319 to help eliminate discrimination in housing, employment and public accommodations which include hospitals, restaurants, stores, and other public places, and catch up to those other 18 states who have such non-discrimination laws already in place.

Again, thank you so much for providing this opportunity for presenting and listening to my perspective as a straight male and proud senior citizen of New Hampshire.

Respectfully,

William J. Monza, February 13, 2017



In support of HB 1319
January 31, 2018

I proudly support HB 1319 to add "gender identity" to the law currently on the books to prevent discrimination based on age, sex, race, creed, color, marital status, familial status, physical or mental disability, national origin or sexual orientation. Without this law there are no protections from being discriminated against if a transgender person is denied housing, employment, or access to public accommodations.

I have a very personal connection to the passage of this bill as the mother of a transgender child. Six years ago my child had the courage to come out as transgender and begin to live her life as the young woman she was instead of the gender she was assigned at birth. The instant she did, she lost many of her civil rights. Imagine if suddenly you or a member of your family became the "other" overnight and lost many of the privileges you took for granted. Imagine if you or someone you loved was denied a job or housing simply for living as the person he or she is?

It is no secret that in the past year people have been emboldened to act on their hatred against groups considered "other" and have made the world a much scarier place for her. In recent trips out of state to visit family – a six-hour drive – my daughter no longer drinks any water beforehand because she is afraid to use the public restrooms along the way. Even with me there she does not want to risk that someone will challenge her use of the ladies room and make a scene. Is this a concern you would want for your child or grandchild? My daughter is not a threat – she is a loving, kind, smart, beautiful woman who just wants to live her life in peace.

Or...imagine your child fresh out of high school or college looking for a job and knowing there are less than 20 states where he or she would be safe from discrimination. Imagine your worries every time the ACA comes under attack. If the pre-existing condition clause was repealed, insurance companies could consider being trans a pre-existing condition and deny coverage. Imagine a member of your family suddenly feeling estranged in their own community.

I implore you to support passage of this bill so that the rights of transgender folks are protected in NH. Imagine how proud we would be to join the other states where the government protected the rights of all their citizens from discrimination. The role of NH legislators is to ensure fairness to all of its citizens and to protect those who are needlessly and unfairly subjected to discrimination. This bill does nothing more than that.

Thank you,



Robin Helrich
Hopkinton, NH

R-27

My name is Lina Rosset Smith and I am a Meredith, NH voter & property owner since 1978. I came to NH as a college student in 1972 and have spent 40+ years as a NH educator. I am appealing to this group of legislators to please include transgender persons in legislation regarding equal rights in employment, housing, & use of public facilities. Passage of HB1319 is imperative! I would like to read a letter I recently wrote to one of my two legislators.

101 Hatch Corner Road Meredith, NH 03253

Dear Mr. Padney:

I am writing this note to you in the hope that you will support HB1319. It concerns me that our transgender relatives, friends, & neighbors are not specifically included in anti-discrimination legislation. I have witnessed such a gender-specific situation. It occurred last fall (2017) after such a bill proposal was tabled.

A note referencing an email received by someone who contacted Rep. Glen Cordelli ^{of Tuftonboro} was posted in a women's rest room at the Moultonborough Senior Meals Moultonborough Lions Club location. The printed email read that the bill proposed had been tabled & that Cordelli did not expect such legislation to pass this year (2018) either. Printed in bold black marker beneath were the words, "No Men Allowed." It was taped to the wall between the 2 sinks. Our male to female transgender Senior Meals volunteer uses the rest room corresponding to her gender identity daily. The program director told her to take the note off the wall & throw it away! This is a clear case of deliberate gender discrimination. Passage of HB1319 could easily avert such situations in the future.

I hope that you will support the desire to have all Granite Staters permitted to live with the freedom to have their identities intact under NH state law.

Respectfully yours, Lina S. Rosset Smith

My name is Mikayla Bourque, I am a state employee for over 25 years of state service. I transitioned on the job apx 9 years ago I was fortunate to work for an employer that recognized the importance of transgender workers in the work place. Besides the executive order 2016-04 signed by then governor Hassan that prevented discrimination to all state employees or to NH Residents needing state services or any contractor awarded contracts and grants for state funding

The state of NH as an employer passed on September 15 2016 a policy and procedure on transgender employment. This also directed state agencies to add gender identity protection on all state literatures

Now since there was no closing of the state no mass exit of granite stater no increase in criminal activities. The NH 1319 only extends this protection to all employers in the state.

I have worked 25 years as a Certifying Officer for NH Employment Security and I have seen the difference for myself from an unemployed worker vs an unemployment transgender individual I have seen transgender claimant exhaust 26 weeks of benefits and still not able to secure employment due to the problems with their driver's license and applications not matching who they are.

By passing this bill it will clarify the nondiscrimination law on the books. It will protect transgender from having to face what I had to face apx 5 years ago while eating at a food establishment a treat I gave myself every payday as I had been going there for 3 months and knew who the manager was but he never came by to ask me how my food was or even acknowledge me as a regular and that was ok. Until 1 day when he approached my table while I was eating and was halfway done. I thought he was going to say that he saw me there every other week and or how was my food but instead he said he wanted me to finish my meal but not return, because I was making other customers uncomfortable. This had nothing to do with the restroom even but simply eating a hamburger was making others uncomfortable. Without this bill actions like this will continue.

Now I hear a lot of people tell you that passing this bill will allow criminals to use the bathrooms and if you give in to the fear then shouldn't we close all schools down because of school shootings should we close down churches because priest assaulted altar boys? Should we close banks down to prevent bank robberies and all gun shops because criminals uses guns if we give into this fear why even our use of cars should be questioned as criminals uses cars for getaways and because we violate driving laws. Where would this end? Even in our own homes, would not be safe as home invasions happen.

I have heard we are protected under the guise of mental illness but this is a weak protection. 2 district court of appeals have given their legal opinions that transgender are protected under the federal nondiscrimination protection under the term sex but we have seen that even this can be taken away when the Department of Justice states that the courts were wrong transgenders are not protected under the term sex.

When the current president and his administration was elected the first thing he did was reverse the protections under title 9 and also title 7 of the civil rights act of 1964. He went on to challenge that transgender were not allow to enter military service and even tried removing those serving our military currently and recently announce new policy are coming out on February 21st. but he did not stop there,

he then formed a current agency to allow doctors and nurses and administrations from further denying services to the transgender based on religious belief. Doctors and nurses have given oaths to provide services to all can now pick and choose who they will give life threatening medical treatment in some cases. Why even they tried to band the word transgender from the C.D.C in their budgets.

All these actions show a greater concern that NH as a state needs to stand up with the rest of New England states and tell the federal government that transgender individuals do count.

In closing I would like to point out that NH Motto Live Free or Die actually had another verse from General Stark and the other verse was death is the lesser of evils.

What he was saying was there are worst things then death.

Being discriminated, being felt less than human and being denied services, employment , and housing based on who we are is worst then death.



State Of New Hampshire
DIVISION OF PERSONNEL
Department of Administrative Services
State House Annex - 28 School Street
Concord, New Hampshire 03301

VICKI V. QUIRAM
Commissioner
(603) 271-3201

SARA J. WILLINGHAM
Director of Personnel
(603) 271-3261

PERSONNEL MEMORANDUM (FY 17-01)

TO: All Agency Human Resources Offices

FROM: Sara J. Willingham
Director of Personnel

DATE: September 15, 2016

RE: Transgender Employment Policy and Procedure

Executive Order 2016-04, *An Order Prohibiting Discrimination on the Basis of Gender Identity or Gender Expression*, was issued by Governor Margaret Wood Hassan on June 30, 2016. This Executive Order mandates that no state agency shall discriminate in employment against an individual or on account of the individual's family on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression. It also requires that all state agencies review and revise their policies as necessary to ensure that they do not discriminate on the basis of gender identity or gender expression, and that the Division of Personnel provide guidance to state agencies in implementing Executive Order 2016-04.

Attached to this Personnel Memorandum are the following materials that are designed to address the needs of transgender and gender non-conforming employees and to create a safe and productive workplace environment for all individuals employed by the State of New Hampshire:

1. The State of New Hampshire Policy and Procedure on Transgender Employment
2. Sample Workplace Transition Plan
3. Overview of Documents that a State Employee May Seek to Have Changed in Connection with a Transgender Transition
4. Employee Gender Transition Form
5. Executive Order 2016-04 Prohibiting Discrimination on the Basis of Gender Identity or Gender Expression



**STATE OF NEW HAMPSHIRE
POLICY AND PROCEDURE ON TRANSGENDER
EMPLOYMENT**

**Department of Administrative Services
Division of Personnel**

September 15, 2016

I. Statement of Intent

The State of New Hampshire does not discriminate in any way on the basis of age, sex, race, color, marital status, familial status, physical or mental disability, religion or national origin, sexual orientation, gender identity, and/or gender expression. This policy is designed to create a safe and productive workplace environment for all employees. This policy will:

1. Address the needs and rights of transgender and gender non-conforming employees and their families;
2. Clarify how the law should be implemented in situations where questions may arise about how to protect the legal rights or safety of such employees; and
3. Provide guidance on how to ensure the safety, comfort, and healthy development of transgender or gender non-conforming employees while maximizing the employee's workplace integration and minimizing stigmatization of the employee.

II. Definitions

The following definitions are intended to provide State employees with the terminology necessary to understand this policy.

1. “Gender identity” means a person’s internal, deeply-felt sense of being male, female, or something other or in-between, regardless of the sex they were assigned at birth. Everyone has a gender identity.
2. “Gender expression” means an individual’s characteristics and behaviors (such as appearance, dress, mannerisms, speech patterns, and social interactions) that may be perceived as masculine or feminine.
3. “Transgender” means an umbrella term that can be used to describe people whose gender identity and/or expression is different from their sex assigned at birth.
 - a. A person whose sex assigned at birth was female but who identifies as male is a transgender man (also known as female-to-male transgender person, or FTM).
 - b. A person whose sex assigned at birth was male but who identifies as female is a transgender woman (also known as male-to-female transgender person, or MTF).
 - c. Some people described by this definition don’t consider themselves transgender – they may use other words, or may identify simply as a man or woman. A person does not need to identify as transgender in order for an employer’s nondiscrimination policies to apply to them.
4. “Gender non-conforming” describes people who have, or are perceived to have, gender characteristics and/or behaviors that do not conform to traditional or societal expectations. Keep in mind that these expectations can vary across cultures and have changed over time.
5. “Transition” means the process of changing one’s gender from the sex assigned at birth to one’s gender identity. There are many different ways to transition. For some people, it is a complex process that takes place over a long period of time, while for others it is a one- or two-step process that happens more quickly. Transition may include “coming out” (telling family, friends, and coworkers), changing the name and/or sex on legal documents, or accessing medical treatment such as hormones and surgery.

III. Policy for State Workforce

Privacy

Transgender employees have the right to discuss their gender identity or expression openly, or to keep that information private. The transgender employee gets to decide when, with whom, and how much to share their private information. Information about an employee's transgender status (such as the sex they were assigned at birth) can constitute confidential medical information under privacy laws such as the Health Insurance Portability and Accountability Act (HIPAA). At no time should any member of management or any co-worker require a transgender employee to provide medical information, such as use of hormone therapy or surgeries. Management, human resources ("HR") staff, or coworkers should not disclose information that may reveal an employee's transgender status or gender non-conforming presentation to others. That kind of personal or confidential information may only be shared with the transgender employee's consent and with coworkers who truly need to know to do their jobs.

Official Records

The State of New Hampshire will change an employee's official record to reflect a change in name or gender upon request from the employee. Certain types of records, like those relating to payroll and retirement accounts, may require a legal name change before the person's name can be changed. Some records, however, can be changed to reflect a person's preferred name without proof of a legal name change. The process to modify some common documents is attached as Appendix A to this policy.

An employee should request any changes to state records with his/her supervisor or HR director. This includes employee state-issued email addresses and identification cards. As quickly as possible, management and HR staff will make every effort to update any photographs at the transitioning employee's workplace so the transitioning employee's gender identity and expression are represented accurately. If management cannot provide the requested update or change, he or she should explain to the employee why such change is not possible. If a new or transitioning employee has questions about agency records or ID documents, the employee should contact the agency HR director or contact the Division of Personnel at (603) 271-3261.

Names/Pronouns

It is very important for employees to be addressed by the name and pronoun that correspond to the employee's gender identity, upon request. A court-ordered name or gender change is not required. While the State acknowledges that employees may make mistakes from time to time with regard to an employee's preferred name or pronoun, the intentional or persistent refusal to respect an employee's gender identity (for example, intentionally referring to the employee by a name or pronoun that does not correspond to the employee's gender identity) or the use of derogatory terms can constitute harassment and is a violation of this policy. An employee engaging in such conduct may be the subject of discipline, including termination. If you are unsure what pronoun a transitioning coworker might prefer, you can politely ask your coworker how they would like to be addressed. If you mistakenly refer to an employee

by the incorrect name or pronoun, you should apologize and move on.

Transitioning on the Job

Employees who transition on the job can expect the support of management and human resources staff. Agency HR director, in conjunction with the Division of Personnel, will work with each transitioning employee individually to ensure a successful workplace transition on a case-by-case basis. A listing of agency human resources representatives can be found at the following link: <https://das.nh.gov/hr/contacts.html>.

A sample transition plan is attached at the end of this document.

Restroom Accessibility

Employees shall have access to the restroom corresponding to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, will be provided access to a single-stall restroom, when available.

All employees have a right to safe and appropriate restroom facilities, including the right to use a restroom that corresponds to the employee's gender identity, regardless of the employee's sex assigned at birth. That is, transgender women must be permitted to use the women's restroom, and transgender men must be permitted to use the men's restroom. That decision should be left to the transgender employee to determine the most appropriate and safest option for them. Some employees—transgender or cisgender—may desire additional privacy. Where possible, an employer will make available a unisex single-stall restroom that can be used by any employee who has a need for increased privacy, regardless of the underlying reason.

Locker Room Accessibility

All employees have the right to use the locker room that corresponds to their gender identity. Any employee who has a need or desire for increased privacy, regardless of the underlying reason, can be provided with a reasonable alternative changing area such as the use of a private area, or using the locker room that corresponds to their gender identity before or after other employees). Any alternative arrangement for a transgender employee will be provided in a way that allows the employee to keep their transgender status confidential.

Dress Codes

The State of New Hampshire generally does not have dress codes that restrict employees' clothing or appearance on the basis of gender. State agencies or entities that do have gender-based dress codes will work with the Department of Personnel to review and modify those policies consistent with this policy, as necessary.

Discrimination/Harassment

It is unlawful and violates State policy to discriminate in any way (including, but not limited to, failure to hire, failure to promote, or unlawful termination) against an employee because of the employee's actual or perceived gender identity or gender expression. Additionally, it is unlawful and contrary to this policy to retaliate against any person objecting to, or supporting enforcement of legal protections against, gender identity or expression discrimination in employment.

The State of New Hampshire is committed to creating a safe work environment for transgender and gender non-conforming employees. Any incident of discrimination, harassment, or violence based on gender identity or expression will be given immediate and effective attention, including, but not limited to, investigating the incident, taking suitable corrective action, including discipline, and providing employees and staff with appropriate resources and training.

Health Benefits

Executive Order 2016-04 issued by Governor Margaret Wood Hassan on June 30, 2016, prohibits state agencies from discriminating on the basis of gender identity or gender expression. In keeping with Executive Order 2016-04, the State of New Hampshire has authorized our third party administrator (TPA) to accept requests from our health benefit plan members for medically necessary transgender health services, including but not limited to hormone therapy, individual surgical services related to gender reassignment, as well as therapy and counseling. As with all requests for health care, whether a request is medically necessary will be determined by our TPA's medical staff based on defined criteria and in consultation with the individual requesting the service and his or her medical providers.

Sick and Medical Leave

Employees receiving treatment as part of their transition can use annual and/or sick leave under applicable agency rules. Employees who are qualified under the Family Medical Leave Act may also be entitled to take medical leave for transition-related needs of themselves or their families.

Specific Questions

For further guidance on these issues, contact the New Hampshire Division of Personnel at 603-271-3261.

Resources

NH Employee Assistance Program (EAP), 271-4336, www.dhhs.nh.gov/hr/eap

New Hampshire Commission for Human Rights, <https://www.nh.gov/hrc>

US Equal Employment Opportunity Commission, www.eeoc.gov

Human Rights Campaign - www.hrc.org/workplace/transgender

Parents, Families, and Friends of Lesbians and Gays (PFLAG) National, www.pflag.org

Transgender Law Center, www.transgenderlawcenter.org

Transgender at Work, www.tgender.net/taw

TG-NH (Transgender New Hampshire), www.tg-nh.org

TransLaconia - support group for 18+ LGBTQ individuals, <https://translaconia.org>

Sample Workplace Transition Plan

This Workplace Transition Plan addresses some of the processes that may occur during an employee transition. This plan is a sample that is designed to be revised and modified as necessary. It does not provide a mandatory process. The plan should be customized to fit your agency's staffing structure and work setting, and should be modified on a case-by-case basis with each transitioning employee to meet their individual needs. It is paramount that the employee is comfortable with every step of the plan.

Ideas for Before the Workforce Transition Begins

1. The employee should confidentially speak with their selected first point of contact to make that person aware of the employee's future intentions, needs, and concerns.
2. If the employee's supervisor was not the first point of contact, the employee should make a plan to inform his or her supervisor of his or her intentions, needs, and concerns related to gender identity and expression. If an employee needs assistance in order to make this contact, the employee should contact the HR director
3. With the employee's permission, the supervisor should contact the agency HR office and/or the Division of Personnel. The supervisor and/or HR director should make sure that the employee knows about the state's transgender-related policies and the availability of transition-related health care benefits. The onus should not be on the employee to find these resources. The employee may make this contact directly, if he or she prefers.
4. The employee should consider creating a transition support team and identifying who should be a member of this group. It is important that this team include the employee's immediate supervisor and someone from the agency HR office; however, this is certainly not required if circumstances make it undesirable or impracticable. All members of this transition support team should familiarize themselves with the state's policies and any other relevant resources that provide educational information about transgender issues.
5. The employee, with assistance from the transition support group, should then create the Workplace Transition Plan. Make sure it addresses all of the following areas:
 - a. The date on which employee plans to make his or her transition or intention to transition public within the workplace. This date may coincide with the date that the employee will, for example, change his or her gender expression, name, or pronouns. The employee may choose to begin using the restroom and locker room associated with their gender identity on this date as well. The employee will know best when this should occur as they will be able to determine all relevant factors to be considered when choosing this date. The employee may also choose to make a series of changes over time, rather than all on one specific date.

- b. Decide how, and in what format, the employee's colleagues, clients, and vendors will be made aware of the employee's transition, if at all. It is up to the employee to decide how and when to publicize this information. The employee may decide to inform peers on a person-by-person or small-group basis, rather than make a large-scale announcement.
 - c. Discuss how any potential negative or inappropriate responses will be handled within the workplace.
 - d. Decide what, if any, training will be given to co-workers.
 - e. Determine what updates should be made to the employee's records, and when they will be made.
 - f. Determine dates of any leave that may be needed for pre-scheduled medical procedures.
 - g. Address any other issue or concern identified by the employee.
6. The supervisor and/or HR director must ensure that all name changes and photographs are updated in advance so that they are available on the day(s) identified by the employee. This includes email addresses. Make sure to keep in mind that name changes within certain processes could take longer than in others, and may require working with outside agencies, as well as courts. Figure this into your Transition Plan timeline.
 7. The supervisor and/or HR director should ensure that they provide the employee ample opportunity to consider his or her options and if necessary, modified plans already in place. Supervisors and/or co-workers should not undertake any action not approved or agreed-up by the transitioning employee.
 8. If an employee would like to recommend additional training be made available to his or her co-workers, the supervisor and/or HR director should contact the New Hampshire Employee Assistance Program and/or the Department of Personnel.

The Day the Transition will be Made Known to the Work Team

1. If the employee has decided to make an informal or formal announcement of his or her transition or intention to transition, follow the transition plan created by the employee and his or her support team.
2. If the employee thinks it would be helpful, the employee's supervisor may provide educational information about transgender issues. The supervisor and/or HR director should take the lead on obtaining these materials from personnel and/or other sources. It is not the transitioning employee's responsibility to educate his or her workplace. All materials and resources must be approved in advance of distribution by the employee.

Regardless of the method used to announce the transition, the employee's supervisor and all other high-level management must show solidarity for the transitioning employee.

- a. Emphasize the transitioning employee's importance to the state agency and management's complete support of the employee's transition.
- b. Review the state's relevant nondiscrimination policies.
- c. Indicate that the employee will be presenting themselves in accordance with their gender identity and this should be respected. The supervisor and/or HR director should also advise co-workers about the transitioning employee's new name and preferred pronoun.
- d. Be a behavioral model by using the transitioning employee's new name and pronoun in all communication—written and oral, formal and informal.
- e. Make a point that the transition will not change the workplace and that everything should go on as it did previously.
- f. Solicit any questions. Refer questions the supervisor cannot answer to the agency HR office or the Division of Personnel.
- g. If training is going to be provided, it should occur prior to the date that the employee begins to implement their transition plan. The supervisor and/or HR director should work with the New Hampshire Employee Assistance Program and the Department of Personnel to plan and schedule such training.

The First Day of the Employee's Official Workplace Transition

The employee's supervisor and HR director should be clear that all elements are in place, in the same way they would for a new hire or transferred employee. These elements include:

1. Making sure that the transitioning employee has a new ID badge and photo, if necessary.
2. Ensuring all work documents have the appropriate name and gender and checking that these have been changed in all of the places an employee's name may appear.



APPENDIX A

OVERVIEW OF SOME DOCUMENTS THAT A STATE EMPLOYEE MAY SEEK TO HAVE CHANGED IN CONNECTION WITH A TRANSGENDER TRANSITION

DOCUMENT	ABILITY TO CHANGE	HOW	OTHER
<p>State Employee ID Card</p> <ul style="list-style-type: none"> - Name Change - Gender Marker 	<p>This can be changed without a legal name change.</p>	<p>When working with your HR director or Supervisor on a transition plan, you can request that you receive a new State Employee ID Card. Your HR director will sign any necessary paperwork for you to do so. You may request and obtain the card prior to when a transition occurs.</p>	<p>Once an employee and HR director have completed a State ID Request Form, the employee can make an appointment with Admin Services for a new ID. The information to schedule the appointment is located at the bottom of the form.</p>
<p>State Government Email Address</p>	<p>This can be changed without a legal name change.</p>	<p>Please contact your HR director for an email address change that reflects your chosen name. Your HR director will contact DoIT with authorization to do so.</p> <p>Your HR director will also make the change of email into NHFIRST for the employee directory.</p>	<p>DoIT is able to assign a new name to each State Employee's email account. Once this occurs, emails the employee sends will only reflect his or her new name to the recipient; however, the original state employee name does remain in the system as a link to the employee's new email address.</p>

<p>Personnel File</p>	<p>Once an employee has begun working in the gender role consistent with the employee's gender identity, the Division of Personnel has a document that can be completed, if desired by the employee, and placed in the employee's file to note the employee's new name and gender. Employee records going forward from that date will reflect the new name.</p>	<p>Every state agency HR director will have the Personnel form to be completed. Please request the form from the HR director and return to him/her.</p>	<p>Note: Federal documents within an employee's state personnel file cannot be changed without the individual having the changes made to the federal documents through federal law requirements.</p>
<p>NH FIRST** - Name in Directory - Medical Cards - Paycheck - W-2 Forms</p>	<p>A name change with the NHFIRST System requires a legal name change document.</p>	<p>A legal name change must occur through NH Circuit Court – Probate Division. <i>See RSA 547-3:i</i></p>	<p>Please bring the original document of a legal name change to your HR director who will make a copy and work with DAS to make changes in NHFIRST.</p> <p>New medical cards will be issued when changes to NHFIRST occur.</p>

** NHFIRST is the State's Enterprise Resource Planning (ERP) system that supports the Budgeting, Financial, Human Resources, and Payroll functions, including benefit management, for all of New Hampshire State government. NHFIRST is administered by the Department of Administrative Services.

Retirement Accounts	A name change with the New Hampshire Retirement System requires a legal name change document.	A legal name change must occur through NH Circuit Court – Probate Division. <i>See RSA 547-3:i</i>	The NH Retirement System has documentation online related to a legal name change.
NH Driver’s License -Name Change -Gender Designation	Saf-C 1011.02 requires a name change petition from a probate court or a court decree to change a transgender individual’s name on a motor vehicle license. Saf-C 1011.03 requires a written certification by a licensed and qualified health care provider to change a gender designation on a motor vehicle license.		
Federal Documents - Passport -Social Security Cards	Changes to these types of documents are covered by federal law and require a legal name change and/or medical documentation for a change of gender designation.	A legal name change must occur through NH Circuit Court – Probate Division. <i>See RSA 547-3:i</i>	Note: Federal documents within an employee’s state personnel file cannot be changed without the individual having the changes made by the federal government.



MARGARET WOOD HASSAN
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HER EXCELLENCY
MARGARET WOOD HASSAN, GOVERNOR
EXECUTIVE ORDER 2016-04

An Order Prohibiting Discrimination on the Basis of Gender Identity or Gender Expression

WHEREAS, New Hampshire grows stronger when we ensure that all individuals have the opportunity to fully participate in our democracy, free of discrimination; and

WHEREAS, the State of New Hampshire recognizes the importance of inclusion of the talents of all individuals within our state employment system; and

WHEREAS, the State of New Hampshire recognizes the importance of treating all of our residents with dignity and respect; and

WHEREAS, the State of New Hampshire must promote non-discrimination in our state workplace, decisions, activities, services, and contracts; and

WHEREAS, the measures set forth in this Order are consistent with state and federal law;

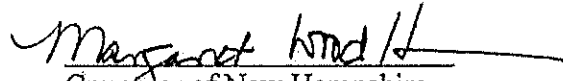
NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR of the State of New Hampshire, by the authority vested in me pursuant to Part II, Article 41 of the New Hampshire Constitution, do hereby order effective immediately:

1. No state agency shall discriminate in employment against an individual or on account of the individual's family on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression;
2. No state agency shall discriminate in the administration of any state program on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression, as prohibited by state or federal law; and
3. All executive branch contracts and grants shall contain anti-discrimination provisions prohibiting any party to the contract or subcontractors from engaging in discriminatory practices on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression, as prohibited by state or federal law.

And do hereby further order:

1. All state agencies review and revise their policies as necessary to ensure that they do not discriminate on the basis of gender identity or gender expression;
2. That the Department of Justice and the Department of Administrative Service review and revise state contract language to include protections against discrimination on the basis of gender identity and gender expression; and
3. The Division of Personnel provide guidance to state agencies in implementing this Executive Order by September 15, 2016, and propose rule changes as necessary.

Given at the Executive Chambers in Concord, this thirtieth day of June, in the year of Our Lord, two thousand and sixteen and of the independence of the United States of America, two hundred and forty.


Governor of New Hampshire



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My name is Marcia Garber. I live in Manchester. I am here in support of HB1319, updating protections for transgender Granite Staters. I will be thrilled when NH is the 19th state joining all our New England neighbors, completing this corner of our country, with liberty and justice for all.

My now deceased husband and I were the parents of two children. Our daughter, the oldest, now a school teacher in Merrimack and a new mom, lives with her husband in Raymond. I moved to NH from MA three years ago to be closer to them.

Our youngest, CJ, is who brings me here today. You see, CJ, was assigned female at birth and we named her Kristen Michelle after her firefighter dad, Kenneth Michael. At the time, Kristen, gave us every reason to believe we had a "tomboy" on our hands. Playing outside, with the boys, 'till all hours, no matter the weather; wanting to sign-up for baseball not softball; being the only girl on the Youth football team and in the Youth hockey locker room. No dresses and eventually #1 buzzcuts.

Over time, the intensity of feelings, behaviors and distress brought us to many professionals. When we learned our child was transgender, we had no idea what that would mean for him or our family. We were relieved and dumbfounded at the same time.

We knew we loved our child and we did everything we could to learn and support him.

I am not here to quibble about the reality of transgender folx. I am here to tell you adding gender to the non-discrimination law matters. We didn't have these protections in MA either and we worked for ten long, hard, emotion- packed years and completed the task in 2016. When we started our son was alive.


The discrimination he experienced in his too short twenty years was horrific. Name calling. Physical abuse. Teasing. Difficulty finding employment and yet he had a heart of gold. Gravitating to those "others"; always helping out; gifting to street persons...full of action, humor and love. A high honor student in high school and college.

CJ accomplished a lifetime of living in his twenty years and gifted us with a true family community of non-cisgender folx for whom I will never stop advocating.

Adding gender to the list of the non-discrimination law is not complicated....simple really.

I expect your due diligence as you consider HB1319.

Thank you.

 Marcia A. Garber
5 Hills End Way
Manchester, NH 03104-6448

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MAG 1027 RN @ comcast.net



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Dear Members of the New Hampshire Senate Judiciary Committee,

My name is Eric Golden. I am the father of 5 beautiful children, one of whom is an intelligent, bright and loving transgender daughter. Her name is Winter Mae. She is not a criminal; she is not a deviant; she is not mentally ill. She is not concerned with party politics.

My family is concerned that our transgender child is not legally protected in New Hampshire. We want our transgender daughter to have the same rights, protections and opportunities that our other children have. Transgender people can currently be fired from their jobs and lose their housing based on their gender identity. Our transgender siblings ask only to have the same protections and rights that we all take for granted. New Hampshire is the only New England state that does not include gender identity as a protected class. We are long overdue. Our family is directly affected by and fully supports HB1319 and all whom it represents.

A person carries with them certain inalienable rights and expectations of equality and freedom. No one person is greater, or deserves rights over another. Not anywhere – and especially not in our wonderful country and our state. A state I am proud to call my home. A state my family loves.

As you know, HB1319 is not about “special rights”, “special interests” or “extra rights”. This legislation is about protecting our transgender residents, our friends and neighbors, in the areas of employment, housing and public accommodation. We need to protect these people’s right to exist in the same space.

It is widely known that the National Center for Transgender Equality found that out of their respondents, 20% of them had been denied employment, fired or passed over for promotions. 22% we found to have been mistreated in a place of public accommodation and 23% suffered from housing discrimination. I have great concern for my daughter in this state without protections in place for her.

I am friends with many people in the transgender community and I am an ally to all of them. They are some of the richest, most vibrant and loving people I have had the honor of knowing.

Today, I humbly ask you to lay aside politics. Today I ask that we all seek to understand. Today let us not be democrats or republicans. Let us be humans; let us be together; let us seek understanding with one another. Let love prevail in all we do.

Please support this bill. Please vote to approve it immediately. Let's move this to the governor's desk as soon as possible.

I thank each of you for your contributions to this state and to your respective committees and constituents.

And I thank you for your time and that you have heard us today.

Best Regards,

Eric Golden



NAMI New Hampshire

National Alliance on Mental Illness

January 31, 2018

Honorable Joseph Hagan Chairman
House Judiciary Committee
Room 208 Legislative Office Building
36 North State Street
Concord, NH 03301

Dear Chairman Hagan and Members of the Committee,

Thank you for the opportunity to testify today. My name is Kenneth Norton and I serve as Executive Director of NAMI NH, the National Alliance on Mental Illness. On behalf of NAMI NH, I am here to speak in support of HB 1319.

While there are many reasons NAMI NH supports this bill, I am going to focus my testimony specifically on the higher risk for suicide for individuals who are lesbian, gay, bisexual or transgender. By way of background, I lead the development of NAMI NH's Connect Suicide Prevention Program which was designated as a national best practice in suicide prevention, intervention and postvention. The Connect Program has trained in over 40 states and 35 tribal nations. In my role, I have done briefings related to mental health and suicide prevention at the Pentagon, provided training for the Department of Defense and presented in four countries. I have also served on numerous national workgroups and committees, including the National Suicide Prevention Lifeline.

As the chart below indicates, suicide is the second leading cause of death for ages 10-24 in NH (as well as nationally). It is the third leading cause of death ages 25-34, fourth leading and fourth leading cause of death for ages 45-54. Suicide deaths are the tip of the iceberg in contrast to suicide attempts. The human

and economic impact of suicide deaths and attempts is significant. A small but important subgroup of these statistics are people who are dealing with gender identity issues. LGBT youth represent a significant high risk sub-group for these youth and young adults as evidenced by the rate of suicide attempts which is 4 times greater for LGB youth and 2 times greater for questioning youth, than that of straight youth according to the US Center for Disease Control. Additionally, suicide attempts by LGB youth and questioning youth are 4 to 6 times more likely to result in injury, poisoning, or overdose that requires treatment from a doctor

NH Top Ten Leading Causes of Death 2011-2015

Rank	Age Groups										All Ages
	<1	1-4	5-9	10-14	15-24	25-34	35-44	45-54	55-64	65+	
1	Congenital Anomalies 44	Unintentional Injury 40	Malignant Neoplasms —	Malignant Neoplasms 11	Unintentional Injury 252	Unintentional Injury 439	Unintentional Injury 281	Malignant Neoplasms 993	Malignant Neoplasms 2,572	Heart Disease 10,179	Malignant Neoplasms 13,455
2	Short Gestation 41	Congenital Anomalies —	Unintentional Injury —	Suicide —	Suicide 118	Suicide 145	Malignant Neoplasms 207	Heart Disease 570	Heart Disease 1,155	Malignant Neoplasms 9,581	Heart Disease 12,120
3	Maternal Pregnancy Comp 29	Heart Disease —	Homicide —	Unintentional Injury —	Malignant Neoplasms 20	Malignant Neoplasms 76	Suicide 189	Unintentional Injury 453	Unintentional Injury 353	Chronic Low Respiratory Disease 2,936	Chronic Low Respiratory Disease 3,377
4	Placenta Cord Membranes 17	Homicide —	Cerebrovascular —	Benign Neoplasms —	Heart Disease 14	Heart Disease 38	Heart Disease 119	Suicide 221	Chronic Low Respiratory Disease 329	Cerebrovascular 2,082	Unintentional Injury 2,276
5	SIDS 11	Influenza & Pneumonia —	Congenital Anomalies —	Congenital Anomalies —	Homicide 14	Congenital Anomalies 14	Liver Disease 37	Liver Disease 185	Liver Disease 250	Alzheimer's Disease 1,924	Cerebrovascular 2,319
6	Circulatory System Disease 10	Malignant Neoplasms —	Heart Disease —	Heart Disease —	Cerebrovascular —	Homicide 12	Diabetes Mellitus 23	Diabetes Mellitus 100	Diabetes Mellitus 248	Unintentional Injury 1,349	Alzheimer's Disease 1,906
7	Respiratory Distress —	Benign Neoplasms —	Suicide —	Homicide —	Chronic Low Respiratory Disease —	Diabetes Mellitus —	Homicide 17	Chronic Low Respiratory Disease 65	Suicide 203	Diabetes Mellitus 1,083	Diabetes Mellitus 1,473
8	Neuroinfectious Enterocolitis —	—	—	—	Benign Neoplasms —	Chronic Low Respiratory Disease —	Cerebrovascular 13	Cerebrovascular 64	Cerebrovascular 144	Influenza & Pneumonia 1,922	Influenza & Pneumonia 1,119
9	Neonatal Hemorrhage —	—	—	—	Congenital Anomalies —	Liver Disease —	Chronic Low Respiratory Disease 13	Viral Hepatitis 27	Septicemia 73	Hepatitis 782	Suicide 1,080
10	Unintentional Injury —	—	—	—	Diabetes Mellitus —	Complicated Pregnancy —	Two Tied —	Influenza & Pneumonia 24	Viral Hepatitis 69	Parotitis 582	Hepatitis 869

Find Help, Find Hope

Terms for Causes of Death

Printer-Friendly Version

NAMI New Hampshire • 85 North State Street • Concord, NH 03301

InfoLine: 800-242-6264 • Tel. 603-225-5359 • Fax 603-228-8848 • info@naminh.org / www.NAMINH.org

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or nurse, compared to their straight peers. Data has been much more difficult to obtain specific to transgender youth, but all current evidence points to their being at much higher risk. There is an emerging body of research showing that trans people are eight times more likely to attempt suicide than their peers in the general population. One of the common contributing factors to the increased risk for suicide which is noted in the literature is the issue of gender discrimination. For instance, a 2017 study which reviewed recent research on transgender suicide showed several unique risk factors contribute to the high rate of suicide in this population: including “lack of family and social supports, gender-based discrimination, transgender-based abuse and violence, gender dysphoria and body-related shame, difficulty while undergoing gender reassignment, and being a member of another or multiple minority groups.” A. Williams 2017

It is also important to note that while there are widely promoted articles and reports that a longitudinal study in Sweden showed that suicide rates are higher after a person transitions, these are distortions of the study results. The author of that article *Reassignment Surgery: Cohort Study in Sweden* by Dr. Cecilia Dhejne has explicitly and repeatedly stated that the study does not show that medical transition results in suicide or suicidal ideation, nor does it demonstrate increased mortality and morbidity.

NAMI NH is committed to addressing suicide as a public health issue and reducing the incidence of suicide death in NH. We strongly believe that passing legislation to prohibit discrimination based on gender identity will help to decrease risk for suicide.

We respectfully request that you vote this bill as ought to pass. I am happy to answer any questions which you have.

Respectfully,

A handwritten signature in black ink, appearing to read "Kenneth Norton". The signature is fluid and cursive, with the first name "Kenneth" written in a larger, more prominent script than the last name "Norton".

Kenneth Norton, LICSW
Executive Director



NEW HAMPSHIRE LEGAL ASSISTANCE

Working for Equal Justice Since 1971



January 31, 2018

www.nhla.org

Representative Joseph Hagan, Chairman
Judiciary Committee
New Hampshire House of Representatives
107 North Main Street
Concord, NH 03301

Claremont Office
24 Opera House Square
Suite 206
Claremont, NH 03743
603-542-8795
1-800-562-3994
Fax: 603-542-3826

Via Hand Delivery

RE: Testimony in Support of HB 1319

Dear Chairman Hagan and Honorable Members of the Committee:

Concord Office
117 North State Street
Concord, NH 03301
603-223-9750
1-800-921-1115
Fax: 603-223-9794

New Hampshire Legal Assistance (NHLA) submits this testimony in support of HB 1319, an act prohibiting discrimination based on gender identity.¹ This important civil rights legislation will extend crucial legal protections to New Hampshire's transgender residents.

Manchester Office
1850 Elm Street
Suite 7
Manchester, NH 03104
603-668-2900
1-800-562-3174
Fax: 603-935-7109

New Hampshire Legal Assistance (NHLA) is a statewide non-profit law firm. We represent low-income and elderly clients in civil cases and have decades of experience in housing discrimination law and domestic violence advocacy. Our Fair Housing Project advocates for people victimized by housing discrimination before the New Hampshire Commission for Human Rights, the United States Department of Housing and Urban Development ("HUD"), and in state and federal court. We also provided training around New Hampshire on housing discrimination. For the past 19 years our Domestic Violence Advocacy Project has coordinated with the New Hampshire Bar Association Pro-Bono Program's Domestic Violence Emergency Project to provide comprehensive civil legal services for low-income victims of domestic violence. In family courts statewide, our attorneys help victims obtain no contact orders, orders for financial support to promote economic independence for victims, and orders that provide for safe visitation and exchanges for children. We are submitting this testimony to address the need for gender-identity discrimination protections in both these areas of law.

Portsmouth Office
154 High Street
Portsmouth, NH 03801
603-431-7411
1-800-334-3135
Fax: 603-431-8025

Berlin Office
1131 Main Street
Berlin, NH 03570
603-752-1102
1-800-698-8969
Fax: 603-752-2248

HOUSING

Despite NHLA's considerable expertise in fair housing law, we have limited options to help people who face housing discrimination because of their gender identity. Federal regulations prohibit discrimination based on gender identity in federally subsidized housing, but no state or federal laws explicitly prohibit such discrimination in private housing. HB 1319 would protect transgender individuals from being denied housing because of their gender identity.

Administration
117 North State Street
Concord, NH 03301
603-224-4107
Fax: 603-224-2053

TTY: 1-800-735-2964

¹ NHLA submits this testimony without prejudice to the right of our law firm and our current or future clients to take any position or make any argument in any current or future litigation.

We know that housing discrimination against transgender individuals is widespread. It is estimated that nationwide one in 10 transgender persons have been evicted because of their gender identity.² According to the 2015 US Transgender Survey, a report on the experiences of 27,715 transgender individuals across the country, only 16 percent of transgender persons own homes compared with 63 percent of the US population in general.³ Approximately 30 percent of transgender individuals have experienced homelessness in their lifetimes.⁴

In 2017, Suffolk University Law School conducted a study of transgender discrimination in the Greater Boston area rental housing market. That study showed that transgender individuals experienced some form of housing discrimination 61% of the time.⁵ The law school sent pairs of trained fair housing testers to rental properties and compared the experiences of transgender individuals and their non-transgender counterparts. The transgender individuals received more negative treatment. For example, a transgender rental applicant was 21% less likely to be offered a financial incentive to rent the apartment and 9% more likely to be quoted a higher rental price.⁶ These are profound injustices, and HB 1319 will erect protections against them.

Discrimination against transgender individuals is prohibited in all federally subsidized housing programs, including public housing, low-income housing for families, low-income housing for seniors and people with disabilities, and transitional housing and shelter programs. But there is no explicit federal ban on gender identity discrimination in private housing. Although HUD has issued guidance stating that in some cases it may interpret gender identity discrimination claims as sex discrimination under the federal Fair Housing Act, protection for transgender persons is by no means certain. Lack of specific state protection leaves transgender victims of housing discrimination who live in private housing with no clear legal recourse to ensure equal access to and treatment in housing.

Nineteen states and the District of Columbia explicitly prohibit gender identity discrimination in housing. New Hampshire is the only state in New England that does not provide this protection.

The inclusion of gender identity under the Law Against Discrimination, RSA 354-A, would allow persons who experience housing discrimination based on gender identity to file a complaint with the New Hampshire Commission for Human Rights, remove the claim to state court, or raise the discriminatory conduct as a defense in an eviction case. Certain smaller landlords would be exempt under existing law; HB 1319 does not change the exemptions in RSA

² National Center for Transgender Equality, "Issues | Housing and Homelessness," (available at www.transequality.org/issues/housing-homelessness (last visited January 30, 2018)).

³ National Center for Transgender Equality, "The Report of the 2015 US Transgender Survey" (2015) at 5, (available at <http://www.transequality.org/sites/default/files/docs/USTS-Full-Report-FINAL.PDF>) (last visited December 12, 2017).

⁴ *Id.*

⁵ Langowski, Jamie and Berman, William and Holloway, Regina and McGinn, Cameron, *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market* (March 27, 2017). Forthcoming, to be published in *Yale Journal of Law & Feminism*, Vol. 29, No. 2, 2017; Suffolk University Law School Research Paper No. 17-9. (available at SSRN: <https://ssrn.com/abstract=2941810>). (last visited January 30, 2018).

⁶ *Id.*

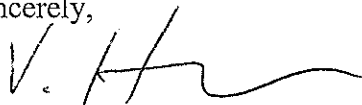
354-A. HB 1319 would impose minimal additional requirements on housing providers but would immensely improve housing access and stability for the transgender community.

DOMESTIC VIOLENCE

In general, the transgender community experiences intimate partner violence at a greater rate than the population as a whole. In 2015, the Williams Institute, a think-tank on sexual orientation and gender identity law and policy, aggregated the results of 42 studies and found that between 31.1 to 50 percent of all transgender people encounter intimate partner violence in their lifetimes.⁷ Comparatively, the Centers for Disease Control found that 27 percent of all women and 11 percent of all men in the U.S. have experienced some kind of intimate partner violence in their lives, from sexual assault to stalking.⁸ It's clear from the statistics that intimate partner violence against transgender individuals is prevalent. New Hampshire Legal Assistance, however, has had very few transgender clients in its Domestic Violence Project. This may be due to the reluctance among transgender individuals to seek services because of their past experiences of discrimination. It is imperative that New Hampshire provide equal rights and protections to the transgender community so that they can safely access domestic violence services.

NHLA urges the Committee to recommend Ought to Pass on HB 1319. If you have any questions, I would be very glad to hear from you, and you can reach me directly at 431-7411, ext. 2502.

Sincerely,



Victoria Horrock
Fair Housing Project Co-Director

⁷ Taylor Brown and Jody Herman, Intimate Partner Violence and Sexual Abuse Among LGBT People; A Review of Existing Research; The Williams Institute University of California Los Angeles School of Law (November 2015) (available at <http://williamsinstitute.law.ucla.edu/wp-content/uploads/Intimate-Partner-Violence-and-Sexual-Abuse-among-LGBT-People.pdf>) (last visited January 30, 2018).

⁸ Findings from the Center for Disease Control's National Intimate Partner and Sexual Violence Survey 2010-2012 State Report (available at <https://www.cdc.gov/violenceprevention/pdf/NISVS-StateReportFactsheet.pdf>) (last visited January 30, 2018).

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Good morning, my name is Jessica MacFadzen, I am a transgender woman and I am here today to voice my support for HB1319 the transgender non-discrimination bill. I was born and raised here in NH and except for my time in the military I have always lived here and I have been a state employee for more than 27 years. I enjoy the diverse landscapes in NH and the variety of outdoor activities available just an hour's drive apart in some cases from hiking in the mountains to riding on a bicycle trail at the seacoast.

NH also enjoys a diverse population including transgender citizens and visitors and passing HB1319 would ensure that we all are able to enjoy living in or visiting NH. In the four years since I came out and subsequently transitioned I have unfortunately experienced discrimination while simply trying to live my life. I have been refused service in restaurants, in one case so vocally that everyone in the restaurant not only knew who I was but also that I was being refused service because I am a transgender woman. Thankfully in this instance someone else spoke in my defense and turned an experience that would have discouraged me from continuing to become the person I was meant to be into a positive experience that reminded me that most Granite Staters do not tolerate discrimination in any form. When looking for a new apartment last year I was turned away by several building managers and landlords when they found out they would be renting to a transgender woman. An apartment search that should not have taken long, considering the large number of apartments that were available in concord, ended up taking months but thankfully I was able to find a landlord that is open and accepting of his tenants.

4

Most significantly for me however is the abuse I experienced at work when I was outed by a co-worker. This experience was particularly difficult for me because I am particularly proud of my military service and my 27 years as a dispatcher with the NH State Police and after all those years of helping to keep NH safe it was no longer safe for me to go to work. It wasn't until the command staff spoke up in support of my transition that people's attitudes started to change. Having someone in a leadership role make it clear that they would not tolerate discrimination in any form changed the behavior of those people who felt harassing behavior was okay in the workplace.

All Granite Staters have the right to live their lives free from the fear of discrimination and as community leaders in NH a vote in favor of HB1319, the transgender non-discrimination bill, will let your constituents know that you agree that all citizens deserve to be free from the fear of discrimination in the areas of employment, housing, and public places.

To:
State of New Hampshire
House of Representatives
Judiciary Committee

Re: NH HB1319 (2018)

February 05, 2018

My name is Sarah Bennert and I am a lifetime resident of New Hampshire, currently living in Laconia. I grew up here. I went to school in Bow and Concord, spent my summers in the lakes region, and winters on the slopes. I have had many opportunities to leave New Hampshire, but this is my home. Yet, I constantly worry for the safety of my family, because I am transgender.

My earliest memory is knowing something was different about me, but I didn't quite understand it. Being different was obviously not a good thing, so I stayed quiet. By my early teens I had learned of other transgender people and realized this is who I was, but was too scared to talk about it with anyone. Society had long portrayed us as freaks, deviants, and mentally ill, that we are less than human, that we do not deserve to be respected.

I did not feel safe talking to friends, counselors, or even my own family. Would I be ridiculed, beaten, sent to a mental hospital, forced to undergo damaging therapies? Would I be disowned and sent to live on the streets? Would I be killed? I was terrified, so I said nothing. I kept my secret buried as deep as I could and went further into depression with an increased anxiety of the world around me. Over twenty years later, knowing I could not live like that anymore, I finally came out to my family and to the world.

I try to represent the transgender community, but I am not representative of it.

My experience before coming out is something many of us have dealt with at some point, but my life since has been privileged, and it would be irresponsible for me to ignore that. I work for an employer who has gender identity in their anti-discrimination policies. I was able to purchase a house just before coming out. Most of my family and friends have accepted me. I'm usually gendered correctly, and my amazing wife who married me before she knew me as Sarah, has stayed with me throughout. That is not to say we did not have our own struggles immediately after, but we made it to the other side, stronger and closer.

None of this changes the fact that I am still a second-class citizen with no explicit rights, and that I walk out the door with the fear of death every single day.

My transgender and gender non-conforming friends, who are some of the most beautiful, loving, generous, and empathetic people I know, have the stories that need to be heard. They have been kicked out of housing, disowned by families, are intentionally mis-gendered, ridiculed by co-workers, targeted with reprimand, and forced out of employment in New Hampshire for existing. People who are hard workers and dedicated employees who will bend over backwards for others. Their employers looking the other way while a hostile work environment is being formed around them.

This is a reality out there that people live every day. Knowing they could be refused work or housing, not be allowed into a restaurant to eat, or in a store to clothe themselves, all because of who they are. We are asking for equality, nothing more.

Some would say we are already protected under current law. History has shown that we require inclusive, explicit protections. Age, race, color, religion, sex, disability, familial status, marital status, national origin, and sexual-orientation all had to be explicitly added¹ because of those who would discriminate against them.

The thirty year old NH superior court case “Jane Doe vs Electrocraft Corporation”² which is often held up as proof that transgender people are already protected, is no longer a valid argument. The fifth version of the Diagnostic and Statistical Manual of Mental Disorders by the American Psychiatric Association, also known as DSM-5, is “used by health care professionals in the United States and much of the world”³. Released in 2013, it has removed gender identity from the list of mental disorders.

This bill can provide simple, explicit protections that many take for granted every day. They play a vital part in how a person can be a contributing member of society, and how we can welcome those that exist, and have existed in our state for a very, very long time.

If you don’t believe you have met or know someone who is transgender or gender non-conforming outside these proceedings, you have, they just haven’t told you.

Please support HB1319.

I will not be taking questions at this hearing so that my transgender and gender non-conforming family, can have the time they need to tell their stories.

Thank you,



Sarah Bennert
160 Sheridan St.
Laconia, NH

sarah@xhub.com

1 TITLE XXXI TRADE AND COMMERCE. (n.d.). Retrieved February 02, 2018, from <http://www.gencourt.state.nh.us/rsa/html/xxxi/354-a/354-a-mrg.htm>

2 Jane Doe vs Electro-Craft Corporation (Rockingham, NH Superior Court April 8, 1988). <https://www.nh.gov/hrc/decisions/documents/does-jane-vs-electrocraft.pdf>

3 DSM-5: Frequently Asked Questions. (n.d.). Retrieved February 02, 2018, from <https://www.psychiatry.org/psychiatrists/practice/dsm/feedback-and-questions/frequently-asked-questions>

Testimony of Lisa Bunker to the House Judiciary Committee, Wednesday, January 31, 2018, with reference to HB 1319.

Mr. Chairman, members of the committee, thank you for the opportunity to address you today. My name is Lisa Bunker. I live in Exeter, and I work full time as a writer. I am a transgender woman, and also the parent of a gender-variant child.

I want to talk to you today about anxiety.

There are many people in the world who feel anxious about “the whole transgender thing.” That’s totally natural and understandable. It’s still so new for so many folks, and there’s a lot of misinformation or just plain lack of knowledge, and we humans are programmed to respond to the unknown with caution.

I too felt anxious at one time about “the whole transgender thing.” Being born trans does not give you any special knowledge, and when I first figured out what was going on with my gender identity, I had to travel the learning curve and sort through the misinformation and overcome my anxiety just like everyone else. So if transness makes you uncomfortable, I truly feel for you.

However, I want to make a couple of points about anxiety. My partner, Dawn Huebner, is a clinical psychologist who specializes in treating anxiety, and I got these points from her. Dawn says, anxiety blows things out of proportion. Especially risk. Anxiety says, if a thing might happen, it will definitely happen. It also says, when the thing I fear happens, it won’t be a little thing. It will be a catastrophe. And—crucial point—anxiety works the same whether the danger is real or not.

There are folks in this room right now who, I gather, feel particularly threatened by the mere existence of trans folks. And I'm sure they've communicated their fears about us to you in various different ways. And perhaps you're in the early stages of the learning curve yourself, and so their fear calls up fear in you too. I feel the worry-beast in the room, doing what it does best, blowing things out of proportion, ringing everyone's danger alarms.

But I respectfully submit that in this particular case, there is no real danger, and that the awful scenarios that get advanced, of bathroom predators and forced surgeries on minors and who knows what, are the workings of the worry-beast run amok, and have no basis in logic or fact. Meanwhile, behind all of the worry-noise, is a simple, logical, fact-based issue: trans is real, and normal, and trans people face real danger in the world every day, just trying to live their lives the same as everyone else. And all we are asking for here today is specific and explicit equal protection under the law, the same as is already afforded to many other categories of people.

Members of the committee, when you are dealing with fearful constituents, I hope that you will keep in mind that, while the fear they feel is real, the danger they fear is not always real. Sometimes the rustling in the bushes is a bear; sometimes it is only the wind. In this case, it's only the wind. And if you're feeling any anxiety about this yourself, if you're feeling squirmy or squidgy at all, I get that. No harm, no foul, no judgement. But, as a member of the misunderstood and vulnerable minority population under discussion today, I have to ask you, please, to talk back to your anxiety right now. As Dawn would say, don't let the worry-beast be the boss of you. I ask you to turn toward the discomfort, see the overblown fears for what they are, and then, please, do the simple right thing and vote "ought to pass" on HB 1319. Thank you very much for your kind attention.

My name is Liza Draper. I volunteer as a regional coordinator for GLSEN-NH and work as an educator for the TLC Family Resource Center in Claremont where I reside.

I am here to represent the transgender youth from Claremont Middle School, Fall Mountain Regional High School, Newport Middle High School, and Stevens High School who participate in TLC's Rural Outright program.

They, and we, respectfully ask that you consider their futures:

- that you will not let baseless hatred affect the votes you cast,
- that you will heed the recommendations of our law enforcement and business leaders,
- that you will refuse to succumb to irrational fears,
- that you will recognize, as all the other New England states and so many municipalities across the country already have, that transgender rights are *human* rights,
- and that you will ensure they each have the same opportunity as their cis-gender peers to stay put, and to live and work here in New Hampshire.

They hope, in short, that you will place us all on the right side of history – and once again make them proud to be Granite Staters.

Please vote to approve HB1319.

Thank you.

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1319 Date 2/13/18

Committee Fin

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Stephen Keyes	24 Kristin Dr Derry NH 03038	(603) 437-3315		<input checked="" type="checkbox"/>	
Kari Leiber	Chester		Rockingham District 4	<input checked="" type="checkbox"/>	
SKIP Cleaven	4 Chadwick Nashua		House	<input checked="" type="checkbox"/>	
Jan Pratt	7 Wentworth St Exeter		Freedom SELF	<input checked="" type="checkbox"/>	
Hon Sylvia Gale	Nashua		Self	<input checked="" type="checkbox"/>	
John Dawson	253 Gifford Ave Concord NH	603 524 6124	Self	<input checked="" type="checkbox"/>	
Alex McEntee	Concord NH		Self	<input checked="" type="checkbox"/>	
KIMBERLY MELUSE	579 SAGAMORE AVE PORTSMOUTH		SELF	<input checked="" type="checkbox"/>	
Grace Alden	297 Peter Rd, Plainfield, NH		Self	<input checked="" type="checkbox"/>	
STARBUCK HOPE	9 Locke Lane #106 Marlborough NH			<input checked="" type="checkbox"/>	
Michael Jorlin	72 River Rd Bow NH	240-347-2484		<input checked="" type="checkbox"/>	
CHARLES DEPOY	15 BAY DR ENFIELD		Self	<input checked="" type="checkbox"/>	
Dawn McKinney			NH Legal Assn	<input checked="" type="checkbox"/>	
STEFAN MATILACE	30 HAMPSHIRE DR		CONCORD NH MYSELF	<input checked="" type="checkbox"/>	
Catherine Thorne	121 Kelsey rd		Norrlin NH myself	<input checked="" type="checkbox"/>	
Gale Taylor	16 Sagamore Ct		Concord NH	<input checked="" type="checkbox"/>	
MARY BANACH	36 FRANKLIN ST EXETER NH			<input checked="" type="checkbox"/>	
Renee Adams	691 Keosauge		Contoocook NH	<input checked="" type="checkbox"/>	
Carel Perkins	175 Quincy Rd.		Plymouth NH	<input checked="" type="checkbox"/>	
JANELLE DRACE	138 MAIN ST. #4	SUNCOOK, NH 03275	978-551-3144	<input checked="" type="checkbox"/>	
Diana George	64 Duncan Rd	Hancock NH	03449 603-566-9215	<input checked="" type="checkbox"/>	
HOWARD HELZICIT	1383 HATFIELD		HOPKINTON	<input checked="" type="checkbox"/>	

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HR 1319 Date 7/13/18
 Committee ILY

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Nancy Brennan	Weare	59-1969			
JAMESON GARDNER	92 MAW ST NASHUA NH	6035051029		✓	
Paul Phillips	35 Ash Hill Rd Plymouth NH	603 536 5333		✓	
BEAN, P.W.	ROCKINGHAM	21		✓	
Sen. Jeff Woodburn			SD #18	✓	
Darryl W Perry	Liberty Lobby LLC /		Libertarian Party	X	
Megan Moody	178 Shaker rd Belmont NH	603-726-1782		✓	
John	178 Shaker rd Belmont, NH	603-520-7240		✓	
THOMAS MEUCE	579 STANBROOK AVE #99, RAYMOND	603-373-8700		✓	
Laura Mitchell	16 Fairway Dr. Greenham	603-842-7704	self	✓	
Skylar Ford	58 Thrasher Rd Claremont NH	603-558-3064		✓	
JOELLE RYAN	5 Maski Dr Newmarket NH	603-292-6019		✓	
Kimberly Morn					✓
GUSAN OSEN					✓
GERRI KING	10 Pike St, Concord			✓	
Rep Sherry Dost			Stratford 16	✓	
Nancy Dowey	141 Gallatons Lane Bristol NH	861-1845		✓	
Walker Brown	1145 Hooksett Rd #419 Hooksett			✓	
Rev. Lyn Marshall	8 Donovan St. Concord, NH	603-568-8884	U.N. Action NH	✓	
Diane St. Germain	Ctr. Barnstead			✓	
Rep Clyde Carson	Meriden Dist 7			✓	

JANUARY 31, 2018

RECESSED

Hearing Minutes

JANUARY 31, 2018

Testimony

HOUSE COMMITTEE ON JUDICIARY

PUBLIC HEARING ON HB 1319

BILL TITLE: prohibiting discrimination based on gender identity.

DATE: January 31, 2018

LOB ROOM: Representatives Hall Time Public Hearing Called to Order: 1:30 p.m.

Time Public Hearing Recessed: 5:05 p.m.

Committee Members: Reps. Hagan, Rouillard, Keans, Hopper, Sylvia, Wuelper, R. Graham, Suzanne Smith, Wall, Horrigan, Kenison, DiLorenzo and Altschiller

Bill Sponsors:

Rep. Butler
Rep. Hennessey
Rep. Gargasz
Sen. Bradley
Sen. Woodburn

Rep. Stone
Rep. Crawford
Rep. McMahon
Sen. Innis
Sen. Fuller Clark

Rep. Fothergill
Rep. Bean
Rep. Darrow
Sen. Reagan

TESTIMONY

* Use asterisk if written testimony and/or amendments are submitted.

***Rep. Ed Butler, prime sponsor**

Introduced the bill to the committee.

***Hon. Raymond Buckley, Manchester, NH, representing self - support**

He has a long history of working on equal rights bills for many groups. Opponents always expressed concerns, none of which have come to pass. This bill is another step in the process. Submitted written testimony.

***Hon. Eileen Flockhart, Exeter, NH, representing self - support**

Spoke of her family member who waited 63 years to come out fearing discrimination and harassment ... Everyone should be able to live without fear, to feel safe and protected. Submitted written testimony.

***Devon Chaffee, Executive Director of American Civil Liberties Union of New Hampshire (ACLU-NH)- support**

Over 9,000 members of the ACLU statewide who have faced unjust discrimination. This bill is necessary to protect all people in New Hampshire from discrimination and provide clarity to the law. Statutory protections are as important as constitutional ones. Submitted written testimony.

***Rep. Jess Edwards, Auburn, NH - neutral - information only**

He gave some history of State Commission for Human Rights (he was a member) and the work they did last year. He stated that amendment (2018-0241h) was developed along with other bills originating from their meetings. He submitted written testimony.

Q. Rep. Hynes: What is the harm to have this added? **Ans.** I am not sure.

Q. Rep. Kenison: Are you aware that the 1987 ruling was as a mental health issue. **Ans.** Yes

Rep. Erin Hennessey, representing Littleton and Bethlehem, NH - support

Need to eliminate all discrimination.

Page 2 (HB 1319)

***Beth Scaer, Nashua, NH, representing self - oppose**

Concerns were of men being able to enter girls locker room, bathrooms, etc.
She also submitted written testimony.

Lauren Irwin, Concord, NH, representing self - support

Ready and able to contribute to New Hampshire society. Often let go from jobs; each case brought is not binding in any other court.

Rep. Brandon Phinney, Rochester, NH - representing Straf/24 - support

Page 1, Line 27

Rep. Phillip Bean, Hampton, NH, representing self - support

Mark Warren, Gilmanton, NH, representing self - oppose

Father of three girls.

***Doug Marino, University of New Hampshire(UNH) student, representing self - support**

New Hampshire is a great state; no need to drive people away. Some of his UNH friends are not sure if they should remain here and risk being fired or denied services in public places based on their gender identity. Submitted written testimony.

Anthony Colarusso, Dover Chief of Police, representing NH Chiefs of Police - support

Remember anti-discrimination bill is not a right to prey on women and children; not a permission to assault someone. He wants no fear for his grandchildren.

***Shannon McGinley, Cornerstone Action, Manchester, NH - oppose**

She questions if Medicaid will pay for reassignment surgery? How would we regulate high school sports teams? It is harder to identify those using "gender identity in bad faith. Submitted written testimony.

Doug Pounds, Goffstown, NH, representing self - oppose

Suicide after surgery; 80-90% out grow the desire to ; they need professional help.

***Rev. Jay MacLeod, Rector, St. Andrew's Episcopal Church- support**

Niece (boy biologically) self-identified as a girl since age 3. Now at 13 yrs. she has explained to all that she is a girl. Now is very happy; but will face high risk of being bullied, being sexually assaulted or of attempting suicide. He spent four (4) years in Mississippi working with kids who interviewed their elders about civil rights struggles. Some of the opposition sounds like the KKK in the 50's and 60's motivated by fear, ignorance and prejudice. Vote for inclusion and equality. He also submitted written testimony.

Linda and Emily Fishbaugh, North Hampton, NH, representing selves - support

Linda, transgender Mom with daughter, Emily see the need for this bill and support this bill wholeheartedly.

Martha Vendt, Boscawen, NH, representing self - oppose

Rep. Al Baldasaro, Rockingham, District 5 - oppose

Granddaughters in shower?

Betsy Janeway, Webster, NH, representing her family - support

She worries about discrimination against her son.

***Rev. Jonathan Hopkins, Pastor of Concordia Lutheran Church, Concord, NH - support**

As a citizen of New Hampshire he expects the government to pass laws that do two things:

- allow all citizen to live free from discrimination
- allows for their protection so they may be gainfully employed, be productive citizens, be able to provide for their families, and be able to contribute to the common good.

As a spiritual leader in New Hampshire, He cannot speak for other churches, but strongly believes that we should " Love our neighbors as ourselves." He wished that everyone acted with respect, compassion and mercy all the time, but that is not how the real world works.

- pass laws that protect people from discrimination
- pass laws that make citizens feel safe and can live the best life possible for them.

Submitted written testimony.

Rep. Kevin Scully, Hills/33 , representing self - oppose

This bill will have major consequences to the law.

Rev. Eliza Buchakjian-Tweedy, Senior Pastor First Church Congregational, Rochester, NH- support

She has encountered a community that has shown her kindness and compassion to her and her family; but harassment, insults, derogatory remarks, threatening behavior still exist. She asks that people support this bill and end discrimination for all people so they may feel safe. She submitted written testimony.

***Hon. Sylvia Gale, and Sarah Burke-Cohen, New Hampshire Human Rights Commission (RSA 354-A:1) - support**

Will submit written testimony.

***Paul Philips, Chair, Human Rights Commission - support**

There is a 2-phase process: 1) investigation report; 2) adjudication

Q. Rep. Hagan: Do you have concern that the board by virtue of being Human Rights Commission that you tilt toward plaintiff? **Ans.** Not at all; each side has a chance for its case to be heard.

Joseph Chiaro, pastor/lawyer, Derry, NH - oppose

Religious freedom pastor, also attorney. This bill is not necessary; a person gets fired, then later claims it was because he/she was transgender.

***Nancy Stager, Executive Vice President, Eastern Bank - support**

Eastern Bank wants both employees and customers to feel safe at their locations.

Has five points:

- Updating the laws makes a strong statement that NH does not permit discrimination in employment; and will ensure people are judged on experience and qualifications and nothing more.
- Passing this law will ensure that all people including transgender people are safe in public spaces.
- ensure transgender people who are well-qualified can find housing within reasonable commuting distances without fear of harassment or discrimination.
- Restroom "issue" --- having statewide solution will be easier for businesses with multiple locations expand their presence in NH.
- By adding gender identity to the anti-discrimination protections provided by law is the right thing to do. Access to employment opportunities housing and feeling safe in public spaces is a basic right that should be provided equally to all citizens across New Hampshire.

***Joseph Mendola, Warner, NH, representing self - oppose**

See submitted testimony.

***Dr. Paul Cody, Equality Health Center, Concord, NH - support**

Dave Juvet, Business Industries of America (BIA) - support

***Stephen Scaer, Nashua, NH, representing self - oppose**

Submitted written testimony. Believes this bill threatens due process, safety and security, and the First Amendment and parental rights.

***Donna Goodwin, Eliot, Maine - Flag Seacoast - support**

***Luis Singh, Raymond, New Hampshire, representing family - oppose**

***Sarah Huckman, and Tom Huckman, West Ossipee, NH, representing self - support**

17 yrs old, serve on the New Hampshire Legislative Youth Advisory Council, and is transgender. After high school plans on going to college, getting a job, etc. One thing can get in her way --- discrimination. Without this bill, colleges, landlords, and business owners can deny entrances to school, apartments and jobs simply because she is transgender.

***Augustus George, Hancock, NH, representing self - support**

16 yrs old, female came out as trans gender in 2017. Family and friends were gave him support but encountered many bullying, harassing, discriminating events over the years from students and teachers. Encourages people to support this bill and protect those who may be "different". Written testimony submitted by Augustus and his parents also.

Rep. Renny Cushing, Hampton, NH, representing Rock/21 - support

***Rev. Elsa Worth, Rector, Keene, New Hampshire, representing self - support**

She is an ordained clergy for 22 years, and the priest at St. James Episcopal Church in Keene since 2016. Her 17 year old son courageously came out as transgender one year ago. He was a high honors student, crew team member, elected all fours as the class president and wanted his peer to know that even popular kids have struggles. She seemed to be liberated, but suddenly last year took her own life. 40% of transgender teens either commit or attempt suicide. Elsa and her husband didn't know that statistic until it was too late. There is enormous stigma in our culture to being transgender, no matter if friends and family love and accept you, society does not. Please ensure that New Hampshire will be a place where our vulnerable transgender teens know that we have their backs.

The Judiciary committee recessed at 5:05 p. m.
Public hearing to be continued on February 13, 2018

Respectfully submitted,



Rep. Sandra B. Keans, Clerk

②

HB 1319 Hearing 1-31-2018

* How Ray Buckley: Long history of working on rights bills for many groups. Opponents always expressed concerns, none of which have come to pass. HB 1319 is another step in the process.

* ③ EILEEN LOCKHART - SUPPORT FAMILY MEMBER

④ DEVON CHAFFEE - EX DIR ACLU NH OVER 9000 PEOPLE AFFECTED
SUPPORT - PROTECT ALL BILL. SUPPORT
STATUTORY PROTECTIONS AS IMPORTANT AS CONSTITUTIONAL

⑤ REP. JESS EDWARDS - NEUTRAL - HAS AMEND 2018-02914

• Q HYNES WHAT HARM TO ADD ANS. NOT SURE

• Q KENISON ARE YOU AWARE THAT 1987 RULING WITS AS A MENTAL HEALTH ISSUE? ANS. YES.

⑥ REP HENNESSY SUPPORT - NEED TO ELIMINATE DISCRIMINATION.

* ⑦ BETH SCARRO OPPOSED - MEN IN BARS LOCKER ROOM.

⑧ LAUREN IRWIN - SUPPORT - READY & ABLE TO CONTRIBUTE TO NH SOCIETY
OFTEN LET GO FROM JOBS. EACH CASE BROUGHT IS NOT BINDING
IN ANY OTHER COURT. ~~HE~~

1 ⑨ REP BRANDON PHINNEY SUPPORT - PGL LINE 27

⑩ REP BEARD - SUPPORT

CONT
③
1319

- ⑪. MARK WARREN OPPOSED FATHER OF 3 GIRLS
- * ⑫. DOUG MARINO UNH STUDENT SUPPORT - GREAT STATE NEED TO NOT DRIVE PEOPLE AWAY
- ⑬. ANTHONY COLARUSSO - SUPPORT CHIEF DEVER REMEMBER ANTI DISCRIMINATION BILL NOT A RIGHT TO PREY ON WOMEN & CHILDREN NOT A PERMISSION TO ASSAULT NO FEAR FOR GRANDCHILDREN
- * ⑭. SHANNON MCGINLEY - CORNERSTONE OPPOSE PAYS UNDER MEDICARE FOR REASSIGNMENT SURGERY? HOW - WOULD WE REGULATE HIGH SCHOOL SPORTS TEAMS? HARDER TO IDENTIFY THOSE USING GENDER IDENT IN BATH ROOMS.
- ⑮. DOUG POUNDS OPPOSE SUICIDE AFTER SURGERY 80-90% CHILD. GROW OUT OF DESIRE NEED PROFESSIONAL HEALTH.
- * ⑯. REV. JAY MACKLEOD SUPPORT NIECE SELF-IDENTIFIED AS GIRL SINCE ^{AGE} 3 - THIRTEEN VERY HAPPY SOME OF THE OPPOSITION SOUNDS LIKE 4 YEARS IN MISS. & 60² FEARS
- ⑰. ^{TRANSGENDER MOM & DAUGHTER} LINDA & EMILY FISHER BAUGH - SUPPORT
- ⑱. MARTHA WENDT OPPOSE
- ⑲. REP BALDASSARO - GRAND DAUGHTERS IN SHOWER

38 Jos. Mendola: GROSS (would only add gross to children in school setting.)

39 Dr. Paul Coby found ⁱⁿ ~~wealthy~~ support.

30 Dave Tuvet BIA - strong support 425 members @ thousands of employees - send message across country NH values etc.

* 31 STEVEN SCAR ROOSE

* 37 DENNA ~~ROOSE~~ FLAGG SEARCHSI SUPPORT Mom of TRANSGENDER KID

38 ROSEMARY PER BOWDERS AMERICAN CONSIDERED KIDNE LETTERS VICTIMS OF SEXUAL ASSAULT

* 38 LUIS SIVET EPOSED ALTHOUGH TELLS US WHAT WE ARE. SELF-DESTRUCTIVE LIVE STYLE THIS WILL STOP ALL RIGHTS OF OTHERS.

39 TOM BROOKHOLTHUIS - SPORT - SPECIAL TRANSGENDER -

* 40 ALVINS (BOB) GEORGE - SUPPORT - 16 TRANS.

* 41 REP R. POSHUS - SPORT -

* 42 WORTH FISH - TRANSGENDER KID LIST US SHOW OUR KIDS WE HAVE THERE BACK.



TESTIMONY IN FAVOR OF HB 1319 BY RAYMOND BUCKLEY, NHDP CHAIRMAN

Thank you Mr. Chairman and honorable members of the Judiciary Committee.

For the record, my name is Raymond Buckley and I reside in Manchester.

I am currently serving in my sixth term as the Chairman of the NH Democratic Party and I had the honor of serving in the NH House for eight terms.

I come before you today in support of HB 1319.

As someone who has been closely involved in New Hampshire politics for most of my life, I'm proud to have been a part of the fight to secure equal rights for all members of the LGBTQ community.

Thirty-three years ago, I participated in the founding meeting of the NH Citizens Alliance for Gay and Lesbian Rights in Concord. As a member of the House of Representatives from 1986 to 2004, I sponsored or worked on a number of pro-gay laws including prohibiting hate crimes, providing legal protections for AIDs patients, securing gay civil protections in 1997, and repealing the gay ban on foster care, adoption, and custody. I was proud to serve as then-Governor Lynch's representative on the Gay Marriage Commission in 2005 and actively fought to secure the passage of legal civil unions in 2007 and full marriage rights in 2009.

During each of these fights, we heard individuals express unsubstantiated fear of the laws' passage. They claimed the establishment of these rights would be the end of their family, their community, our state, and



our country. I still vividly remember people claiming that securing equal rights for people like me would bring on the end of civilization.

In the 21 years since the gay rights bill became law and the nine years since marriage equality was established in our state, none of these baseless accusations have come to fruition. Regardless of how many steps we moved closer to equality, the sun still rose every day and the world didn't end. The only impact was that for a few thousand Granite Staters, our lives had remarkably improved.

The New Hampshire Legislature now has a chance to move another step closer towards ensuring equality for all members of the LGBTQ community by passing HB 1319 and outlawing discrimination based on gender identity.

Passing this law is the morally right thing to do. No person should be forced to face discrimination because of who they are. This issue has been studied and debated for years, each time being rejected because of unwarranted fear.

Enough already. It is time for the baseless and cruel ignorance to end. Transgender Granite Staters deserve the same rights as any other person and it is far past time they are guaranteed. Millions of Americans already live in states and communities that provide the types of protection this bill would establish; it is time to New Hampshire joins that list.

I encourage the passage of HB 1319. Thank you.

My name is **Eileen Flockhart**. I have lived in New Hampshire since 1981, raised my family here, and now two of our children and six of our grandchildren live here. I was a state representative from Exeter from 2004-2008 and then again from 2012-2014. I am here today to wholeheartedly support HB 1319, the transgender non-discrimination bill.

At the age of 63 my twin brother came out to our family as transgender so that she could finally live openly and honestly as the woman she always knew herself to be.

Like many of you, my family and I had little knowledge of transgender issues at the time back in 2007. We all worked together as a large family to understand transgender rights and issues – thank goodness for Google! - to understand what “gender identity” means, and to understand how we could best support my sister. It was a process, and it took time. In a sense, we have gone through a transition of our own.

We have learned so much about transgender rights, and the discrimination transgender people face. We have heard first hand from my twin sister of the challenges she has had to face, from job loss to discrimination when trying to access healthcare. As a family, we were most concerned about making sure we made my sister feel safe and affirmed for who she was because we learned that transgender people are at a greater risk of suicide. Family rejection is one of several factors that contribute to this.

It took my twin sister 63 years to bravely say to us all, “This is who I am”. Having to pretend for all those years because she was afraid of being discriminated against at work or in public, had to be horrific. As close as we were, we did not see it. There are thousands of transgender people in New Hampshire, and I wonder how many are hiding because they are afraid of being fired or harassed when they go to a restaurant or to the hospital.

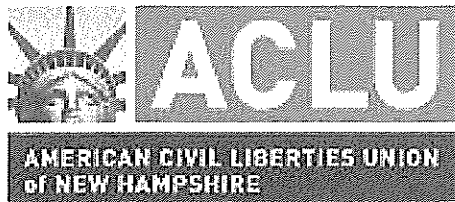
I'd like to leave you with this thought: my sister is still the same person we all grew up with. Now instead of 4 brothers and a sister, I have 3 brothers and 2 sisters! She still writes music and sings and will go on and on about any given topic, from politics to religion. We still have to ask her to “Get to the point!” We love her just as she is, and want her to be able to live freely without fear. We want her have the same protections against discrimination that we all enjoy. Whether family member or stranger we all deserve to feel safe and protected.

I urge you as a committee to vote Ought to Pass unanimously on HB 1319.

Thank you.

Eileen C. Flockhart
62 Park Ct., Exeter, NH 03833
778-0647

January 31, 2018



AMERICAN CIVIL LIBERTIES UNION OF NEW HAMPSHIRE

18 Low Avenue
Concord, New Hampshire 03301
603-225-3080
www.ACLU-NH.org

DEVON CHAFFEE
EXECUTIVE DIRECTOR

From: Devon Chaffee, Executive Director, American Civil Liberties Union of New Hampshire
Gilles Bissonnette, Legal Director, American Civil Liberties Union of New Hampshire
To: The Honorable Members of the New Hampshire House Committee on the Judiciary
Date: January 31, 2018
Re: In Support of HB 1319

Good afternoon Chairman Hagan and other Honorable Members of the Committee. My name is Devon Chaffee, and I am the Executive Director of the American Civil Liberties Union of New Hampshire. I am here today with our Legal Director, Gilles Bissonnette. We testify today to express our strong support for HB 1319, an act prohibiting discrimination based on gender identity.

HB 1319 is an essential piece of legislation. Today you will hear many stories from Granite Staters who have firsthand experience facing unjust discrimination just because of who they are. As representatives of the largest civil rights organization in the State—with over 9,000 members statewide—we can tell you that these stories are just the tip of the iceberg. For all of the compelling stories that you will hear from individuals testifying before you today, there are hundreds more affected individuals in all parts of our state.

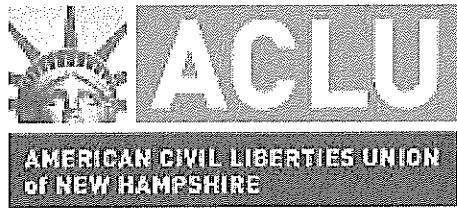
For many such individuals, gender identity discrimination has disrupted their lives, it has threatened their housing, and it has undermined their ability to support themselves. It has also created unnecessary obstacles for people who just want to find ways to give back to the New Hampshire communities they love.

Some of these individuals cannot afford to take a day off from work to drive to Concord. Some of these individuals cannot even risk telling their story publicly for fear of the ramifications. But there are people within your districts, within your communities, among your constituents, who have been impacted by insidious effects of gender identity discrimination.

There are opponents to this bill who will question whether HB 1319 is necessary, given existing nondiscrimination protections under New Hampshire law. We are here today to assure you that HB 1319 is necessary to protect all people in New Hampshire from discrimination and to provide much needed clarity to the law.

HB 1319 is not about what arguments litigators may or may not make to a judge about existing law. It also is not about what argument a particular judge may or may not decide is persuasive in the context of a given case. HB 1319 is about the legislature doing its job to make New Hampshire statutes clear in manner that will help prevent this type of discrimination from ever occurring in the first place. It is about providing employers, employees, businesses, and customers with the clarity that they deserve so that they never wind up in a courtroom.

That is why so many different constituents are here today urging you to support HB 1319. It is why you have heard from diverse community members, law enforcement, and businesses all of whom are asking the legislature to clarify existing law and make explicit that New Hampshire statutes prohibit discrimination based on gender identity.



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There are some who will attempt to argue that the bill will have the opposite effect. Some opponents to HB 1319 will argue that this bill will somehow lead to frivolous lawsuits or other abuses. But the experience of the 18 other states that have similar laws simply does not support this claim.

The ACLU of NH is one of over 50 affiliates in every state in the country and I have frequent exchanges with my counterparts in states where gender identity protections have been in effect for years. None of my colleagues in these states are aware of any abuses of those protections becoming a problem for business, the courts, employers, or other stakeholders.

Instead, by explicitly including gender identity protections in their nondiscrimination laws, legislators in other states have provided invaluable clarity to the people they serve, the same clarity we hope the New Hampshire legislature will provide when it passes HB 1319. By enacting this bill, New Hampshire has the opportunity to demonstrate unequivocally that our laws are here to protect all individuals in our state, including transgender people, from discrimination.

For these reasons I respectfully urge the Committee to recommend that the House *ought to pass* HB 1319. Please feel free to contact us with any questions you may have.

Testimony – HB1319 Amendment 2018-0241h
Judiciary Committee
Representative Jess Edwards
31 January 2018

Amendment 2018-0241h to HB1319 was developed in the aftermath of public concerns that poured out last session related to proposed changes to RSA 354-A, State Commission for Human Rights.

I was asked by Speaker Shawn Jasper to coordinate with the Commission for Human Rights to investigate potential updates to the statute. This began a process that evolved over many weeks and culminated in three long sessions totaling over 10 hours of face-to-face, line-by-line, word-by-word reviews of the statute. The key participants were Commissioner Paul Phillips, Executive Director Joni Esparian, Representative Elizabeth Edwards, and I. This is one of four bills that originated from that work.

I'm the last one standing as Commissioner Phillips has had his term expire and Ms. Esparian has left her position in October 2017.

Now for some legislative background. When the Gender Identity bill came to HHSEA last year, I was lobbied in advance of our committee hearing by the proponents.

I asked two questions that were relevant to me. The answers I was given that evening did not prove to be accurate which caused me to personally dig into the situation.

The two questions were:

1. Is Gender Identity already protected under RSA 354-A?
2. Are there any other vulnerable groups that we should add now instead of adding one at a time every few years?

I was told that Gender Identity was NOT protected under RSA 354-A and in fact it has been for over 30 years. The Commission in 1987 investigated a Gender Identity complaint referenced as Jane Doe v. Electro-Craft Corporation. The Commission determined it did not have the authority under RSA 354-A but was subsequently overruled by a Superior Court decision in 1988. The court determined Gender Identity was protected as a form of mental disability. Since then the Commission has investigated at least four cases and as recently as this summer they issued a press release stating categorically that Gender Identity was protected under their statute.

Commissioner Phillips believed that adding Gender Identity to the statute still had value as a means of clarifying that the Commission should work to develop a set of case proceedings unique to New Hampshire rather than being developed by looking to other jurisdictions such as Seattle and NYC for precedent. The NH state government certainly has moved to recognize Gender Identity as a vulnerable group by explicitly writing in guidance to the 2016 NH State Employee regulations.

If there is a cautionary note on adding Gender Identity to the statute, it seems to come in the form of calling into question women set-aside programs such as STEM or athletic scholarships and contract set-asides for women-owned businesses. Maybe the time has come to re-look whether we want to have set-aside programs that are intended to benefit one gender over another? That's a policy consideration for the future.

When I asked Ms. Esparian to tell me if there were other vulnerable groups that ought to be considered as part of this update, she told me no one else had asked her that question. Had she been asked, she would have told them what she told me. She believed that there were good reasons for considering adding veterans, women who breast-feed, victims of domestic violence, and victims of sexual assault to the list of RSA 354-A specified vulnerable groups.

In parsing the list, I came to believe that adding veterans would be a mistake. In my view, it is too hard to demonstrate a bias on the basis of veteran status and as a result, all that would be accomplished by citing them in the statute was to cause some employers to be more wary of hiring them.

Senator Fuller-Clark is chairing a commission on breast-feeding and is likely to be submitting legislation as a result. Accordingly I stayed away from the topic to avoid duplication or confusion.

In domestic violence situations, Ms. Esparian shared with me that it was sometimes the case that a landlord would evict a couple involved in a domestic violence incident, particularly when law enforcement was involved. She thought that we may want to protect the victim in those cases. Given that law enforcement generally does not like to engage the public in domestic violence situations given the propensity to experience gun violence themselves, I did not want to put landlords in a position to have to adjudicate who the victim was.

This left victims of sexual assault. According to Ms. Esparian, an assault victim will often be traumatized to the point of not being able to work productively. This can lead to a loss of a job. The loss of the income from the job can then aggravate the situation by causing problems with paying rent on time. Unfortunately Ms. Esparian left before she shared with me all the data to support her request to add this vulnerable group.

Should the committee accept the proposal of the past Executive Director, I've added on Page 2 Lines 5-7 a definition of what constitutes the status as a victim of sexual assault. I believe that a complaint should be filed to initiate the status, which the status would continue throughout the investigation and after a conviction of the perpetrator. However, the status would not continue if the investigation is completed and there is either no prosecution or the perpetrator is found not guilty.

The committee may wish to consider another standard. I offered one in the spirit of brainstorming and defer to the wisdom of the Judiciary.

Please contact me if you have any questions.

Representative Jess Edwards (Auburn, Chester, Sandown)
Jess.edwards@leg.state.nh.us
(603) 370-7885

Beth Scaer
Testimony on HB1319
January 31, 2018

Do you trust women to use their own intuition about who is safe to be in a women's restroom or locker room? Do you respect a woman's right to privacy? Do you respect a woman's right to protect herself? I fear that the authors of this bill do not because there is no protection for women in this bill. The bill says that it's OK for a man to use a woman's restroom or locker room if his identity as a female is sincerely held as part of his core identity and that it shall not be asserted for any improper purpose. However, nowhere in the bill does it say how this would be enforced. If a man wants to go into the women's locker room at the Nashua Y and watch little girls undress for swim practice or wait until a preteen girl is alone in the locker room so that he can molest her, under such a law he could assume a female identity and enter the locker room and there would be no way to prove that he was doing it for an "improper purpose".

I worry about the vulnerable women in locker rooms and restrooms, especially the young and the elderly and the sexual abuse victims. Women are partially or completely undressed in these rooms and vulnerable to attacks. I see no way that a man who falsely assumes a female identity could be removed, even if it were completely obvious that he was there under false pretenses. I have asked supporters of this bill many times how women would be protected under such a scenario and no one has answered me yet.

Women of the committee, you know to what great lengths you go to protect yourself from assault: walking quickly to your car at night, with your keys in your hand, ready to use them as weapon, checking the backseat for intruders, making a judgment about who is on an elevator before you get on, ready to kick off your shoes and run from an assailant at any time. Men of the committee, you know how you work to protect the women of your family, your friends and co-workers. You are loathe to drop them off at night alone or leave them working late at night with no one to walk them to their car. Do you want to see women left vulnerable in restrooms or locker rooms to sexual assault, especially young girls, the elderly and disabled? If not, then please vote ITL on this bill. Thank you.

Scare

The following was written by child sexual abuse survivor Kaeley Triller Haver:

"Don't they know anything about predators? Don't they know the numbers? That out of every 100 rapes, only two rapists will spend so much as single day in jail while the other 98 walk free and hang out in our midst? Don't they know that predators are known to intentionally seek out places where many of their preferred targets gather in groups? That perpetrators are addicts so committed to their fantasies they'll stop at nothing to achieve them?"

There are countless deviant men in this world who will pretend to be transgender as a means of gaining access to the people they want to exploit, namely women and children. It already happens. Just Google Jason Pomares, Norwood Smith Burnes, or Taylor Buehler, for starters.

Do they know that more than 99% of single-victim incidents are committed by males? That they are experts in rationalization who minimize their number of victims? Don't they know that insurance companies highlight locker rooms as a high-risk area for abuse that should be carefully monitored and protected?

Don't they know that one out of every four little girls will be sexually abused during childhood, and that's without giving predators free access to them while they shower?

Don't they know that, for women who have experienced sexual trauma, finding the courage to use a locker room at all is a freaking badge of honor? That many of these women view life through a kaleidoscope of shame and suffer from post-traumatic stress disorder, depression, dissociation, poor body image, eating disorders, drug and alcohol abuse, difficulty with intimacy, and worse?"

Haver, Kaeley Triller. "A Rape Survivor Speaks Out About Transgender Bathrooms" *The Federalist*. FDRLST Media, 23 Nov. 2015. thefederalist.com/2015/11/23/a-rape-survivor-speaks-out-about-transgender-bathrooms

Testimony in Support of House Bill 1319

Thank you Mr. Chairman, and honorable members of the committee.

My name is Doug Marino; I am a senior at the University of New Hampshire. I am from Stratham, NH, and I am honored to be before you today to speak in favor of House Bill 1319.

I love New Hampshire. My family moved here when I was eight years old. The people of this state welcomed me with open arms, and made me one of their own.

I am so grateful to have been accepted so kindly by this state. I believe that every single person should have the same experience that I have had.

Sadly, our friends and neighbors in the transgender community are not protected by our state's anti-discrimination laws in employment, housing, and public accommodations. This is simply unacceptable. In order to reach our full potential as a state, we need to welcome all people, and make sure that all of our citizens have equal rights under the law.

At UNH, I have had the honor of meeting so many young people who love this state like I do. Many of them want to stay here, and build a life here. Some of my friends at UNH are transgender. Some of them are out, others are not. Many of them want to stay here in New Hampshire because they love this state. A couple of them hope to run for office in the near future, others want to go into law, and medicine. They will contribute to our state in so many ways. Sadly, many of them are not sure if they should stay here in New Hampshire, as long as they can be legally fired from their job or denied services in public places based on their gender identity.

As you know, Mr. Chairman, our state desperately needs to retain young people who want to make New Hampshire their home and contribute to our state. Discrimination is immoral, and it will drive promising young people out of our state.

We must make it clear to these young people that they are valued, and wanted in our state. I am asking you to support HB 1319, to bring New Hampshire up to speed with our New England neighbors, and fully update our state's anti-discrimination statute.

Thank you.



To: House Judiciary Committee

From: Shannon McGinley, Cornerstone Action
cornerstone@nhcornerstone.org

Date: Wednesday, January 31, 2018

RE: Please vote inexpedient to legislate (ITL) on HB 1319, prohibiting discrimination based on gender identity

Please vote Inexpedient to Legislate on HB 1319, which has been introduced as an anti-discrimination measure.

Cornerstone affirms the worth and dignity of each and every human being. If this legislation were a step in that direction, we'd applaud it. Unfortunately, it isn't.

By including the term “gender identity” in RSA 354-A, the state's law against discrimination, we would be moving beyond objective, measurable qualities and into subjective qualities.

This change would enshrine in law a dangerous dualism. The “gender identity” ideology denies the truth of the physical world and embraces *only* the subjective feelings of the mind. It creates a false dichotomy, denying that we are embodied persons. But we *are* embodied persons. Our anatomy, physiology, perception, and behavior is intimately integrated in us as human persons.

Our laws have at their foundation the governance of embodied, integrated human persons. The law does not govern human minds – it cannot because human minds alone cannot act. Our law governs human persons, who are always and everywhere embodied, and those embodied persons always and everywhere have a sex that is integral to their embodiment. By embracing and enshrining in law an ideology that denies the truth of the integrated human person, we are – however unintended – putting at risk the vulnerable in our society and undercutting existing laws enacted to protect and equalize those who face discrimination based on objective, physical characteristics.

Unfortunately, it is women and children who disproportionately bear the brunt of the unintended consequences of “gender identity” ideology and the disembodied-persons paradigm. At both the state and federal level, and in both private and public life, we are already seeing effects of gender-identity ideology.

A few examples:

- Women are beginning to be pushed out of sports (or at least dominated) by men identifying as women, like in the case of martial arts competitor Fallon Fox who defeated her female opponent within the first couple minutes of the fight, damaging her orbital bone and requiring seven stitches. The damage may have continued had the referee not stopped the fight.
- An increasing number of women only colleges are now accepting transgender students thus requiring women to live with biological men.
- Bathrooms, showers, and locker rooms are being forcibly desegregated under the new “gender identity” ideology, erasing existing protections against sexual predators for women and girls. We believe that gender-identity laws make it harder to identify predators misusing “identity” in bad faith such as was the 2016 case with predator arrested at Target in Bedford for filming girls and women in the dressing room.

-over-

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WWW.NHCORNERSTONE.ORG

Until recently, the law has sought to harmonize the principles of equality with inherent biological differences. By denying and undermining those true biological differences, we undermine laws that exist to equalize those biological differences.

In addition to these somewhat philosophical concerns about enshrining dualism in law, we also believe there are some very real, immediate consequences that would come to pass due to the passage of this bill. Specifically, we are concerned about the safety and privacy concerns that could be realized implementing this “gender identity” ideology into law as well as the effect this bill would have on religious entities.

Safety and privacy concerns aren’t limited by gender, and women and girls, in particular, are vulnerable to sexual predators in certain settings. Unfortunately, HB 1319 has no enforceable provision to distinguish between a truly transgendered individual and a predator who is claiming to be transgender for the purpose of predatory or voyeuristic behavior. **While the bill’s language does include provision that “that gender-related identity shall not be asserted for any improper purpose,” this provision is toothless against the subjective, individually chosen and nonprovable “gender identity.”**

We also hope that the sponsors will address these concerns for the safety and privacy of everyone, which are raised in good faith:

- Under HB 1319, could a shelter for abused women be forced to hire a male staff member who identifies as female? Would a women’s shelter be required to house men identifying as female, ignoring the trauma that a male’s presence might cause to abused women?
- If a child’s physical safety in a public bathroom were to be violated by a predator pretending for criminal purposes to be the same gender as the child (and note that we are not referring here to anyone who intends no harm), would the child’s parent have a cause of action against the predator? Or might the predator escape civil liability by claiming that the pretended gender identity is authentic? How would the text of this law give sufficient legal grounds to effectively parse the subjective feelings of the accused?
- If a business owner has sincerely-held religious beliefs about the nature of sex and sexuality, and if that person or entity operates a facility with bathrooms separated by gender, would HB 1319 require that owners permit males to use facilities designated for females, and vice-versa?
- If a nonprofit operator with those same beliefs operates a sex-segregated facility, would HB 1319 require desegregation of the facility or allow the operator to maintain sex segregation within the facility?
- Under HB 1319, would the state of New Hampshire terminate contracts with nonprofit organizations who hold sincere religious beliefs? If so, how many New Hampshire residents would be affected by the resulting loss of services?

We note with great concern that violations of RSA 354-A:21 bring with them civil penalties ranging up to \$50,000. As an administrative and not a criminal process, **charges brought under the Law Against Discrimination do not bring with them the constitutional protections for the accused that would apply under criminal law.**

A fundamental question is unavoidable. Do you believe that sex - male or female - is objectively and biologically set, or do you believe that gender is a non-biological subjective “identity”? This leads to another question: do you want to use a law as a weapon against people who recognize biology rather than gender ideology?

Because this bill would represent both a radical change in law as well as a potential infringement on the safety and privacy of many New Hampshire citizens, it is impossible for us to support this bill. We cannot accept promises to settle these issues later -- now is the time to look at the unintended consequences of HB 1319. We affirm the worth and dignity of all New Hampshire neighbors, but we recognize that HB 1319 falls short in serving that dignity. We respectfully urge you to recommend ITL on this bill.

###

The Impact of HB 1319 on Privacy

An Analysis in Light of New Hampshire Law

Employer Provision

HB 1319 makes it unlawful “for an employer, because of the age, sex, gender identity, race, color, marital status, physical or mental disability, religious creed, or national origin of any individual, to refuse to hire or employ or to bar or to discharge from employment such individual or to discriminate against such individual in compensation or **in terms, conditions or privileges of employment.**”

While the definition of “employer” excludes a “religious association or corporation”—presumably encompassing churches and religious schools—most other employers are included, such as public schools, daycare centers, fitness centers, and homeless shelters. Under HB 1319, all such employers would be prohibited from denying the “terms, conditions or privileges of employment” based on gender identity.

If an employer had male and female locker rooms, restrooms, or changing areas, access to those facilities would be a “privilege of employment.” As a result, employers would be required to provide access to these facilities consistent with an employee’s gender identity. At public schools, a male teacher who asserts a female identity must be allowed to access the locker rooms and restrooms designated for females. If teachers chaperone overnight trips (such as for field trips or sporting competitions), the male teacher must be allowed to chaperone in a female’s room, because failure to do so would be denying him employment on the same terms

as other female teachers based upon his asserted gender identity.

The impact would be felt at every place of employment. In fitness centers, employees would have the right to access the changing room with which they identified, regardless of the privacy violation it would impose on patrons and other employees. A battered women’s shelter would be required to allow a male employee who claims a female identity to access the sleeping quarters and other areas designated for the women they serve.

Housing Provision

First, it should be noted that the exemptions for housing are narrower than for employment. Under N.H. Rev. Stat. Ann. § 354-A:13, a religious organization is only exempt when it gives preference “to persons of the same religion” as it relates to the sale, rental, or occupancy of dwellings which it owns. In other words, a Jewish college would be allowed to limit occupancy of its dormitories to students of the Jewish faith, but could not otherwise discriminate based on other protected classifications, including sexual orientation and gender identity. So if a Jewish male student asserts a female identity, he must be allowed to stay in the female dormitories; denial of his request to do so would be discrimination based on gender identity.

The same concerns extend to secular institutions. Adding gender identity to the law would mean that at every college in the state, males who claim to be female must have full

Adding gender identity to New Hampshire law completely negates the protections for privacy afforded to girls and boys of all ages at New Hampshire colleges and schools.

access to female dorms, and females who assert a male identity must be given access to male dorms.

When Title IX, the federal law that bans sex discrimination at all colleges and schools in the country, was being debated, concerns over privacy led Congress to create an exemption in Title IX to allow colleges to maintain separate dormitories for males and females. *See* 20 U.S.C. § 1686 (“[N]othing contained herein shall be construed to prohibit any educational institution receiving funds under this Act, from maintaining separate living facilities for the different sexes”); 34 C.F.R. § 106.33 (“A recipient may provide separate toilet, locker room, and shower facilities on the basis of sex”).

Adding gender identity to New Hampshire law completely negates the protections for privacy afforded to girls and boys of all ages at New Hampshire colleges and schools. A college freshman is no longer assured that her roommate will be the same biological sex. Communal showers and changing areas in dorms will no longer be limited to those sharing the same physiological features.

Public Accommodations Provision

The addition of gender identity to the public accommodations law is the most troubling, because it truly impacts nearly every place in the state that is open to the public. The definition of public accommodation is extremely broad, encompassing any place that “offers its services or facilities or goods to the general public.” N.H. Rev. Stat. Ann. §

354-A:2. All public schools and colleges, child care facilities, community sports leagues, and female only fitness centers would be subject to the law. As a result, a male who claims to be female:

- must be given access to female showers, locker rooms and restrooms at a public school,
- must be allowed to play on girls sports teams, and even compete for scholarships set aside for female athletes, and
- must be allowed to join a women’s only fitness center or access other programs designated for females.

Any public school or other place open to the public that wants to continue to maintain communal locker rooms, showers, and restrooms based on biological sex will be sued if this law passes. Rather than have the ability to find compassionate solutions that meet the needs of everyone (such as offering a single-occupancy restroom for anyone uncomfortable using the facilities designated for their sex), they are subjected to the heavy hand of government mandating that true bodily privacy can no longer be expected in such facilities.

It is worthwhile to note that some feminist groups are complaining that the transgender movement is undermining many of the hard fought advances they have made. For example, ensuring that women have equal number of sports teams at New Hampshire schools is of diminished value when men are able to compete for and take coveted spots on the women’s teams.

Finally, the exemption that allows religious organizations to “limit admission to or giv[e] preference to persons of the same religion or denomination” and to “mak[e] such selection as is calculated by such organization to promote the religious principles for which it is established or maintained” is vague, meaning that churches, religious schools, and other religious institutions should be concerned that this law will be enforced against them. For example, the exemption would seemingly allow a church to deny membership

The exemption that allows religious organizations to operate by their principles is vague, meaning that churches, religious schools, and other religious institutions should be concerned that this law will be enforced against them.

to a man who asserts a female identity, based on the biblical belief that God created the two sexes. But would the church, as a place of public accommodation, be allowed to maintain separate restrooms based on sex and to deny

a male from accessing female facilities when visiting the church for a wedding ceremony?

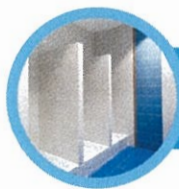
The law seemingly allows the Commission for Human Rights to determine whether the policies of a religious organization actually “promote the religious principles” of the organization, or whether they are discrimination in violation of state law.

Unfortunately, these concerns are not hyperbole. In both Massachusetts and Iowa, the state civil rights commissions interpreted their laws banning gender identity discrimination to require churches to allow men to use female facilities within the church. Notably, Iowa had a religious exemption similar to New Hampshire’s, exempting “[a]ny bona fide religious institution with respect to any qualifications the institution may impose based on religion, sexual orientation, or gender identity when such qualifications are related to a bona fide religious purpose.”

MORE THAN BATHROOMS



Laws and policies that add sexual orientation and gender identity classification mean that when a man asserts he is a female, you must treat him as a female for all purposes. But these laws and policies that allow men to claim a female identity go far beyond bathroom access including:



SHOWERS

Students often need to shower after gym class or sporting events. These laws would allow males to be able to shower next to their female classmates.



CHANGING AREAS

Whether changing for gym, a school musical, or a sporting event, students should not be required to disrobe in the presence of the opposite sex.



OVERNIGHT LODGING

When students take overnight field trips or travel for tournaments, they often share hotel rooms. Boys and girls would be forced to room together under these laws.



SPORTS TEAMS

Separate teams for boys and girls create a fair and level playing field. But under these laws, biological males will take coveted spots on the girls' team (and even scholarships).



DORM ROOMS

These laws extend to college campuses, as a result, a female could find herself assigned to share a room with a male simply because the boy claims he is a girl.

The Rev'd Jay MacLeod, Rector of St. Andrew's Episcopal Church, Testimony in support of HB1319

My name is Jay MacLeod. I graduated from Kearsarge Regional High School in 1979. After nearly thirty years in Britain, we moved back to Wilmot Flat and live just down the road from my parents. I'm the parish priest of St. Andrew's Episcopal Church, New London and Epiphany Church, Newport.

I'm here to testify in support of HB1319 because I am Lane's uncle. Born a boy biologically, Lane has self-identified as a girl from the age of three. This conviction has been persistent, consistent, and insistent. Now thirteen, Lane has explained to her friends, teachers, and classmates that she is a girl.

The public transition has not been easy, but Lane is finally happy. She can just be herself and stop pretending that she's a boy. Her honesty and integrity are remarkable, and I've been impressed by her courage and resilience. Lane will need to be courageous and resilient in the years ahead. Research shows that transgender people run an extremely high risk of being bullied, of being sexually assaulted, or of attempting suicide.

I hope and pray that you will pass HB1319 to make the state of New Hampshire a safe and secure place for Lane. The legislation will protect her from discrimination and ensure equal opportunity. I'm not asking for special treatment for transgender people, just that they be accorded the same civil rights as everyone else. That's all this bill does.

There's been a lot of talk about toilets. I spent four years in Holmes County, Mississippi working with kids who interviewed their elders about the civil rights struggle. Some opponents of this bill sound just like the Ku Klux Klan in the 1950s and 60s. Motivated by fear, ignorance and prejudice, they miscast a persecuted minority as sexual predators who would prey on their wives and daughters. Opponents of this bill would have Lane use the boys bathroom. It's transgender people who are at risk of harassment and assault. If Lane can't safely use the bathroom, how does she eat in our restaurants, shop in our stores, ski at our resorts, participate in public life at all? A vote for this bill is a vote to protect Lane.

I stand before you as Lane's uncle but also as an Episcopal priest. Supporting HB1319 is entirely consistent with my faith. Jesus had a particular passion for those on the margins. Jesus himself stretched gender assumptions, comparing himself to a mother hen who would draw the people of Jerusalem together under her wings. The first page of the bible asserts that male and female are made in God's image. God transcends gender. We invariably speak of God as He, but scripture also uses female imagery of God. It seems that God is more comfortable with gender fluidity than we are!

As a pastor, I am called to support Lane's transgender journey. God's will is that we have abundant life. As Lane becomes more fully herself, I can see her growing in confidence and developing a new zest for life. Transgender people who embrace their identity are often energized by new hope. Lane is not a religious person, but as a Christian I would call this a resurrection experience. Saint Paul wrote of this "new creation" and of how Jesus banishes the distinctions that divide us: "There is no such thing as Jew and Greek, slave and free, male and female" (Galatians 3.28). Again, as culturally conservative as Saint Paul could be, he seems to have been more comfortable with gender fluidity than we are!

As Lane's uncle and as an Episcopal priest, I urge you to pass HB1319. Don't be swayed by fear, ignorance and prejudice. Vote for inclusion and equality. Vote for Lane.

Rev. Jonathan Hopkins Testimony on HB 1319

I want to thank the committee for their work and having this hearing on this important bill.

My name is Jonathan Hopkins I am the pastor of Concordia Lutheran Church here in Concord, New Hampshire.

I want to talk to you this morning from two perspectives.

The first is as a citizen living in the great state of New Hampshire.

As a citizen my expectation of the government is that they pass laws that do two things.

Allow all citizens to live free from discrimination and rise as high as their abilities and ambition will allow them.

This law provides opportunity for an historically discriminated group of my fellow citizens-to live free from discrimination.

It allows for their protection so that they can live as they were meant to live.

It means that they can get gainful employment, and be productive citizens that provide for their families, and contribute to the common good.

From the perspective of simply being a citizen I ask that you pass HB 1319.

The second perspective is from my role as a spiritual leader in this State.

I will not sit here and pretend that the Christian Church has always spoken out in defense of our transgender-siblings.

Some of you may attend Christian Churches that have taught that this is against God's plan or design.

I can't speak for those Churches.

What I can tell you is that I believe strongly in Jesus teaching that we should "love our neighbors as ourselves."

But more than this I believe what Jesus taught us was the value and dignity of each human being.

That regardless of the choices of someone else it is my obligation to understand them, it is my obligation to listen to their stories, and work for their good.

I have heard the stories of people in my congregation who have family members who are transgender and their concern for them that it will lead to a life of ridicule and discrimination.

What I believe Jesus gave me was a heart to protect others from physical, emotional, and spiritual harm.

And this leads me to promote mercy, compassion, and most important justice for all, especially the “least of these” – those who are most vulnerable in our society.

I could walk you through the Biblical passages that promote these values.

I could walk you through teachings in the Bible about the importance of protecting the rights of “eunuchs” and other vulnerable people.

We don't have time for that this afternoon, and it would be outside the scope of what this committee is being asked to do. (If anyone is interested in Bible study we have at Concordia on Mondays at 1:00pm)

I will simply ask you to do your duty in passing laws that protect people from discrimination so that they can live the best life possible for them.

I wish there was no need for this law.

I wish that everyone acted with respect, compassion, and mercy all the time, but that is not how the real world works and that is why we need you to pass this law.

We need this law so our fellow citizens can feel safe, and pursuit happiness.

Thank you again for your time.

Good afternoon. I am the Rev. Eliza Buchakjian-Tweedy, Senior Pastor of First Church Congregational in Rochester. *Here to voice support HB1319*

I came to NH 5 years ago to pastor that church, and it quickly became home. The people in my community made it home; those who have shown a kindness and compassion for me, my partner, and our children, such as I hadn't known anywhere else.

That our community is so caring and open is of particular importance to us because it has not always been true. I long ago lost count of the number of times that a warm welcome would evaporate when it became clear that I am a lesbian. Strangers would yell insults or throw garbage if we dared simply to hold hands in public. I have watched my performance reviews at work become inexplicably negative when I came out. For me, it has gotten better; ^{in 2013} being lesbian has become safer, due in large part to anti-discrimination measures that allowed a means of addressing such harassment directly.

The fear, however, is still present every single day. I do not hold my partner's hand without looking around for possible threats. I do not introduce her as my partner without carefully examining the body language of everyone around me. Discrimination leaves deep wounds, and sometimes I fear they will never fully heal.

So I am here today in the hopes that you will do what is needed to help the wounded heal, and to create a world in which those wounds will no longer occur. I want the safety that I have come to know for all people in New Hampshire. I want trans folk to have the same recourse I do when they face discrimination in the workplace, in housing, in daily life. HB 1319 will directly impact the lives of my own family, my parishioners, and the many who will never dare to enter my church, who need someone who looks like me to say that discrimination is not a Christian value. We can either allow people to be ~~cast-out~~ because of their identity, or we can follow Jesus. We cannot do both.
discriminated against

In story after gospel story we see Jesus going specifically to those who have been marginalized, discriminated against, cast out because of who they are. We hear constant reminders to care particularly for those who are vulnerable. Trans people in my community have trusted me with their stories of discrimination and marginalization; I support HB1319 as a means of following the gospel call to care for them and stand with them.

The gospel is not gospel unless it is good news to the vulnerable; unless it is good news to the trans community. That is what my faith teaches me: to stand squarely on the side of the marginalized and the vulnerable, because it is in that place that I am standing on the side of Christ.

My faith calls me to support this bill; I hope yours does as well

New Hampshire Commission for Human Rights



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CONCORD, NEW HAMPSHIRE 03301
TEL (603) 271-2767
TDD Access: Relay NH 1-800-735-2964
FAX (603) 271-6339
E-MAIL: humanrights@nh.gov
www.nh.gov/hrc

SUMMARY FACT SHEET

The New Hampshire Commission for Human Rights was established by the Legislature in 1965 and granted the authority to prevent and eliminate discrimination in employment, housing, and places of public accommodation. The mandate to the Commission is to protect New Hampshire residents from discrimination based on age, sex, race, creed, color, marital status, physical or mental disability, national origin or sexual orientation. In housing familial status is also covered. RSA 354-A:1

WHAT IT DOES

- Enforces state law prohibiting discrimination in employment, housing and public accommodation
- Enforces federal laws prohibiting discrimination in employment

HOW

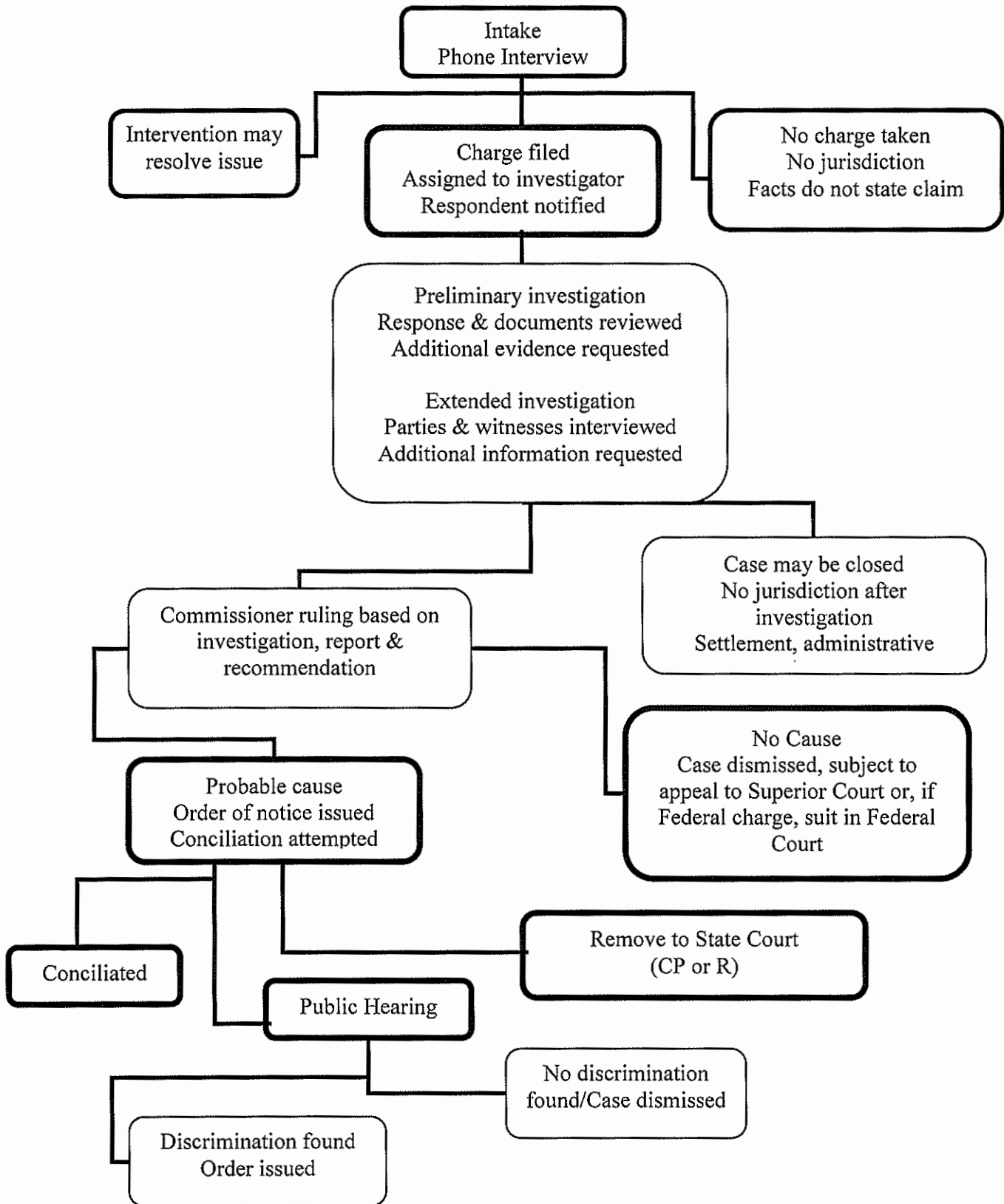
BY EDUCATION

- Counsels employers, helping them to interpret anti-discrimination provisions in federal and state contracts and laws;
- Participates in public and private educational seminars to teach supervisors how to implement employment actions in accordance with state and federal court decisions;
- Advises and counsels NH citizens regarding their rights under the state and federal civil rights laws.

BY PROCESSING FORMAL CHARGES OF DISCRIMINATION

- Accepts written complaints of discrimination
- Investigates the complaints
- Attempts to negotiate settlements between complainant and respondent
- Holds public administrative law trials (hearings) in cases not settled; such hearings result in Commission orders which may require: hiring or reinstatement, promotion and/or back pay, (in employment discrimination); that housing be made available (in cases of housing discrimination); that the full advantages, facilities, and privileges be made available (in cases of public accommodations); and that discriminatory practices be ended (in all types of cases). The Commission can also order the payment of compensatory damages and administrative fines.

**NH COMMISSION FOR HUMAN RIGHTS
CASE PROCESSING PROCEDURE**



Testimony of Nancy Huntington Stager
Executive Vice President
Eastern Bank
In Support of HB 1319

January 31, 2018

Honorable Members of the New Hampshire House Judiciary Committee:

I appreciate the opportunity to testify in support of House Bill 1319, an Act intended to codify and ensure the legal protection of the civil rights of people who are Transgender, as we did last year on the earlier Bill.

This proposed legislation would add "gender identity" to existing New Hampshire civil rights protections in employment, housing, and public accommodations; prohibit discrimination; and thus uniformly protect all people under the law.

I am an Executive Vice President at Eastern Bank, a regional community bank, with New Hampshire headquarters in Bedford, and corporate offices in Boston, with assets of \$11 Billion and over 1,900 employees; we have been hard at work for our communities for two centuries, in fact, this is our bicentennial year.

My purpose in being here today is to encourage passage of this bill, not only because it is the just and right thing to do, but because it's good for business.

Eastern Bank is a dynamic organization that truly cares about all of our employees, our customers, and each of our communities. We embrace diversity because it makes us a better employer and a better provider of service for our customers. We seek the most talented and productive employees we can find, without regard to their gender identity or gender expression.

I have just five points I would like to make today.

1. First, Eastern Bank, and indeed all employers in NH, are in a war for Talent. Unemployment rates are at or near historic lows. As our businesses grow, we need more talent, more people who can contribute their best efforts in the furtherance of our companies. Updating the laws makes a strong statement that NH does not permit discrimination in **employment** and will help our State's employers draw the best workers by ensuring that people are judged on their experience and qualifications and nothing more!

It also sends a message to our students graduating from NH colleges and universities that they don't need to leave the state to find employers who are held to a standard where the civil rights of all people are protected.

2. Second, passing this law will ensure that all people, including Transgender people, are safe in **public spaces**. Why does a company care about whether rights are protected for public access? Simply stated, it is bad for business if people don't feel safe getting to work or doing business with us. If our transgender employees are afraid to take public transit; then we, and by extension our customers, are denied the work they could have produced. Can we afford to miss out on their accomplishments?

And if customers don't feel safe getting to our establishments, can we afford to have any group of customers go over our borders to conduct their business, simply because they are afraid what will happen to them along the way?

3. Third, this legislation is also important to ensure Transgender people, who are well-qualified and want to work in NH, can find **housing** within reasonable commuting distances without fear of harassment or discrimination.
4. Fourth, a quick comment on the restroom "issue" which seems to haunt passage of these protections. As an employer with lots of restrooms across our 120 locations in Massachusetts and New Hampshire, the restroom "issue" is not an issue. We implemented these same protections in 2011, across Eastern. We had no drama, zero issues of any type. It was a big non-event for employees and customers. In my opinion, it is merely an excuse to withhold important protections from a population of citizens.
5. Finally, business craves two things from government: certainty and fair enforcement. Passage of this bill will help on both counts. A handful of large cities and towns have already come out in support of this bill and the protections it represents. Having a **State-wide solution**, rather than a patchwork of municipality bylaws and "guidance," will be much easier for businesses with multiple locations, like Eastern and other companies that are looking to expand their presence in NH. A state law will eliminate any confusion on the rules and hold everyone to account uniformly.

Bottom line, we believe that adding gender identity to the anti-discrimination protections provided by law is the right and smart thing to do. Access to employment opportunities, housing, and feeling safe in our public spaces is a basic right that should be provided equally to all citizens across New Hampshire.

Eighteen other states already have similar laws. It is working there...

It's time for New Hampshire to join them by passing this legislation.

Thank you for the opportunity to speak with you today.

ARGUMENTS AGAINST THE PASSAGE OF HB 1319

First, I would like to ask does the definition of public accommodations include the lavatories and locker rooms in our schools grades K-12? The Bill says that it is designed to protect the public welfare, health and peace of the people of this state. I agree. That is why this Bill should not be passed as it jeopardizes those very rights of over 99% of the children in our school system. Our children have enough stress in their lives to try to be successful in their academic endeavors. We do not need to add the stress of having a student of the opposite sex enter a lavatory or a locker room because that student of the opposite sex gives the "appearance or the behavior of being of the sex inconsistent with their physiology or assigned sex at birth." This Bill speaks to protecting the peace of our children. It is not a peaceful experience to have our male and female children wondering whether or not a person is entering these facilities because they are not sure of their correct gender identity. Then how do you plan to protect the transgender child from ridicule and bullying from other students when they enter a lavatory facility of the other sex? We deal with the issue of bullying in our schools on a daily basis. Educators do not need another issue, especially one as sensitive as this one, to have to protect these transgender children from being bullied. What parent or grandparent would want to have their child, secure in their gender

identity, who were taking care of their intimate needs in the lavatory or locker room having to wonder how convinced that person of the opposite sex is that he or she is really the sex on the lavatory label, male or female. Each child should use these facilities consistent with their genital make up.

The bill further states that a person "may" show evidence of having medical history care or treatment for their gender-related identity. The word "may" needs to be changed to "shall" as it relates to their gender identity. This bill goes on to state that other evidence can be provided that the person sincerely can be identified as the sex other than the one they were born with .It also goes on to say that the gender identity shall not be asserted for any improper purpose.

Legislators, our school administrators are currently being stretched to the maximum level just to properly educate our children. This bill would add a heavy administrative burden for our school administrators to ascertain whether or not a student is identifying as a transgender person without having an improper purpose in mind. We just cannot put this additional burden on our administrators.

They are there to educate our children not to figure out the sincerity or lack thereof of a person's true gender identity. If you were to consider sending this bill to the house floor with the "ought to Pass" determination, which I hope you do not do, you could consider having those transgender children use the Staff

facilities or create unisex facilities so that the 99% of our student population, who are secure in their gender identity, can enjoy the protection of health and peace that this Bill asserts to want to protect. These actions, however, should belong to our local school board as local control is a sacred concept of our educational government in America.

When I was a school board member in my town, we discussed this issue when the first bill (HB 478) like this was introduced and subsequently tabled. Our Superintendent reported that he discovered 2 children that might fit the qualification for being transgender. This was 2 out of almost 1,800 children at that time. That was less than 2/10th of 1% of the student population. This legislature needs to protect the rights of peace and health of the 99% of our children. I urge to vote "inexpedient to pass" on this Bill HB 1319.

Joseph Mendola

Dear Judicial Committee:

Everyone deserves to be treated with respect, but no one has a right to impose subjective beliefs on others.

HB 1319 would allow men who believe they are women to have the rights and protections of women, based on any "evidence that the gender-related identity is sincerely held as part of a person's core identity." Something you hold sincerely as part of your core identity isn't a fact. There's no blood test or brain scan that measures your sincerity. This House has no business legislating feelings.

This bill doesn't provide for any screening to make sure a man who enters a locker room really identifies as a woman. Predators take advantage of these laws. Google Jason Pomares, Norwood Burnes, Christopher Hambrook, Miguel Martinez, or Taylor Buehler. This bill sacrifices the safety and security of a large, vulnerable group for the comfort of a few. The woman who's nervous because a man appears to be staring at her in the changing room and the father who objects to his 13-year-old daughter showering next to a 37-year-old man will have to suck it up or try to find separate accommodations.

Current laws already allow public and private institutions to use their best judgment to safely accommodate those who feel uncomfortable using same-sex facilities, and it's in their financial interest to do so.

Likewise, employers have every incentive to compete for competent employees regardless of gender identity. Transgender interests are protected and promoted by a powerful lobby aligned with our richest corporations, news outlets, Hollywood, and the NCAA. Any business or institute perceived as discriminating suffers notoriety, threats, and boycotts.

These laws have been used to attack free speech by forcing people to use preferred pronouns, and cited by school districts to refuse parent requests to have their children opt-out of transgender curriculum.

Those accused of violating the law would not be tried by a jury of their peers, but by the unelected Commission for Human Rights. Such commissions have destroyed people's livelihoods.

The Constitution grants us equal rights and protections. We don't need to create a new class based on subjective beliefs. HB 1319 threatens due process, safety and security, and First Amendment and parental rights. Please vote inexpedient to legislate.

Sincerely,
Stephen Scaer
111 East Hobart Street
Nashua, NH 03060
(603) 888-5487

Good Afternoon!

My name is Sarah Huckman from West Ossipee, I'm 17 years old, a 4H member, I serve on the NH Legislative Youth Advisory Council, a junior at Kingswood Regional High School, and I happen to be transgender.

In my heart and in my mind I have always been a girl. I knew from a very young age – before I could even talk! I just had wait until I was a little older to find the words to explain that I'm a girl trapped in the body of boy. I promise you -- this was not a CHOICE, it is who I am.

At the beginning of 7th grade I fully transitioned to my authentic self, "Sarah Rose Huckman". I announced this in front of my school chorus of 80+ students. I just could not live pretending to be a boy any longer.

My family, friends, teachers, my church and my community have been very accepting of my gender identity, and for who I am. The school board -- well, not so much. When it came to bathrooms, the School Board said I had to use the bathroom that was segregated from the rest of my classmates - which was all the way across the middle school! As we know from our country's history, separate is NOT equal.

My parents tried working with the School Board, but after months of the Board's delays and stalling, my family and I decided that I would start using the Girls bathroom, and we hoped that I would not face discipline. Can you imagine being afraid of disciplinary action because you have use the bathroom in time to make it your next class?

The school board set up an "individual plan" that allowed ME to use the girls bathroom, but the other transgender students at my school aren't protected by this. Years later, there is still no policy allowing all transgender students to use the bathroom of their gender identity at my school district.

But this issue is not just about bathrooms, just like it wasn't just about water fountains in the 1960s.

I love sports - working hard as an individual and as a team, doing my best, and learning sportsmanship. Even though I don't like to think about this -- EVERY time I compete in Cross Country Running, Nordic Ski Racing, and Spring Track, other schools might question and challenge my eligibility to compete on the girls team. I would like us all to imagine a world where my eligibility is never called into question, and I am never forced to compete on boys sports teams.

After high school I plan on going to college, getting a job, and living in an apartment. But one thing that could get in the way of accomplishing my goals -- discrimination.

Without HB 1319, colleges, landlords, and business owners can deny entrances to school, apartments, and jobs-- simply because I am transgender.

(over)

We need HB 1319 because we all want a future where we are judged on the merits of hard work and being good citizens, and no one is treated differently because of their gender identity.

HB1319 will provide New Hampshire with the foundation for anti-discriminatory practices that will put us on the right side of history. This bill is a critical starting point for acceptance and inclusion in our communities, and will allow me, and so many others, to truly LIVE FREE in our beloved state! Thank you.

My name is August George and I am a resident of Hancock, NH. I'm sixteen years old and I'm a Female-To-Male transman. I came out as transgender in August of 2016. One of the first things I did shortly after coming out as transgender was to change my name to Augustus, although my name change was not legal until the following year. Slowly, my family and friends learned to accept me as male and use my name so that by the start of 2017 my family was using my new name and my friends had long forgotten my birth name. I was so happy because to a lot of trans people changing your name is the first big step in transitioning after coming out. When my parents allowed me to change my name legally in July of 2017 it meant more than getting my new name on a card next to my social security number or having a judge sign a document. It meant that there was hope for the bullying I experienced at school to stop. On the first day of my Algebra II class during my second semester of my sophomore year of high school the teacher was taking attendance. I had already spoken to him before class to let him know that my name on the attendance sheet was still my birth name but that I am transgender and preferred to be called August. He said that was fine and so I took my seat in the front of the class next to my only friend in that class, who was also a trans-boy. However, the teacher with his computer connected to the projector, put the attendance sheet up on the board for the whole class to see. Both mine and my friend's birth names were up on the board. The kids in the class started to shout mine and my friend's birth names at us, teasing us just to get a rise out of "the trans kids." When I asked the teacher to take our names off the board he refused, and he ignored the kids who were chanting our names at us. It was when my friend started to cry that I got up and stormed out of the class to go tell the Dean of Students and the principal what was happening. After taking down my statement of what had happened, the administration told me they would take care of it and sent me to the library to wait for the period to end so that I wouldn't have to go back to the class. The next day my friend and I returned to the class. We were still a bit cautious from the day before but knowing that administration had talked to the teacher we did not think it would happen again. Unfortunately, that was not the case, not only did he put the attendance sheet on the board, but he left it up so that we could, as he put it, "play a game using our names so that he could learn them." The kids, again, started to tease my friend and I about our birth names. My friend began to sob and I became outraged. I thought the administrators had told the teacher to stop using our birth names. I thought they had told him to control the class and to not let this happen again. I had experienced discrimination before, but nothing like this blatant transphobia and downright lack of respect that this teacher was showing. It still amazes me that this teacher would let students, children, get bullied just because he could not accept that we were different from him. Following this second incident I did not feel safe remaining in this class. I had to have my schedule changed so I could switch to another algebra class. The next day I started in my new algebra class. I felt at ease thinking I would be safer in this class. There were a few intimidating people who were known to pick on the LGBT+ kids at our school but they were all sitting in the back of the class so I took a seat in the front. Things were okay for about two days until one of the boys from the back of the class decided to spark a "discussion" on

only keep my identity a secret but to stand up for me in the drivers ed class. I am forever thankful that she was the one to be in this situation with me. My time with this teacher lasted from mid- April into late June. Every time I attended the class I was a nervous wreck, dreading what was about to happen, and every class I left shaking and in tears. Aside from my small class the instructor also taught another class on another night. A couple of my friends from my high school were in this other class. They told me that the instructor was gossiping about me to her other students. My friends told me that the instructor said to them while out driving one day, "So there's this girl in my other class. Her name is [my birthname] and she wants to be a boy, or she is boy or something like that. I don't get it. Anyway, she is so rude to me! Wants to be a boy... what has this world come to?" I cannot express to you the emotions I was feeling when I heard the things she was saying about me to other students. When I told my mother she was outraged. When my mother went to drop me off at my next class she saw the instructor getting out of her car. The events that happened next were so fast they felt like a car crash. My mother confronted the instructor about talking to other students about me and for refusing to use my preferred name and pronouns. The instructor kept insisting that she was required by the state to use my legal name in class. They had a loud and nearly violent discussion while I stood frozen on the sidewalk watching them. After a couple minutes the instructor decided to ignore my mother all together and only address me, despite my mother still being present and vocal. She kept call me by my birthname and telling me to come inside for class. I was sobbing, it felt as though I was on fire and I screamed, "That's not my name!" I got back into my mom's car feeling broken and powerless. My mother joined me in the car. All her attempts to comfort me were unheard as I sat in my seat, a mess with tears streaming down my cheeks. I couldn't help but think about those boys in my algebra class again. "Why does the world hate me?" I asked my mother as it was the only thing that could capture how I felt in that moment. Not being able to get a refund, and not wanting \$600 to go to waste, I decided to finish the class. The harassment and bullying from this 64 year old woman continued, and I can honestly say I learned nothing from her. The only day she addressed me by my name was on the last day of class when the state trooper responsible for licensing drivers ed instructors in the state paid her a surprise visit and sat in on our class. My mother and another parent had reported the instructor to drivers ed licensing agency. After the class the trooper talked with my mom and I for a long time and said that there was no reason that the instructor should have been treating me the way she did.

The people who stand out to me in these stories are not the bullies but the people who helped me battle them. The girl who stood up for me in my math class when nobody else, not even the teacher, would. The girl who didn't betray me by telling my secret but instead fought back against the instructor even when she was told to shut up and sit down. The state trooper who truly cared about creating a safe environment for me to learn. I address the committee today to ask you all to please be the protectors for the trans community and support HB 1319.

Thank you, August George

HB 1319

My name is Diana George and I am a resident of Hancock, NH. My husband, Jason George, and I are the parents of a 16 year old, assigned female at birth, transgender son. Our son, August George, came out to my husband and I as feeling male at age 15, just before his sophomore year of high school. As you can imagine, as a parent hearing this from their child; a child you had been raising as a girl for 15 years, and never would have thought otherwise, news like this is initially shocking, frightening, and confusing. Amongst the confusion, as a parent you wonder, "is this a phase" and "where is this coming from?" Rather than dismiss my child's feelings and courage, which I know now would have been a devastating mistake, my husband and I sought help for our child through the healthcare community. My child has been under the care of a licensed psychologist, a licensed psychiatrist, and an endocrinologist for the past year and a half. All three of these healthcare professionals have determined through evidence based guidelines, evaluation, and medicine that my son is transgender and that the best course of treatment is to allow him to transition from female to male socially and medically.

Fortunately for my son, he has the support from a loving family, many friends, and the healthcare community. However, this support has not extended to all aspects of my son's life. When my son signed up for drivers education through a private business in Jaffrey, my son and I discreetly informed the instructor that my son is transgender and goes by the name August and uses he, him, and his pronouns. The reason we needed to divulge this information is that my son's legal name had not been changed yet and we had to submit a copy of my son's birth certificate when signing up and paying for the course. The instructor seemed somewhat uncomfortable but said that she had had other transgender kids in her class before and that it would not be a problem. Since the first day of class the instructor refused to use my son's preferred name and pronouns and she talked about my son being transgender to other students in the class while out practice driving. She also addressed my son as "girl" a few times during class. When I confronted the instructor about this she denied talking to the other students about my son and said that she was required by state law to use my son's birth name during class. The instructor and I had a heated discussion about this with my son standing nearby. She kept referring to my son by his birth name while speaking to me and directly addressing my son. I told the instructor I wanted a refund and would take my money elsewhere. She told me that she would not give me a refund because I had signed a contract. At this point, my son was in tears and repeatedly tried to tell the instructor that his name was August, not his birth name. The instructor, again, addressed my son by his birth name and said that he was still welcome to join the class. After the instructor walked away, my son, with tears streaming down his face said, "Mom why does the world hate me." The teenage years are hard enough without facing the bullying and discrimination my son has had to endure for just being who he is; a transgender adolescent.

The current anti-discrimination laws in NH do not address, or provide recourse, for situations like being repeatedly disrespected and discriminated against by a public drivers ed instructor. My son is a kind, talented, witty, and considerate person. He is not a second class citizen. He should be judged by his character and his contributions to society, not because he is transgender. My son will be graduating from high school soon and entering the world to live, study, work, and hopefully thrive on his own. As a parent it scares me to think that my son may be discriminated against when he tries to find employment, housing, or simply tries to be present in a public space. My son is a human being. He exists. He deserves the same respect and dignity as anyone else. Therefore, I sit here before you today to tell you that I support HB 1319.

Sincerely – Diana George

The Rev. Elsa Worth, Rector
St. James Episcopal Church, Keene NH
elsa@stjameskeene.com

Good afternoon, I am the Rev. Elsa Worth, an ordained clergy person for 22 years, and the priest at St. James Episcopal Church in Keene, since 2016

It was just over a year ago that our 17 year old child came out as transgender. To the world looking in, our child was a typical guy's guy - 6 foot 2 inches tall with wide shoulders, a deep baritone voice and a quick wit. But sometime during junior year, our child began to feel depressed and anxious as she became increasingly aware that she was not a boy after all - that she was truly a girl.

Our child was a high honors student, a crew team member and was elected all four years as the class president at a prestigious New England prep school, deeply loved and respected by her peers. She wanted them to know that even popular kids have struggles. So she courageously came out publicly last winter, adopting the name Emelia, which would have been the name we'd given her had she been born a girl. Coming out as a transgender girl seemed to be a profound moment of liberation for Em, but suddenly, on January 28 last year - just one year and three days ago - she took her own life.

40% of all transgender teens either commit or attempt suicide. That's 40% of all transgender sons, daughters, siblings, and friends. My husband and I did not know that statistic until it was too late. There is enormous stigma in our culture to being transgender, especially being a transgender girl like Em, no matter how much personal support you have. Because even if your friends and family love and accept you - it is deeply apparent that society does not, and that there will be little recourse for you should you come up against discrimination or hostility in housing, employment or in public spaces.

My faith teaches that we are to love our neighbors as ourselves and to respect the dignity of every human being. We are all created in God's image - in all our amazing and beautiful diversity - and that includes those who are transgender.

I urge you to recommend HB 1319 to the House. Please ensure that New Hampshire will be a place where our vulnerable transgender teens know that we have their backs. Let us show them, by our words - and actions today - that they are cherished as beloved children of God and valued members of our community.

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1319 Date January 31, 2018
 Committee Judiciary

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
WILLIAM MARSH			CARROLL 8	X	
Sen. Jeff Woodburn			SD#1	X	
MELISSA HINEBAUCH	CONCORD		self	X	
Rep JR Hoell			Merr 23		X
Liz Gabort					✓
Debra Mercedes Medeiros Warner			self		+
Laura El-Azem	Londonbury		Self		✓
Liz Tentarelli	Newbury		League of Women Voters	✓	
ROSEMARY LANNY	Meredith				✓
Susan Clifton	SANDWICH				✓
Rep Lane Jordan	Plymouth			X	
Rep. Joe Guthrie	Stratford/Keegan			X	
Rep. Brandon Minixey	Rochester		Stratford 24	X	
Helmut Koch	Concord NH		Self		X
Rep. Caleb Q. Dyer	Pelham, NH		Hills. 37	✓	
Noella Olson	Hopkinton NH		Self		X
Rep. Linda Ayala	Bedford		DIST 7		X
Rep. Pamela Inoué	Princeton			✓	
Bradley Garcia	24 Greeley St. Hudson	603-260-7820	self	✓	
Rep KENNETH COSTINGO			Rockingham 21	✓	
Jamiel Torres - CARRA		Uwe	self	✓	
Rep LINDA TANNER				✓	
HAROLD JANEWAY	WEBSTER			✓	

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1319 Date JAN 31, 2018

Committee Judiciary

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Rep Polly Cannon		Grafton		<input checked="" type="checkbox"/>	
Rep. James Jordan		Providence		<input checked="" type="checkbox"/>	
Rep Mary Jane Mallegri		GRAFTON #12		<input checked="" type="checkbox"/>	
Josie Pinto	Concord		self	<input checked="" type="checkbox"/>	
Marissa Parker-Bair	Durham		self	<input checked="" type="checkbox"/>	
Chelsea Birchmore			self	<input checked="" type="checkbox"/>	
Rep Sherry Dost		Stratford 16		<input checked="" type="checkbox"/>	
Rep Paul Scudell	Hills 28				<input checked="" type="checkbox"/>
house Spencer	Concord		Self	<input checked="" type="checkbox"/>	
Stephen Scarr III	Hobart Nashua		self		<input checked="" type="checkbox"/>
Rep. Cindy Rosenwald		Hills 30		<input checked="" type="checkbox"/>	
Rep Van Alst		Fremont			<input checked="" type="checkbox"/>
Rep. David Bates		Windham			<input checked="" type="checkbox"/>
Beth Scarr		Nashua	self	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Mary Freitas	Dist. 14			<input checked="" type="checkbox"/>	
GLENN BRACKETT			NH AFL CIO	<input checked="" type="checkbox"/>	
DALIA VIDUNAS	CONCORD, NH		EQUALITY HEALTH CENTER	<input checked="" type="checkbox"/>	
SUSAN COVENS	31 COURSE	CONTOCOOK	SELF	<input checked="" type="checkbox"/>	
Lucy Grichton	32 MUMFORD	CONCORD	self	<input checked="" type="checkbox"/>	
Rep. Timothy Josephson		Grafton 11		<input checked="" type="checkbox"/>	
Sam Fox	Bow NH		self	<input checked="" type="checkbox"/>	
Nancy Brennan	Weare NH		SELF, HUMAN RIGHTS	<input checked="" type="checkbox"/>	
Seshua Riddle			self	<input checked="" type="checkbox"/>	

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # HB 1319 Date 1/31/18

Committee _____

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Rep Dick Hinch - House Majority office					✓
Lois Shea - Warner, NH					
DENNIS SHANAHAN	DOVER NH		CITY COUNCIL	✓	
Eileen Flockhart	Exeter NH		self	✓	
ROB SPENCER			COUNCIL	✓	
Arnie Alpert			AFSC	✓	
Tom Huckman			CITIZEN	✓	
Deb Hobson					✓
Darlene Pawlik	Raymond, NH				✓
Kathleen Souza					✓
Rep Susan Army			GRIS	✓	
Rep Dick Ames				✓	
Rep. Joelle Martin			HILLS	✓	
Annebe Stone				✓	
Diana George Hancock	NH	566-9215		✓	
Theresa Beauchain	Pembroke NH	485-5047		✓	
Augustus George Hancock	NH			✓	
GERRI CANNON	SOMERS WORTH, NH	841-5410		✓	
Robin Robin Helrich	Hopkinton NH			✓	
John Hanson	253 G. Ford Ave	609-624-6124	self	✓	
Sarah Bennett	160 Sheridan St	603-246-6039	603-944-5775 Myself	✓	
Laura Mitchell	10 Fairway Dr.	Grantham, NH	603-843-7704 self	✓	
Elaine Thomas	35 Shaker Pl,	Nashua	03063 603-881-3586	✓	

Becky Whitley

NH Children's Behavioral Health Collaboratory

SIGN UP SHEET

To Register Opinion If Not Speaking

Bill # 1319 Date 1/3/18

Committee JUDICIARY

** Please Print All Information **

Name	Address	Phone	Representing	(check one)	
				Pro	Con
Kathleen A Holstrom	1504 Attwood	203-2349	Self	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Raevel Allen	Equality Health Center		Concord, NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep Al Baldusaro	Rock-Dist 5			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Roger + Ann Schneeweiss	Laconia			<input type="checkbox"/>	<input checked="" type="checkbox"/>
Allyson Lydar	132 Mill North Hampton		NH Self	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Christina D. Allegalar	Portsmouth		Self	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Angela Hanel	North Hampton		Self	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Natalie Moser	Concord, NH		Self	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DALIA VIDUNAS	CONCORD NH		EQUALITY HEALTH CTR	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heather Barnes	Concord NH	491-9719	self	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kerry L. Clock	Canterbury NH	603-400-4000	RAD-NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rep. Jessica Notter				<input type="checkbox"/>	<input checked="" type="checkbox"/>

Testimony

January 31, 2018

Hello Committee Members,

My name is Palana Belken. I have lived in New Hampshire for four years, all of which have been spent in Somersworth, where I am also currently the manager of the cafe Teatotaller.

When I first moved to the state and was beginning my transition, there was no fear as intense as those associated with the lack of protections I have as a transgender person in the state of New Hampshire.

Would I face housing discrimination?

Would I face harassment in public accomodation?

Would I still have my job?

I was finally feeling comfortable with myself but my intense anxiety over the atmosphere of my workplace was not only holding me up, but a whole new problem within itself. Events like Caitlyn Jenner's coming out gave me a clear insight into my coworkers feelings about transgender people.

My employer told me that I was a valued team member and I knew my output numbers sat high above other workers, but without laws to protect me from workplace discrimination or termination, I had very little faith in the praise that I received.

This jarring contrast of high praise and theoretical, yet likely, rejection, or 'working as a boy, living as a girl' takes it toll. I was a mess. Therapy wasn't helping, my primary care physician and his prescriptions weren't helping, the emergency room visits didn't help - because my issue was not something I could talk through or fix with chemicals: it was my employment situation.

I am currently more functional than I have ever been and could not have made a greater pivot, which is in-large due to my fantastic employment situation. When the right protections are in place, and self-expression is fostered, everyone can achieve their full potential. No resident of this state should have to worry about inadequate discrimination protections in housing, employment, or public accommodation over their gender identity. This is why I believe it is imperative to pass HB1319 and stand up for Transgender Granite Staters.

Sincerely,
Palana Belken
Somersworth NH



DEPARTMENT OF MEDICINE | Section of Endocrinology

Hearing Testimony before the House Judiciary Committee regarding HB 1319

Written testimony from Dr Benjamin Boh in support of House Bill 1319:

Judiciary committee members,

As an Endocrinologist and Assistant Professor of Medicine at the Geisel School of Medicine, I provide care for hundreds of transgender adolescents and adults at Dartmouth-Hitchcock Medical Center. I have provided medical care to transgender individuals for 7 years. I also conduct research and provide medical education and training on transgender medical care.

I was compelled to provide medical care to transgender individuals and help start an adolescent transgender clinic here at Dartmouth-Hitchcock Medical Center after I witnessed the health disparities many of these individuals face. Transgender individuals often find it difficult to locate healthcare providers who are knowledgeable about transgender medical care and when they do access providers they can face exclusionary policies from health insurers. In my role as an endocrinologist, I see individuals with many conditions that alter sexual differentiation, e.g congenital adrenal hyperplasia, Klinefelter's syndrome, and androgen insensitivity syndrome. Transgender individuals are not all that different from individuals with differences in sexual development, with the exception that medical science has not yet pinpointed the cause of gender dysphoria. There is mounting evidence in the medical literature, which supports the biologic basis of gender identity. It is not difficult to imagine how the complex formation of gender identity could be disrupted and result in gender dysphoria.

Transgender individuals face unique challenges and can be subject to bullying and harassment, particularly in schools and in the workplace. There are now several medical studies documenting a markedly elevated suicide attempt rate in this population. Adolescence is a challenging period for all youth. However, this is a particularly difficult time for transgender adolescents as their body is changing in a way that does not match their gender identity. Transgender adolescents and adults need legal protection granting them equal access to facilities, education and employment. There is significant and compelling data in the medical literature, which supports the need for legal protections for individuals whose gender identity is different from their sex assigned at birth. New Hampshire residents who identify as transgender or who have differences in sexual development are a valuable part of our community, workforce and academic institutions and deserve legal protection from discrimination targeted at their gender identity.

Benjamin Boh, DO, MS

Assistant Professor of Medicine, Geisel School of Medicine at Dartmouth

January 31, 2018

Hello Committee Members,

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Would I face housing discrimination?

Would I face harassment in public accommodation?

Would I still have my job?

I was finally feeling comfortable with myself but my intense anxiety over the atmosphere of my workplace was not only holding me up, but a whole new problem within itself. Events like Caitlyn Jenner's coming out gave me a clear insight into my coworkers feelings about transgender people.

My employer told me that I was a valued team member and I knew my output numbers sat high above other workers, but without laws to protect me from workplace discrimination or termination, I had very little faith in the praise that I received.

This jarring contrast of high praise and theoretical, yet likely, rejection, or 'working as a boy, living as a girl' takes it toll. I was a mess. Therapy wasn't helping, my primary care physician and his prescriptions weren't helping, the emergency room visits didn't help - because my issue was not something I could talk through or fix with chemicals: it was my employment situation.

I am currently more functional than I have ever been and could not have made a greater pivot, which is in-large due to my fantastic employment situation. When the right protections are in place, and self-expression is fostered, everyone can achieve their full potential. No resident of this state should have to worry about inadequate discrimination protections in housing, employment, or public accommodation over their gender identity. This is why I believe it is imperative to pass HB1319 and stand up for Transgender Granite Staters.

Sincerely,
Palana Belken
Somersworth NH

Hearing Testimony before the House Health, Human Services and the Elderly Affairs Committee
regarding HB 1319

My name is Dr. Nancy Charest. I am head of pediatric endocrinology at the Children's Hospital at Dartmouth Hitchcock. I have been practicing pediatric endocrinology for 30 years and have cared for transgender children for the past 5 years. I follow 100 children from all areas of New Hampshire and see them both at Dartmouth Hitchcock Clinic in Manchester and at Dartmouth Hitchcock Medical Center in Lebanon. They range from 6 to 21 years of age.

I would like to take a few minutes to explain a few terms.

Gender identity is an individual's innate sense of feeling male or female. In the vast majority of people gender identity is the same as the sex they were assigned at birth based on external anatomy of genitalia in the delivery room.

A **Transgender** individual is a person whose gender identity is different from the sex they were assigned at birth. It is estimated that there are 1.4 million transgender individuals in the United States and thousands reside in the state of New Hampshire.

Gender dysphoria is the severe distress or discomfort an individual may feel if their gender identity and their birth- assigned sex are not the same.

Some of my patients have known from a very young age, typically 3-5 years of age, they are not the gender that was assigned to them. They will insist and persist in identifying with the gender opposite to the gender they were assigned at birth. Other children will not be able to articulate how they feel but know that something is wrong. These children typically realize that they are transgender in middle school when they start to go through puberty.

These children all suffer from gender dysphoria. They are extremely distressed by the fact that their body does not match their true gender. This leads to high levels of anxiety and depression. A national survey in 2011 revealed that 40 % of transgender individuals attempt suicide (compared to 1.6 % of the general population). My patients' anxiety and depression is compounded by the discrimination they meet in their schools and communities at large. Many of my patients have been victims of bullying, both physical and verbal. Some schools in New Hampshire have been very supportive of transgender children and others have not. One of my families moved to another town within New Hampshire because of the persistent bullying of their transgender child. Some schools have asked the transgender student to use the nurse's bathroom which can be 10 or 15 minutes away from their classes. Some students are afraid to use any bathroom and try to "hold it" until they get home. Some transgender children would like to be on a sports team but are not sure they will be allowed to play on the team of their identified gender. One of my patients had to quit his afterschool job in a fast food restaurant because of harassment from the boss and employees. (A national survey in 2011 found that 9/10 transgender individuals experience harassment, mistreatment or discrimination on the job').

Probably most disturbing is the fact that one of my patients was sexually assaulted. The incidence of sexual assault in the transgender population is extraordinarily high. (12 % of transgender youth report being sexually assaulted in K-12 by peers or education staff).

Another area of discrimination is the denial of medical care for transgender youths and adults by insurance companies. I follow the published clinical guidelines of my professional organization, The Endocrine Society, on the Treatment of Gender Dysphoric/Gender Incongruent Persons (2017). My older transgender patients are offered hormone therapy, which can be essential to their physical transformation to their identified gender. It is so gratifying to see these individuals become more confident, less anxious and depressed, as their body begins to match their true gender. Some insurance companies will not cover the cost of therapy because it is deemed not medically necessary. Due to

insurance denial of care, some individuals never receive optimal medical treatment, while some families suffer an unnecessary financial burden to pay out of pocket for medical treatment for their transgender child.

I am often asked why I have chosen to care for transgender youth at this stage of my career. It became clear to me five years ago, that the transgender youth of New Hampshire are an underserved population and frequently a target of bullying and discrimination. They are almost always misunderstood and many times thought to be deviants or seriously mentally ill. I want every child in New Hampshire to receive the best medical care possible. I am involved in the education of pediatric primary care providers in the state of New Hampshire regarding the optimal medical care for transgender youth.

My patients have a vision of their lives as adults and I think you would find that their dreams and aspirations are no different from the rest of the children in New Hampshire. I have patients who want to be nurses, firefighters, soldiers, attorneys, police officers, teachers, and yes, politicians. Most want to get married and have a family. They want to participate in their communities and some are already volunteering in their towns. I am afraid however, that some act of discrimination will alter their paths and will prevent them from being the constructive members of the New Hampshire community that they envision. The state of New Hampshire has always been a strong advocate against discrimination based on ethnicity, religion, disability and sexual orientation. I implore all of you to consider passage of HB 1319 and include our fellow transgender neighbors, family members and friends in our state's Law Against Discrimination.

We, the undersigned students at the Geisel School of Medicine at Dartmouth, are writing to affirm our support for HB 1319. We spend our days surrounded by an inspiring group of future physicians and passionate educators. We are a diverse group of individuals united in our core values: a belief in fairness, a commitment to serving our community, and optimism for a healthier world. These ideals resonate across the Granite State and this is precisely why we are proud to call New Hampshire home.

Violence remains an ongoing concern for lesbian, gay, and bisexual (LGB) Granite Staters, but the protections for sexual orientation written in the law are no small comfort. The same is not the case for our transgender siblings and we feel we are long overdue in bringing gender identity into the fold. We wholeheartedly support HB 1319, the transgender non-discrimination bill.

Despite the good intentions that attract many to the healthcare field, experiences of discrimination and abuse are far too common among transgender patients. We have heard of providers in the state who refuse to allow transgender patients into their practices. We have had the opportunity to speak with patients who have been denied services for their most basic healthcare needs—sent away for an annual physical, been told “no” for an ear infection. These are not isolated incidents.

A national survey of transgender individuals reports almost one in five have been denied medical care because of their gender identity. Twenty-eight percent have experienced verbal harassment in a medical setting. Trans identities are natural and legitimate and healthy. Poor health outcomes experienced by transgender patients are a sign that we have a system that is sick. This discrimination does serious psychological and physical harm to some of the most vulnerable among us. It is our responsibility as future physicians to ask how we may best treat such a problem.

It is our hope that the passage of HB 1319 could be a cure for all that ails the communities we care for now and will throughout our careers— that it would ensure transgender individuals across New Hampshire are welcomed into clinics and our larger communities without judgement or a reason to fear. We are committed to taking up that work in years to come. But for now, we have a clear opportunity to take one resolute step in the right direction.

Passing HB 1319 is not empty rhetoric, but rather a legal guarantee that Granite Staters cannot be fired, evicted, or denied service at a business or government building simply because of their gender identity. Passing HB 1319 is the strongest message we can send today that says transgender individuals in New Hampshire are equal under the law. Our shared values of fairness already tell us this is truth. It's time our laws reflect this reality.

In solidarity,

The Undersigned Students of the Geisel School of Medicine at Dartmouth
Hanover, NH

Abby Alexander, MS2
Addie Tousley, MS2
Andrew Sheridan, MS1
Bianca Di Cocco, MS2
Brianna Byers, MS2
Caroline Dodge, MS2
Catherine Gordon, MS2
Celestine Warren, M2
Chad Lewis, MS2
Chelsea Gaviola, MS2
Chelsea Manning, MS2
David Lakomy, MS2
Diana Funk, MS2
Elsa Lindgren, MS1
George A Knaysi, MS2
John Porter, MS2
Julia Bender Stern
Julia McDonald, MS1
Karissa LeClair, MS2
Katherine Trinh, MS2
KC Collier, MS1
Kenneth Williams, MS1
Kira Gressman, MS1
Kyra Bonasia, M1
Lucia Joseph, MS2
Luke Mayer, MS2
Mariah Servos, MS2

Maya DeGroote, MS1
Meera Nagarajan, MS1
Melissa Cantave, MS2
Meredith Ryan, MS1
Michelle McPherson, MS4
Miguel Reyes-Zaragoza, MS2
Monica Chelius, MS2
Nasim Azizgolshani, MS2
Raina Jain, MS1
Sarah Bennett, MS2
Sarah Rosenstein, MS2
Shuaibu Ali, MS1
Shruthi Nammalwar, MS2
Soham Rege, MS2
Swathi Krishnan, MS2
Tala Radejko, MS1
Tlalli Moya-Smith, MS2

Organizations

qMD
Physicians for Human Rights
Geisel Schweitzer Fellows
Urban Health Scholars
Beyond the Books
Med Students for Choice
Students for a National Health Program

Hello,

My name is Tricia L. Dignard and I am a resident of Auburn, New Hampshire. I'm writing this testimony to provide you with reasons that you should pass the bill HB 1319. I am an ally to the transgender community, and fully support my friends, family, coworkers, and neighbors who identify as transgender. I identify as a lesbian, and I'm grateful that our state's law against discrimination protects me based on my sexual orientation. I'm also a Navy veteran who faced discrimination during Don't Ask Don't Tell. It's heartbreaking to me that there are still no explicit protections against discrimination for transgender people living in New Hampshire. I have seen first hand friends face discrimination at work, in housing, and in public spaces.

Transgender people are being fired, kicked out of their apartments, denied service in restaurants, and are facing discrimination daily here in this state for just being who they are, and they are not protected under the state law against discrimination. HB 1319 is the bill to do just that, protect all NH residents. In a state where the motto is, "Live Free or Die", I ask why are we not allowing transgender residents of New Hampshire not to do just that? Are we using our personal bias to use the latter of the motto? I would like us to be truly honest with ourselves today and see how much discrimination people who are transgender are facing daily, not only in New Hampshire but nationwide. Let us here today be on the right side of history and support all residents of the Granite State by passing HB 1319 for nondiscrimination of transgender people. We will be in unity with the rest of the New England states, in supporting and protecting all our residents-including those who are transgender.

HB 1319 will update New Hampshire's existing nondiscrimination laws to protect transgender Granite Stater's from discrimination at work, in housing, and in places open to the public. Updating this law is another step in the right direction here in New Hampshire. Pass HB 1319 so every person in the Granite State-including those who are transgender-can earn a living, meet their obligations, provide for themselves and their families, and build a better life.

Thank you,

Tricia Dignard

(603) 674-4783

tldignard@gmail.com

Hello My name is Donna. My family has lived and worked in NH for 5 generations.

I am here as a parent. All three of my sons were born at the old Portsmouth hospital. My youngest son (whose name at the time was Joseph) was always quiet , shy and keep to himself all through school. He was a good kid who just never seemed to fit in. He worked hard to overcome dyslexia. He attended New England College in Henniker, He has a degree in Art & Art History. After college Joseph moved to Concord. It was at this time Joseph told us he always felt like a female and was going to transgender.

As a parent there was shock and fear for his safety. We love our child and if this is what our child had to do to be happy we will of course be supportive After 5 years Joseph is now Jordan, She is attending Antioch College in Keene where she lives. She is going for her Masters degree in psychology. Her dream is to help others and work for the V.A. She has become a strong outgoing loving caring woman. We are very proud of Jordan. We do fear that she may face discrimination. Transgender people go through some much to become who they are inside. To face discrimination when trying to find housing or a employment is a shame. If the government shows support then maybe the citizen's will follow. I have walked into a restaurant or a store with my daughter and seen the looks or heard the comments.. It is not a easy way to live.

I am asking you as a parent. Please let my daughter and all the other transgender people who have worked so hard to simply be themselves have the right to live free from discrimination. Please vote ought to pass on this Bill

Thank you

Hello, my name is Bennett Ducharme and I live in Windham, New Hampshire. I have lived in New Hampshire for almost 16 years and I go to Windham High School. Love New Hampshire because this is a place where many people can be themselves. I am happy the law protects me based on sexual orientation, and I think the time is now to add gender identity to this. I support HB 1319 because it is a transgender non-discrimination bill that will help many more people. I have seen discrimination happen towards me and friends who are transgender. I care about this bill and believe it should pass because equality is everyone, and that includes people of the transgender community. Thank you for listening to me about why this bill should pass.

Hello

My name is Eli, I currently live in Durham NH and work in Concord NH. I am a 40 year old transgender male, meaning I was born female but have transitioned, so the person I am on the outside matches how I always felt on the inside.

I am here today to address HB1319. I moved here from Pittsburgh PA a little over a year ago. I was excited to move here because my visits to NH gave me the impression that it was a more welcoming place than Pittsburgh. I wanted to be a welcomed part of the Granite State. I want to feel valued and safe. I want to be part of making community here.

In Pittsburgh PA I faced a lot of discrimination, to this day they have no protections for transgender people. For example, I was "ASKED" to move out of an apartment I shared with my partner because the neighbor "found out" I was transgendered and told my landlord.

I have been physically and verbally assaulted too many times to count. At my old job, a job I loved, I was constantly harassed by the office manager, who would make comments about my body, laugh at me and tell me to look up pornographic website. This went on for a year and a half. My boss said at first "its just his personality". It continued I would DREAD going to work everyday, so I decided to call a lawyer, who contacted my boss (who was a psychologist for youth) and she said "It will stop". It never did. The lawyer said I had a choice to go back and tough it out. I either had to work in this hostile work environment or quit. It was a small office of 7 people, the office manager was the bosses good friend, they vacationed together. I knew it wouldn't stop. I left and thankfully found another job.

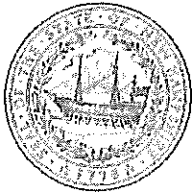
House bill 1319 is personal and so important to me. I am not asking for more, I am asking for the same respect and protection we all deserve.

Thank you for your time.

Eli

My name is Renée Gosselin. I am a resident of Windham, New Hampshire. I have lived in New Hampshire my entire life, and I am a junior at Windham High School. I support NH HB 1319. This bill will help members of the LGBTQ+ community who face discrimination based on their gender identity. The additions being made in support of transgender non-discrimination acts are vital for transgender people. Without this bill, many trans people will be denied or fired from their jobs, won't be able to come out safely, keep their homes or apartments, or have overall protections in society. If this bill is not passed, many of my friends will be unprotected. Innocent people who only want to live as they truly are will not have the rights every living creature deserves. As a lesbian who is not transgender, the law against discrimination protects me. However as an ally of the trans community, I hope for this update to the law to pass to protect my transgender friends from discrimination in the same way I and many others are protected. I have several friends who have suffered at the hands of people who do not respect their gender identity. Being discriminated based on gender identity can prohibit a person from leading a normal and healthy life. People can be turned away from jobs, forced out of homes, or even be refused service in many facilities. In addition to this, the social discrimination can be and is very harmful towards the mental health of transgender people. Nearly half of all transgender people have attempted or actually committed suicide. Research supports that these astonishingly high suicide rates are due to the intense hatred and discrimination faced by most of the outside world. Perhaps if this law was passed, these horrifying rates would decrease. As a young woman, I have faced discrimination in my life. As a woman, I have experienced discrimination in my education, with my peers, and on the streets. As a woman, I have trained myself on how to walk through the streets safely. As a woman, I have adjusted my life to deal with the discrimination I face day to day. I firmly believe that no person should be treated as an inferior based on gender identity, race, sexuality, or other social structures. If this bill passes, transgender people will finally be protected against discrimination. Although this will not outright change the way many people think about transgender people, it will protect victims of discrimination. Changing the world for the better is my largest aspiration in life. If this bill passes, I will inch closer to my goal. This bill is incredibly important to everyone in the LGBTQ+ community. All in all, I hope my testimony will persuade even one person to vote for this bill. Thank you for considering my input, and the input of many other youths affected by this bill.

Hello, I am Zoey Harper and I live in Windham, New Hampshire. I've lived in New Hampshire for about 10 years, moving here when I was five years old. I go to Windham High School and what I love about New Hampshire is how inclusive and welcoming of a state it is. I am a transgender female, meaning I was born a male and transitioning to female I'm so glad we have laws protecting those with varying sexual orientations such as gay, bisexual, pansexual, etc, but I believe it's now time to add gender identity to these protective laws. I fully support the HB 1319 transgender non-discrimination bill as I have dealt with discrimination myself with my identity. As a disclaimer, I love my father with every part of my being, but one night after the fact that I came out to him, we talked about me being transgender a little more which he then proceeds to say, "You're going to hell." Of course I hear this all the time on the internet with videos of religious people slandering transgender people and members of the LGBT community all together. Of course, not all religious people are opposed to this, but this is what I've seen. My father's reaction hurt a lot, as he was saying, screw you, and I felt hurt throughout my body both physically and emotionally. I care about this bill so very much. Not only does it protect transgender people wanting a job or going to a restaurant without the fear of discrimination, I gives me peace in my mind that when I get older and become a voter and taxpayer, I don't have to fear about getting unlawfully ridiculed without the full protection of the law protecting me against the one ridiculing me and others.



MARGARET WOOD HASSAN
Governor

STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

STATE OF NEW HAMPSHIRE
BY HER EXCELLENCY
MARGARET WOOD HASSAN, GOVERNOR
EXECUTIVE ORDER 2016-04

An Order Prohibiting Discrimination on the Basis of Gender Identity or Gender Expression

WHEREAS, New Hampshire grows stronger when we ensure that all individuals have the opportunity to fully participate in our democracy, free of discrimination; and

WHEREAS, the State of New Hampshire recognizes the importance of inclusion of the talents of all individuals within our state employment system; and

WHEREAS, the State of New Hampshire recognizes the importance of treating all of our residents with dignity and respect; and

WHEREAS, the State of New Hampshire must promote non-discrimination in our state workplace, decisions, activities, services, and contracts; and

WHEREAS, the measures set forth in this Order are consistent with state and federal law;

NOW, THEREFORE, I, MARGARET WOOD HASSAN, GOVERNOR of the State of New Hampshire, by the authority vested in me pursuant to Part II, Article 41 of the New Hampshire Constitution, do hereby order effective immediately:

1. No state agency shall discriminate in employment against an individual or on account of the individual's family on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression;
2. No state agency shall discriminate in the administration of any state program on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression, as prohibited by state or federal law; and
3. All executive branch contracts and grants shall contain anti-discrimination provisions prohibiting any party to the contract or subcontractors from engaging in discriminatory practices on the basis of age, sex, sexual orientation, race, color, marital status, physical or mental disability, religious creed, national origin, gender identity, or gender expression, as prohibited by state or federal law.

And do hereby further order:

1. All state agencies review and revise their policies as necessary to ensure that they do not discriminate on the basis of gender identity or gender expression;
2. That the Department of Justice and the Department of Administrative Service review and revise state contract language to include protections against discrimination on the basis of gender identity and gender expression; and
3. The Division of Personnel provide guidance to state agencies in implementing this Executive Order by September 15, 2016, and propose rule changes as necessary.

Given at the Executive Chambers in Concord, this thirtieth day of June, in the year of Our Lord, two thousand and sixteen and of the independence of the United States of America, two hundred and forty.


Governor of New Hampshire



University of
New Hampshire

Office of the President

105 Main Street
Durham, NH 03824

V: 603.862.2450
F: 603.862.3060
TTY: 7.1.1 (Relay NH)

Presidents.office@unh.edu

January 31, 2018

The Honorable Joseph Hagan, Chairman
House Judiciary Committee
Legislative Office Building, Rm. 208
Concord, NH 03301

Dear Chairman Hagan and members of the Committee,

I write to express the University of New Hampshire's support for HB 1319, legislation to prohibit discrimination based on gender identity.

UNH is committed to supporting and sustaining an educational community that is inclusive, diverse and equitable. We are diligent in our efforts to ensure that all students, faculty and staff are welcomed on our campuses and have equal access and opportunity to thrive and be successful. Further, when our graduates enter the New Hampshire economy as educated employees, consumers and citizens, they should do so fully confident of their equal rights in our society.

For more than 40 years, UNH has been on the front lines of the fight for LGBTQ rights and equality. I am proud to join another generation of those students, some of whom will share their stories with you today, in support of this long overdue non-discrimination measure.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark W. Huddleston', with a long, sweeping underline.

Mark W. Huddleston
President

Personal Impact Statement
HB-1319
January 31, 2018

Hello my name is Chloé LaCasse and I'm a resident of Concord. I'm writing today in support of HB-1319. A timely and important piece of legislation, HB-1319 will update the state's law against discrimination, protecting people like myself in employment, housing and public places.

In what I equate to a second birth, my coming out as transgender in 2016 found all the fractured pieces of my life coalesce. I suddenly found in myself a confidence and happiness like I had never known, and it found me begin to live a life I could never have imagined. For I had found hope.

This happiness however is tempered. In my personal life I face fear of rejection and ignorance from family and friends. And in my professional life the situation is infinitely more dire as I would never dare come out in fear of harassment, termination, or even violence. This constant flip-flopping of self has created an unhealthy and emotionally torturous reality.

This said, I don't regret being who I am, nor my decision to come out as trans. For I am a woman, and no fear will deter me from living my life authentically. And it's why I am before you today.

HB-1319 is a major step in the normalization of transgender individuals here in the State of New Hampshire. The legislation has bi-partisan support, including Governor Sununu. A vote to pass this legislation is a clear declaration by my state, my home, that all their citizens matter. We all deserve to enjoy a healthy and productive life. And you have it in your power to ensure that happens. Please vote ought to pass on HB-1319.

Very Truly Yours,

Chloé LaCasse
Concord, New Hampshire

HB1319 HEARING
JANURARY 31, 2018

My name is Sage Lincoln and I'm a 20-year-old resident and College student here in NH. I've lived here for my entire life and have always been proud to say that I've lived in so many different areas of this beautiful state. Upon learning that our state has still not given transgender individuals the same protections granted to other granite-staters, I was at first angered and then I began to feel ashamed.

I find it hypocritical that we represent "live free or die" while transgender people are evicted, fired, and discriminated against simply for being who they are. As an ally of these people it is my job to use my voice and privilege to ask for your support on HB1319 in order to properly protect those who need it most.

I have friends, family, colleagues, and professors who need your support in order to be able to live their lives without fear in our state. They are in dire need of the protections the rest of us take for granted. I ask that you show yourself in support of protecting all of us as granite-staters and support HB1319.

Thank you for your time.

January 23, 2018

Dear Members of the House Judiciary Committee,

My name is Mary James. I have been a resident of Durham for nearly 25 years. I am currently the Pastor of the First Congregational Church of Wakefield, United Church of Christ, a community of faith which explicitly and openly welcomes all, including individuals who happen to be transgender. I have raised my three children in our beautiful state and am committed to seeking equal rights and safety for all persons who live here. I write in support of HB 1319, as a citizen and as a person of faith.

It has been an honor in my life to have family members and friends who identify as transgender. Growing up, I was all too familiar with the pain and exclusion experienced by my younger brother as a person who expressed his gender identity in non-conforming ways. It was heartbreaking to see how often he was "beaten up," exclude, and mocked by other youngsters. As an adult, he was assaulted and seriously hurt twice. The pain of these experiences had a profound effect on him.

As a friend and pastor, I have had the privilege of friendship with individuals experiencing the process of transitioning to their true gender, and have been humbled by the grace and dignity they have shown in this difficult process.

No one should be excluded, harmed, fired, deprived of gaining employment, or left behind in any way because of perceived differences in expression of gender identity.

I am deeply disturbed by people who use their faith as justification for the exclusion and even harm of transgender persons. This goes against my faith and I believe as a pastor and biblical scholar that it is an unjustifiable position. A mature and well-informed scholarly reading of scripture, with a good understanding of historical context, leads me to conclude that persons of faith are called to honor the equal rights of transgender individuals and to embrace all as beloved persons.

I will also say that many transgender people are people of deep faith, an obvious fact of life that seems to escape many.

As a citizen of a democracy, I urge you to pass HB 1319. As a person of faith, I ardently support HB 1319 from a faith perspective.

Thank you for your consideration of this letter.

Sincerely,

The Reverend Mary A. James

Pastor, First Congregational Church of Wakefield, UCC

Resident of Durham



International
Health, Racquet &
Sportsclub Association

Representative Joseph Hagan
Chairman
House Judiciary Committee
New Hampshire House of Representatives
107 North Main Street, Concord, NH 03301

RE: House Bill 1319 Prohibiting Discrimination Based on Gender Identity

February 12, 2018

Dear Members of the Committee:

My name is Joe Moore. I am President/CEO of the International Health, Racquet & Sportsclub Association (IHRSA), the leader in education, research and advocacy for the health and fitness industry, representing health clubs and fitness businesses worldwide. On behalf of our New Hampshire members, I am writing to first and foremost applaud the sponsor's efforts to protect the civil rights of each of New Hampshire's residents by introducing HB.1319. However, IHRSA is concerned that the proposed legislation may have unforeseen consequences for both our member clubs and the more than 222,000 residents of New Hampshire and their families who make use of health and fitness club membership in their pursuit of a healthy lifestyle. It is with these considerations in mind that we write, both for clarification and to express our concerns about potential effects the proposed legislation might have on our members and their patrons.

We request that any legislation intending to protect the liberties of individuals, regardless of their gender identity or expression, be constructed in such a way that supports health clubs' ability to comply with the law and continue to respect the privacy rights of other citizens. IHRSA believes the privacy rights of health club patrons, to use a locker room without being asked to do so in the presence of an individual with the anatomy of the opposite sex, remains reasonable and worthy of added consideration under the law.

It is IHRSA's understanding that as currently proposed, HB.1319 would prohibit a health club from preventing a health club user access to any locker room as long as their "expressed" or "perceived" gender identity is consistent with the sex to which the locker room is assigned.

This creates several problems. We believe that this legislation is:

1. Far too broad and susceptible to abuse. For example, if the proposed legislation becomes law, any person dressed in a manner associated with the opposite sex would have the right to 1) enter a health club and access the locker rooms and bathrooms of the opposite sex; and/or 2) gain entry to a health club that caters only to the opposite sex.



International
Health, Racquet &
Sportsclub Association

2. Infringes upon the legitimate privacy rights of health club members. For example, if the proposed legislation becomes law, there would be situations at health clubs where not only adults, but also children, would be in close proximity to an individual with the anatomy of the opposite sex as that individual undressed. IHRSA's members are inclined to believe that the right to undress in a locker room without being forced to do so in the presence of the opposite sex remains reasonable and worthy of preservation.

As such, IHRSA requests that the legislation be amended as follows:

Section 9, line 10

The provisions of this paragraph relating to gender identity or expression shall not apply (1) to the bathrooms or locker rooms of a health club, or (2) to a place of exercise established for the exclusive use of individuals of the same sex.

In closing, IHRSA supports equal rights and protections for all citizens and are committed to the privacy rights for all health club members. We are committed to working toward solutions that honor both rights. I would like to offer my, or any member of my staff's support in your efforts to ensure that the rights of all New Hampshire citizens are protected. If you have any questions or information requests, please do not hesitate to contact Jeffrey Perkins, Assistant Vice President of Government Relations (jdp@ihrsa.org) in our office at 1-800-228-4772.

Sincerely,

Joe Moore

IHRSA CEO & President

My name is Kelly Moore. I have been a New Hampshire resident for 42 years, and I am here to express my support for HB 1319, the bill to support transgender equality. I appreciate you taking the time to listen to my viewpoint.

I am a Mom of an 11 year old son. He is a 5th grader, a Boy Scout, a snowboarder and also happens to be transgender. Being transgender is a part of who he is, it is not a label identifying his whole person. He very organically transitioned in 3rd grade and the things that changed were simply his name and pronouns. Instead of an extremely tomboyish daughter, I now had a son.

At that time, I was not very educated about what it meant to be transgender. I quickly learned that being transgender has nothing to do with sex or romantic attraction. It does not have anything to do with being straight, gay or bisexual. It is simply who you are inside. My son is a person, equal to you and me, living his best life and striving to be healthy and happy.

My son used to go to public school, but we moved him to a private school for his emotional health and safety. The public school in my town does not have a current policy protecting transgender students from discrimination. My son was bullied and harassed because of who he is, and school administrators didn't have a plan in place to protect him. By passing HB 1319, you would send the message that transgender people, including my son, should be treated equally and fairly, just like anyone else.

Please vote yes to pass this bill. Please send the message to my son, his teachers, and others that he is worth no less than other people because of who he is. Please vote yes to help keep him safe from discrimination and harassment. Please vote yes so my son has a chance to grow up in a world that values him for what he does, how he contributes, and the kindness he displays.

I appreciate your time and I appreciate your support.

Respectfully,

Kelly Moore

My name is Tina Moore, and I have been a resident of Windham, NH for 43 years.

I am a grandmother to a remarkable 11 year old transgender grandson. I have had the unique opportunity to share in his journey to find his true self and identity, starting when he was about 6. This has, at times, been a confusing journey for all of us in his family. It has, however, been a learning process for me since I had no prior information about transgender issues. I entered this journey with an open mind and have listened and learned.

I now understand, that my grandson and other transgender individuals I have been fortunate enough to get to know, just want to be regular people with the gender identity they are most comfortable with. Their true self.

Please take time to educate yourselves and vote in favor of this very important bill. HB1319. Everyone should have the opportunity to have the respect and equality they deserve.

Thank you, Tina Moore

January 31, 2018

Good afternoon Members of the House Judiciary Committee:

My name is Allyson Ryder and I reside, with my wife, in North Hampton. I have lived in NH for all of my childhood and most of my adult years; it truly is home for me. Thank you for your time and for considering this important bill before you today. I am here to encourage you to vote "OUGHT TO PASS" for HB 1319.

When I was in one of my previous workplaces, I distinctly remember an act of discrimination against a transgender female colleague. She was a new hire in the call center and her presence was difficult for many of her coworkers; there were complaints filed with her manager simply because of her physical appearance. Despite a lack of applicants in the customer call center, this woman was not offered permanent employment after her thirty-day probationary period expired. Although this workplace had every right to not extend her an offer, the whispers in the hallway and lunchroom hinted at the true reason for her release of employment. As much as we would all like to think that this situation was unique, I can assure you that it is not.

NH is in the throes of a workforce shortage and many are sitting back, wondering why we cannot attract a workforce to sustain and improve economic growth. As we try to overcome this crisis, it's important that we all reflect on what really matters to those looking to move here. I would venture to say that factors such as good schools, well-paying jobs and a sense of community are at the top of the list.

By denying basic human rights to our citizens, it sends a message that we are welcoming to and accepting of some but not all. It says to those looking to move here that the child you want to raise in New Hampshire best not question his or her gender identity or feel safe living authentically if they do. It says we are a state of "us and them", not a collective whole, and that our promise for you to live free is not accessible to all NH residents. It's time we change this and that's why I am in support of HB 1319 which provides protections against discrimination for our transgender residents.

Since 1998, members of the LGB community have been protected, by law, against sexual orientation discrimination in employment, public accommodations and housing. This means that for my entire professional career, I know that the state and the law are on my side against gross discrimination because of my sexual orientation. Today, 20 years later, you all have the opportunity to add the "T" to the LGBT community for those who are protected against discrimination here in the Granite State.

I hope that you will put us on the right side of history in NH and vote OUGHT TO PASS for HB 1319. Thank you.

Sincerely,

Allyson M. Ryder -- North Hampton, NH

January 30, 2018

To the Honorable Members of the House Judiciary Committee:

My name is Rebecca Rutter Sanborn, and I live in Derry, New Hampshire. It is my pleasure and honor to have the opportunity to submit testimony IN SUPPORT of HB 1319, the transgender non-discrimination bill.

I am proud to be able to say that I am a life long resident of the Granite State. Amongst the many things that I love and admire about my home state, I particularly appreciate the fact that Granite Staters are, by and large, a reasonable, fair-minded, and freedom-oriented people, and that as such, New Hampshire has consistently been on the forefront of providing equal rights and protections to its citizens.

In 2009, the New Hampshire legislature passed a bill legalizing same sex marriage in our state, years before the U.S. Supreme Court in *Obergefell v. Hodges* moved to make same-sex marriage legal nation-wide. At the time of legalization in New Hampshire, only five other states had passed laws allowing same sex marriage, making New Hampshire a pioneer in this area of equal rights.

Similarly, in its laws against discrimination, which protect individuals against discrimination in regard to employment, housing, and places of public accommodation, New Hampshire specifically includes sexual orientation as a protected class. As a member of the LGBTQ+ community myself (I am a bisexual woman), I am grateful and happy for this essential protection against discrimination.

However, there is a group of folks within our LGBTQ+ community—and within our neighborhoods across the state—who are *not* protected against discrimination by New Hampshire law, and that is our trans neighbors. Although sexual orientation is included in the statute as a protected class, gender identity is not.

For a state that has done such an outstanding job of protecting individual rights of its citizens in other ways, this is a glaring omission, and now is the time to add gender identity to the New Hampshire anti-discrimination law.

Having lived in New Hampshire all of my forty-two years, I know that the slogan on our license plates—Live Free or Die—is more than just a slogan. I know that my home state values and cherishes the right of each individual to live out their lives in *freedom*— freedom from discrimination, freedom from oppression, and most of all, freedom to simply be who they are.

Yet because of the omission of “gender identity” from our state anti-discrimination statute, our trans neighbors are in fact, *not* free to openly be who they are, without fear of discrimination in public accommodations, employment, or even something as fundamentally necessary to human

existence as housing. No one should be fired from a job, kicked out of a restaurant, or denied housing simply for being who they are, and yet , as the law stands now , such actions are completely legal in this state, in regards to transgender people. As a human, I look at that and find it heartbreaking , and as a proud resident of New Hampshire, I find it to be simply unacceptable. This should not be happening in our state. New Hampshire, with its proud history of protecting individuals rights and freedoms, is quite simply better than that. Passage of HB 1319 is a simple, common sense fix, to remedy this tragedy.

Bottom line HB 1319 will ensure that transgender people are fairly and equally protected under the law and will have the freedom to be who they are, without fear of retaliatory discrimination —nothing more and nothing less. This bill is needed, and timely. I would respectfully urge you to support HB 1319.

Respectfully,

Rebecca Rutter Sanborn

Derry, New Hampshire



January 26, 2018

Representative Joseph Hagan
House Judiciary Committee
New Hampshire House of Representatives
107 North State Street
Concord NH 03301

Re: House Bill 1319 – Relative to Prohibiting Discrimination Based on Gender Identity

Dear Mr. Chairman and Members of the Committee,

This letter is to express the National Association of Social Workers New Hampshire Chapter's (NH NASW) strong support of House Bill 1319.

Our organization supports policies that promote equal protection for all individuals. New Hampshire has the opportunity to again show we are a state that welcomes and accepts all of its citizens and will not tolerate discrimination. Passing House Bill 1319 is a logical next step to ensure transgender individuals are protected in the areas of employment, housing and public accommodations.

Discrimination on the basis of gender identity and expression takes a human toll, creates unnecessary suffering, decreases productivity, and adds innumerable cost to repair the harms done. Ending discrimination leads to healthcare savings, supports a healthier economy, and improves the quality of life for everyone.

Thank you for the opportunity to voice our support.

Sincerely,

Lynn Stanley, LICSW
Executive Director
NH NASW

Hello everyone, my name is Michael Markham, and I am a senior at Windham High School in, well, Windham, NH. And I am a transgender man. Ever since I was little, I never could fit myself into the slot of 'girl', and around 7th grade, I realized I simply didn't have to. I could simply be myself, plain and simple. Now around where I live, people mostly keep to themselves. Sure, you see the occasional person toting big claims about how they're going to out everyone in the Gay Straight Alliance, but in the end, they're all bark and no bite. Even in the workplace, I've been lucky to have been referred to by my superiors and co-workers as my preferred name and pronouns, even getting a nametag to match as soon as I came out.

However, as I said before, I'm a senior in high school. In a matter of months, I'm going to be going off to college in the big city and you'd think my biggest concern then would be getting to classes and not oversleeping- but no. I'm concerned about where I'm going to sleep. I can be turned away from any dorm, and if I look further, to find an apartment or flatting situation, I can be turned away there too. And if I do manage to find a place to live, how am I going to pay off debts and get a job?

Without HB1319, jobs can turn me down for the simple reason that they may see me as 'biologically' female 'pretending' to be male.

My friends are telling me about how much fun they're going to have in college. How they're excited to meet their roommates, excited to get jobs on campus, excited to thrive as they should be.

Without HB1319, I'm cherishing these few weeks before my 18th birthday, cause they may be the last ones I have before I see what the world may have to offer for people like me. I ask you all to support HB 1319 to give me peace of mind, safety, and security as I head into adulthood.

Testimony from Alex Myers, Exeter, NH

I wanted to be a teacher from early childhood. Back then, growing up in rural Maine, I was Alice, and would often play "school" with friends, lining up rows of teddy bears and dolls to be the students.

In 1992, I left rural Maine to attend Phillips Exeter Academy. It was there, in 1995, that I came out as transgender and began living as Alex. And, in the years that followed, after finishing college and earning a master's degree, it should have been no surprise to anyone that I began working as a teacher.

My first teaching position was at a private school in Florida. When I arrived in the area from New England, I called around to doctors' offices to see if he could find a provider to oversee his prescription for testosterone. But over a dozen endocrinologists refused to see me, saying that they didn't want to work with transgender patients. I found a doctor two hours away who would treat me, and I decided that at school I would not be out as transgender – if doctors weren't open to treating me, I thought that parents likely wouldn't want me as a teacher. And since there were no legal protections, I feared being fired if the school found out.

They didn't find out, and I taught at the school for three years before moving to Rhode Island to work at a different prep school. I was out to colleagues and members of the administration soon after arriving at the school; Rhode Island protects transgender people from employment discrimination, and so I felt that I could be open about my identity. Within a month, a parent from the school in Florida sent an email to my new headmaster. In it, the parent explained how he had searched my name on the internet and discovered that I was transgender. He wanted to let the headmaster know that one of his teachers was a deviant and shouldn't be working with children; he hoped the headmaster would fire me. The headmaster did not; instead, he called me into his office and explained the situation, saying that he would reply to the parent only to say that I was an employee in good standing and that the parent's action was reprehensible.

Now I teach in New Hampshire, back at Phillips Exeter Academy. I am out as transgender and work alongside many colleagues who taught me back when I was a girl. Being out, being open about who I am, allows me not only to feel comfortable and complete as a human, but also to serve as a role model and leader for the transgender students on the campus. As children come out at earlier ages, many of them arrive at high school already identifying as transgender. Having an out transgender faculty member not only provides a role model but also takes some of the pressure off the students to explain themselves or justify their identities. This sort of support can only occur if teachers and other employees feel comfortable, safe, and protected enough to be out on the job.



January 26, 2018

Representative Joseph Hagan
House Judiciary Committee
New Hampshire House of Representatives
107 North State Street
Concord NH 03301

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Thank you for the opportunity to voice our support.

Sincerely,

Lynn Stanley, LICSW
Executive Director
NH NASW

January 31, 2018

Good afternoon Members of the House Judiciary Committee:

My name is Allyson Ryder and I reside, with my wife, in North Hampton. I have lived in NH for all of my childhood and most of my adult years; it truly is home for me. Thank you for your time and for considering this important bill before you today. I am here to encourage you to vote "OUGHT TO PASS" for HB 1319.

When I was in one of my previous workplaces, I distinctly remember an act of discrimination against a transgender female colleague. She was a new hire in the call center and her presence was difficult for many of her coworkers; there were complaints filed with her manager simply because of her physical appearance. Despite a lack of applicants in the customer call center, this woman was not offered permanent employment after her thirty-day probationary period expired. Although this workplace had every right to not extend her an offer, the whispers in the hallway and lunchroom hinted at the true reason for her release of employment. As much as we would all like to think that this situation was unique, I can assure you that it is not.

NH is in the throes of a workforce shortage and many are sitting back, wondering why we cannot attract a workforce to sustain and improve economic growth. As we try to overcome this crisis, it's important that we all reflect on what really matters to those looking to move here. I would venture to say that factors such as good schools, well-paying jobs and a sense of community are at the top of the list.

By denying basic human rights to our citizens, it sends a message that we are welcoming to and accepting of some but not all. It says to those looking to move here that the child you want to raise in New Hampshire best not question his or her gender identity or feel safe living authentically if they do. It says we are a state of "us and them", not a collective whole, and that our promise for you to live free is not accessible to all NH residents. It's time we change this and that's why I am in support of HB 1319 which provides protections against discrimination for our transgender residents.

Since 1998, members of the LGB community have been protected, by law, against sexual orientation discrimination in employment, public accommodations and housing. This means that for my entire professional career, I know that the state and the law are on my side against gross discrimination because of my sexual orientation. Today, 20 years later, you all have the opportunity to add the "T" to the LGBT community for those who are protected against discrimination here in the Granite State.

I hope that you will put us on the right side of history in NH and vote OUGHT TO PASS for HB 1319. Thank you.

Sincerely,

Allyson M. Ryder – North Hampton, NH

January 31, 2018

Testimony on HB 1319

To the honorable members of the House Judiciary Committee,

My son is the most upstanding citizen I know. He cares deeply about our community, about our state and about our country. He is a junior in college and he works. He volunteers, he *always* votes, and he is the kind of kid who is the first in line to help when a friend or neighbor is in need. My son deserves the same protection under the law that every other New Hampshire citizen enjoys.

Thank you for recommending passage of this important legislation.

Lois Shea

Warner, NH

My name is BJ Wahl. I'm a retired librarian and have lived in the Keene area for 30 years. I'm a 68 year old grandmother. My earliest memory, when I was about 2 or 3 years old, is of fighting my father who was trying to get me into a dress. I remember accidentally breaking his glasses in my efforts to resist. All during my childhood, I kept telling people that I was a boy, but they never believed me. This was in the 1950s, when the word transgender was not even invented yet. I was labelled a tomboy but I always knew how I felt in my head and that was male. So I changed my name to a gender-neutral one and threw all of my dresses away as I never felt comfortable wearing them. I've lived my life in the closet as I have always felt male. If I had to do it again as a young person now, I would be trans.

About a year and a half ago, my granddaughter Sophie realized that she too felt this way and he is now my 14 year old grandson Seth. I'd never discussed how I felt with Sophie, but I did with Seth. Seth is going to be able to live the life that I should have led and be his true self. I was a confused unhappy teenager who thought a lot about suicide. Seth has a very supportive family and school. (He certainly has a supportive grandmother!) I didn't get that chance, but I am so glad that he will.

This is not a choice - we are born this way. Just as gay people are born gay, black people are born black, people are born with blue eyes and red hair, with musical ability or not, we are born this way. How does a 2 year old child even know they don't belong in a dress? I know that I was born feeling very male. It was not a choice. And just as society has now recognized that no one should be blamed or discriminated against because they are gay or black or a woman or any number of other things that they had no control over - they were just born that way - so too should being transgendered not be discriminated against. Why would you? We are just being who we were born to be.

I urge you to support HB 1319, which is a simple update to add gender identity to the existing law against discrimination. Transgender people deserve a law against discrimination that is clear and explicit regarding gender identity. I don't want my grandson discriminated against for being his true self. These are different times than when I was growing up. People who have been discriminated against in the past are now protected by law from irrational and unfair discrimination. Please make sure that being transgender is not something that can be discriminated against. Thank you.

My name is Jaymes Brian Waugaman, I live in Yonkers New York but currently attend New England College in Henniker NH. I'm a Freshman in NEC as a Criminal Justice Major.

I myself am a Female to Male Trans person, meaning I was born female and transitioned to male. I will be 2 years on hormones in April and 1 year post chest surgery in August while currently in the process of legally changing my papers with my new name and gender. My pronouns are he/him/his but identify as either trans or just male.

I came to NEC in New Hampshire for the financial aid that I received as well as to get away from home. All if not most of my peers in High School back in New York stayed in New York and attend the city/state colleges and live at home. I did not want to stay home or travel back and forth by train to attend school so leaving to New Hampshire to attend NEC was my only option.

As far as discrimination goes I have faced some minor forms of discrimination for being trans or transitioning into male. I began the process of transitioning around June of 2016 for the beginning of my junior year in high school and identified as male but had not legally changed my name or started hormones. For my entire junior year of high school I was refused access to male facilities such as restrooms or locker rooms and was given the option to use the girls facilities or the teachers lounge. My case is not an extreme case of discrimination since I was allowed to use male facilities by the start of my senior year but since I was not "passing" physically as male at the time I was not allowed that access. Along with the Trans Military ban which was just recently dropped in the beginning of January I was not allowed to even speak to my recruiter since I came out as trans and was either fully denied conversation of joining, taking the ASVAB, and options or had to detransition and enlist as female which was not going to happen since I was pre op for my chest surgery and would have to stop taking my hormones and completely put my name change on hold, which I waited for the past 3 years to do.

I went to the Philadelphia Transgender Health Conference last September and have heard stories of other trans people who have experienced serious discrimination more specifically trans women. I heard stories of people getting physically harmed and beaten because they came out as trans or it was discovered and were called slurs. Hearing this in the meetings at the conference made me see that not every trans person has access or is able to be in a safe place in their transition as far as being able to begin hormones or get surgery. Not every trans identified person wants those things and regardless should not be made to feel unsafe or feel that their identity is not real or acceptable if they do not want surgery or hormones to "pass" in society today. Denying someone a job, schooling, housing or even respect because they identify as male or female but were born the opposite is not morally right. As someone who is trans but does not experience discrimination, rather I fear the thought of it everyday and every time I enter a public restroom or that someone might find out or suspect that I'm trans and will out me. This is important to me and is why I am writing this testimony.



**Statement by Janson Wu, Esq.,
Executive Director, GLBTQ Legal Advocates & Defenders (GLAD),
before the House Judiciary Committee,
in support of House Bill 1319,
An Act Prohibiting Discrimination on the Basis of Gender Identity**

Dear Honorable Chairperson Hagan and Members of the Committee:

I am grateful for the opportunity to testify in strong support of House Bill 1319, An Act Prohibiting Discrimination on the Basis of Gender Identity. This legislation would update Chapter 354-A to add “gender identity” protections to New Hampshire’s non-discrimination protections, which already prohibit discrimination in employment, housing and public accommodations, on the basis of age, sex, religion, physical or mental disability, marital status or sexual orientation. **Already, 18 states, including Iowa, Colorado, and every other New England state, have passed similar protections, beginning with Minnesota in 1993.**

As the Executive Director of GLBTQ Legal Advocates & Defenders (GLAD), New England’s leading legal rights organization dedicated to ensuring legal equality for LGBTQ people and people living with HIV, I have seen up close the pervasive discrimination faced by transgender people in housing, employment, and public places.

And it is shocking. For example, a 2015 survey of transgender people in NH (<http://www.ustranssurvey.org>) revealed that:

- More than one in five (21%) respondents who had a job in the past year reported being fired, being denied a promotion, or experiencing some other form of mistreatment related to their gender identity or expression in the past year.
- Nearly one-quarter (23%) of respondents experienced some form of housing discrimination in the past year, such as being evicted from their home or denied a home or apartment because of being transgender.
- More than one in five (22%) experienced at least one type of mistreatment in the past year in a public place, such as a hospital, restaurant, or business.

Without HB 1319, it is substantially harder, if not impossible, for transgender people to seek legal protection, when they face discrimination. That is why there is such a need for this law.

HB 1319 will ensure that transgender individuals and their families can go to the store, eat at a restaurant, and receive the health care they need from a hospital without being turned away simply because of who they are. It will protect transgender employees so they can focus on doing their best work, instead of worrying about being harassed by their coworkers. And HB 1319 will ensure that people don’t lose their homes because someone discovers that they are transgender.

Unfortunately, those who oppose fairness and freedom for everyone have presented **inaccurate and misleading arguments against HB 1319**. The remainder of my testimony rebuts those myths and fear tactics.

1. HB 1319 will enhance public safety for everyone. Safety and privacy, including in restrooms, is important for all of us. That's why we already have laws in place that make it illegal to harm or harass people, or invade their privacy. Nothing in HB 1319 will change or remove those existing protections against harassment or violence.

In the more than 200 cities and 18 states across the U.S.—including every other New England state—that have passed and successfully implemented these laws to protect transgender people from discrimination, there's been no increase in public safety concerns in restrooms in any of those cities or states. That's why women's and domestic violence organizations like the New Hampshire Coalition against Domestic and Sexual violence (NHCADSV) supports HB 1319, as do chiefs of police across New Hampshire. And that's why businesses such as Planet Fitness have had a transgender nondiscrimination policy for years.

2. HB 1319 affirms the ability of businesses and employers to maintain gender segregated restroom facilities. Nothing in this legislation will prohibit the continuation of separate bathrooms for men and women, or require the construction of new, gender-neutral restrooms. Opponents cannot point to any examples to support their argument.

Men will continue to use the men's restrooms, and women will continue to use the women's restrooms. All HB 1319 will do is affirm the existing practice of allowing men who are transgender to use the men's bathroom, and women who are transgender to use the women's bathroom.

3. HB 1319 respects the religious liberty of all New Hampshire residents. Freedom of religion is an important and foundational right in our country. That's why it's protected by the First Amendment to the Constitution, and by the NH State Constitution. HB 1319 cannot supercede these constitutional protections for religious liberty.

In addition, Chapter 354-A already contains broad protections for religious organizations, which would also apply to transgender nondiscrimination should HB 1319 be enacted. For example, 354-A:18 protects the ability of religious organizations to limit admission or give preference "to persons of the same religion or denomination or from making such selection as is calculated by such organization to promote the religious principles for which it is established or maintained." Likewise, 354-A:13 allows religious organizations to limit the "sale, rental or occupancy of dwellings which it owns or operates for other than a commercial purpose to persons of the same religion, or from giving preference to such persons" under certain circumstances.

At the same time, the rule of law is critical to the proper functioning of our legal system. When private individuals enter the marketplace as employers, businesses, and landlords, they agree to follow the same rules as everyone else. Otherwise, as the New Hampshire Supreme Court has stated: "If all men were to take the position that individual opinions are equivalent to rights, law would be replaced by anarchy." *State v. Drew*, 192 A. 629, 632 (1937). Or as the late Justice Scalia, a well-known man of faith, explained in a seminal U.S. Supreme Court case about the free exercise of religion: "To make an individual's obligation to obey such a law contingent upon the law's coincidence with his religious beliefs . . . permitting him, by virtue of his beliefs, "to become a law unto himself" . . . contradicts both constitutional tradition and common sense." *Smith v. Dept. of Hum. Resources*, 494 U.S. 872, 879 (1990).

At the end of the day, religious freedom is one of our country's fundamental values, and that freedom doesn't give any person the right to impose their beliefs on others. HB 1319 preserves our country's important protections for religious liberty, while also ensuring that our laws are able to protect all individuals, including transgender people, from discrimination.

4. HB 1319 will not end the ability of colleges and universities to continue to provide women-specific scholarships, or maintain women-only sports teams.

Opponents are unable to point to one example where transgender nondiscrimination protections led to such a result. HB 1319 simply requires that transgender women be treated as women, and transgender men be treated as men, when it comes to employment, housing, and public spaces.

5. New Hampshire should enshrine protections for transgender people through the state's constitution and not through its statutes. Constitutional protections of equal treatment and due process apply only to state action – e.g. the actions of the state government, agencies, and municipalities. It does not regulate the conduct of private actors, such as private employers, landlords, and businesses. HB 1319 would ensure that transgender people are protected against being fired from their jobs, evicted from their homes, and refused service at a restaurant and business, regardless of whether the discriminatory actor is a governmental or private entity.

6. HB 1319 has nothing to do with the inclusion of transition-related health care within the state's Medicaid program. Federal law already prohibits state Medicaid programs from categorically excluding transition-related health care from coverage. New Hampshire has already changed its regulations to include coverage of transition-related surgery, in order to comply with federal law.

7. HB 1319's definition of gender identity will prevent fraudulent claims. The definition builds upon similar definitions that have been used in the 18 states and over 200 municipalities that have passed transgender non-discrimination laws throughout the country. Most importantly, HB 1319's definition of gender identity states that such identity must be a consistent and sincerely held part of a person's core identity, and that

it may not be asserted for any improper purpose. Those specifications in the definition help prevent against fraudulent claims.

A General Accounting Office (GAO) study showed in 2013 that discrimination claims by transgender people in the states with nondiscrimination laws make up a very small percentage of overall discrimination claims. The GAO reported that for every year between 2006 and 2012, the percentage of overall claims that alleged discrimination based on gender identity varied from state to state, ranging from 0.1% - 1.9% of all claims.

Finally, courts are also well able to interpret the scope of these definitions, and national corporations and employers rely upon consistency in these definitions in order to implement employment practices that are consistent across state lines.

Conclusion

Over 30 years ago, Minneapolis became the first municipality to adopt transgender-specific non-discrimination language. Since then, 18 states and over 200 municipalities have adopted similar measures. In addition, there are hundreds of employers and dozens of universities with non-discrimination policies protecting transgender people.

New Hampshire is a place of opportunity and freedom—where people who work hard, take responsibility for their lives, and meet their obligations have the chance to get ahead. We believe hardworking Americans deserve to be treated fairly and equally under the law, and that when every American is given the opportunity to work hard and earn a living, our state and nation will succeed.

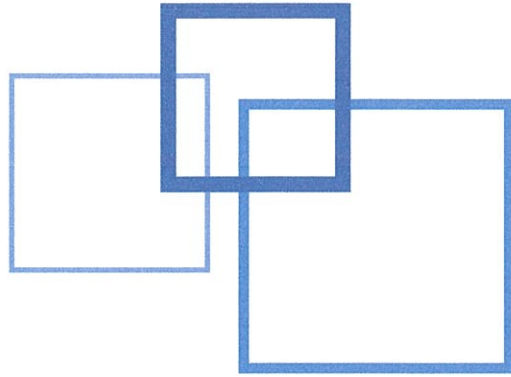
It is time for New Hampshire to join this national movement towards equality and freedom from discrimination, regardless of who they are. Thank you for your consideration, and I hope you will support HB 1319's promise of fairness and freedom for all Granite Staters.

Submitted by:

February 13, 2018



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Executive Director
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THE REPORT OF THE

2015

U.S.

TRANSGENDER

SURVEY

EXECUTIVE SUMMARY

December 2016

USTS Executive Summary

The 2015 U.S. Transgender Survey (USTS) is the largest survey examining the experiences of transgender people in the United States, with 27,715 respondents from all fifty states, the District of Columbia, American Samoa, Guam, Puerto Rico, and U.S. military bases overseas. Conducted in the summer of 2015 by the National Center for Transgender Equality, the USTS was an anonymous, online survey for transgender adults (18 and older) in the United States, available in English and Spanish. The USTS serves as a follow-up to the groundbreaking 2008–09 National Transgender Discrimination Survey (NTDS), which helped to shift how the public and policymakers view the lives of transgender people and the challenges they face. The report of the 2015 USTS provides a detailed look at the experiences of transgender people across a wide range of categories, such as education, employment, family life, health, housing, and interactions with the criminal justice system.

The findings reveal disturbing patterns of mistreatment and discrimination and startling disparities between transgender people in the survey and the U.S. population when it comes to the most basic elements of life, such as finding a job, having a place to live, accessing medical care, and enjoying the support of family and community. Survey respondents also experienced harassment and violence at alarmingly high rates. Several themes emerge from the thousands of data points presented in the full survey report.

Pervasive Mistreatment and Violence

Respondents reported high levels of mistreatment, harassment, and violence in every aspect of life. One in ten (10%) of those who were out to their immediate family reported that a family member was violent towards them because they were transgender, and 8% were kicked out of the house because they were transgender.

The majority of respondents who were out or perceived as transgender while in school (K–12) experienced some form of mistreatment, including being verbally harassed (54%), physically attacked (24%), and sexually assaulted (13%) because they were transgender. Further, 17% experienced such severe mistreatment that they left a school as a result.

In the year prior to completing the survey, 30% of respondents who had a job reported being fired, denied a promotion, or experiencing some other form of mistreatment in the workplace due to their gender identity or expression, such as being verbally harassed or physically or sexually assaulted at work.

In the year prior to completing the survey, 46% of respondents were verbally harassed and 9% were physically attacked because of being transgender. During that same time period, 10% of respondents were sexually assaulted, and nearly half (47%) were sexually assaulted at some point in their lifetime.

Severe Economic Hardship and Instability

The findings show large economic disparities between transgender people in the survey and the U.S. population. Nearly one-third (29%) of respondents were living in poverty, compared to 12% in the U.S. population. A major contributor to the high rate of poverty is likely respondents' 15% unemployment rate—three times higher than the unemployment rate in the U.S. population at the time of the survey (5%).

Respondents were also far less likely to own a home, with only 16% of respondents reporting homeownership, compared to 63% of the U.S. population. Even more concerning, nearly one-third (30%) of respondents have experienced homelessness at some point in their lifetime, and 12% reported experiencing homelessness in the year prior to completing the survey because they were transgender.

Harmful Effects on Physical and Mental Health

The findings paint a troubling picture of the impact of stigma and discrimination on the health of many transgender people. A staggering 39% of respondents experienced serious psychological distress in the month prior to completing the survey, compared with only 5% of the U.S. population. Among the starkest findings is that 40% of respondents have attempted suicide in their lifetime—nearly nine times the attempted suicide rate in the U.S. population (4.6%).

Respondents also encountered high levels of mistreatment when seeking health care. In the year prior to completing the survey, one-third (33%) of those who saw a health care provider had at least one negative experience related to being transgender, such as being verbally harassed or refused treatment because of their gender identity. Additionally, nearly one-quarter (23%) of respondents reported that they did not seek the health care they needed in the year prior to completing the survey due to fear of being mistreated as a transgender person, and 33% did not go to a health care provider when needed because they could not afford it.

The Compounding Impact of Other Forms of Discrimination

When respondents' experiences are examined by race and ethnicity, a clear and disturbing pattern is revealed: transgender people of color experience deeper and broader patterns of discrimination than white respondents and the U.S. population. While respondents in the USTS sample overall were more than twice as likely as the U.S. population to be living in poverty, people of color, including Latino/a (43%), American Indian (41%), multiracial (40%), and Black (38%) respondents, were more than three times as likely as the U.S. population (12%) to be living in poverty. The unemployment rate among transgender people of color (20%) was four times higher than the U.S. unemployment rate (5%). People of color also experienced greater health disparities. While 1.4% of all respondents were living with HIV—nearly five times the rate in the U.S. population (0.3%)—the rate among Black respondents (6.7%) was substantially higher, and the rate for Black transgender women was a staggering 19%.

Undocumented respondents were also more likely to face severe economic hardship and violence than other respondents. In the year prior to completing the survey, nearly one-quarter (24%) of undocumented respondents were physically attacked. Additionally, one-half (50%) of undocumented respondents have experienced homelessness in their lifetime, and 68% have faced intimate partner violence.

Respondents with disabilities also faced higher rates of economic instability and mistreatment. Nearly one-quarter (24%) were unemployed, and 45% were living in poverty. Transgender people with disabilities were more likely to be currently experiencing serious psychological distress (59%) and more likely to have attempted suicide in their lifetime (54%). They also reported higher rates of mistreatment by health care providers (42%).

Increased Visibility and Growing Acceptance

Despite the undeniable hardships faced by transgender people, respondents' experiences also show some of the positive impacts of growing visibility and acceptance of transgender people in the United States.

One such indication is that an unprecedented number of transgender people—nearly 28,000—completed the survey, more than four times the number of respondents in the 2008–09 NTDS. This number of transgender people who elevated their voices reflects the historic growth in visibility that the transgender community has seen in recent years. Additionally, this growing visibility has lifted up not only the voices of transgender men and women, but also people who are non-binary, which is a term that is often used to describe

people whose gender identity is not exclusively male or female, including those who identify as having no gender, a gender other than male or female, or more than one gender. With non-binary people making up over one-third of the sample, the need for advocacy that is inclusive of all identities in the transgender community is clearer than ever.

Respondents' experiences also suggest growing acceptance by family members, colleagues, classmates, and other people in their lives. More than half (60%) of respondents who were out to their immediate family reported that their family was supportive of them as a transgender person. More than two-thirds (68%) of those who were out to their coworkers reported that their coworkers were supportive. Of students who were out to their classmates, more than half (56%) reported that their classmates supported them as a transgender person.

Overall, the report provides evidence of hardships and barriers faced by transgender people on a day-to-day basis. It portrays the challenges that transgender people must overcome and the complex systems that they are often forced to navigate in multiple areas of their lives in order to survive and thrive. Given this evidence, governmental and private institutions throughout the United States should address these disparities and ensure that transgender people are able to live fulfilling lives in an inclusive society. This includes eliminating barriers to quality, affordable health care, putting an end to discrimination in schools, the workplace, and other areas of public life, and creating systems of support at the municipal, state, and federal levels that meet the needs of transgender people and reduce the hardships they face. As the national conversation about transgender people continues to evolve, public education efforts to improve understanding and acceptance of transgender people are crucial. The rates of suicide attempts, poverty, unemployment, and violence must serve as an immediate call to action, and their reduction must be a priority. Despite policy improvements over the last several years, it is clear that there is still much work ahead to ensure that transgender people can live without fear of discrimination and violence.

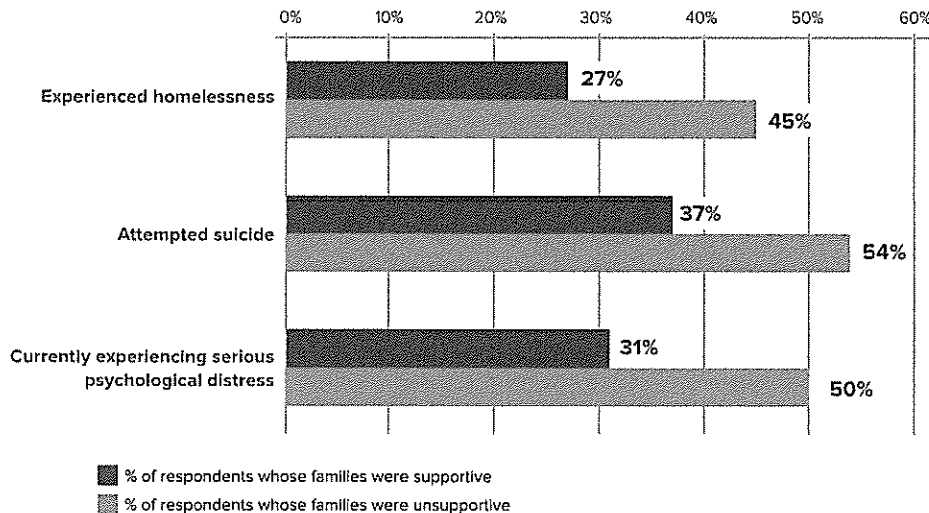
Overview of Key Findings

Family Life and Faith Communities

- A majority of respondents (60%) who were out to the immediate family they grew up with said that their family was generally supportive of their transgender identity, while 18% said that their family was unsupportive, and 22% said that their family was neither supportive nor unsupportive.
- Those who said that their immediate families were supportive were less likely to report a variety of negative experiences related to economic stability and health, such as experiencing homelessness, attempting suicide, or experiencing serious psychological distress.



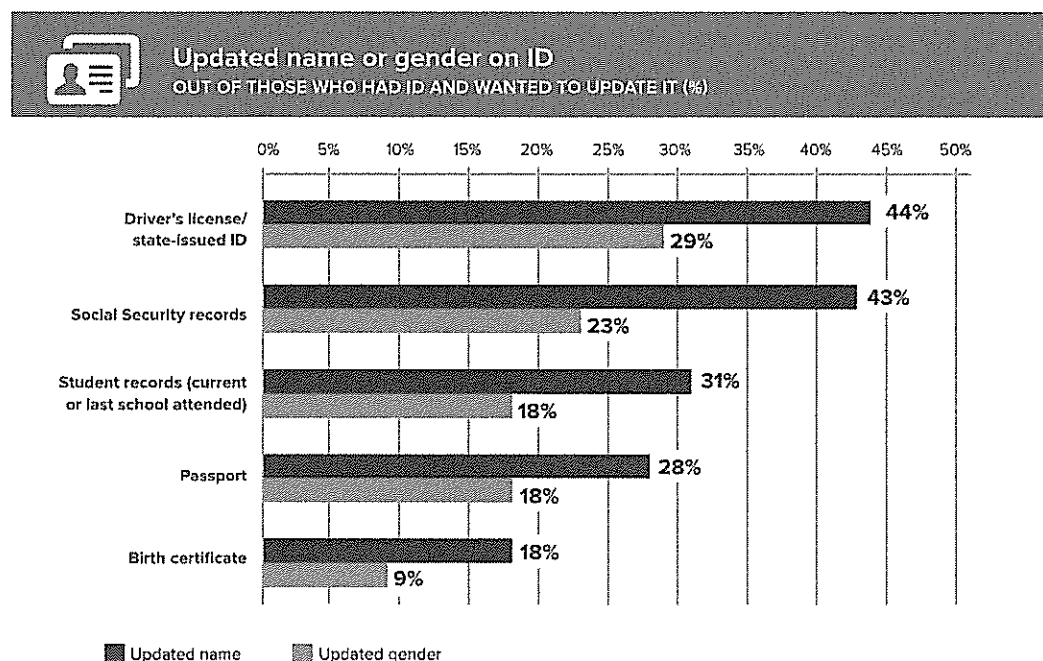
Negative experiences among those with supportive and unsupportive families



- One in ten (10%) respondents who were out to their immediate family reported that a family member was violent towards them because they were transgender.
- One in twelve (8%) respondents who were out to their immediate family were kicked out of the house, and one in ten (10%) ran away from home.
- Nineteen percent (19%) of respondents who had ever been part of a spiritual or religious community left due to rejection. Forty-two percent (42%) of those who left later found a welcoming spiritual or religious community.

Identity Documents

- Only 11% of respondents reported that *all* of their IDs had the name and gender they preferred, while more than two-thirds (68%) reported that *none* of their IDs had the name and gender they preferred.



- The cost of changing ID documents was one of the main barriers respondents faced, with 35% of those who have not changed their legal name and 32% of those who have not updated the gender on their IDs reporting that it was because they could not afford it.
- Nearly one-third (32%) of respondents who have shown an ID with a name or gender that did not match their gender presentation were verbally harassed, denied benefits or service, asked to leave, or assaulted.

Health Insurance and Health Care

- **One in four (25%) respondents experienced a problem in the past year with their insurance related to being transgender**, such as being denied coverage for care related to gender transition or being denied coverage for routine care because they were transgender.
- **More than half (55%) of those who sought coverage for transition-related surgery in the past year were denied**, and 25% of those who sought coverage for hormones in the past year were denied.
- **One-third (33%) of those who saw a health care provider in the past year reported having at least one negative experience related to being transgender**, with higher rates for people of color and people with disabilities. This included being refused treatment, verbally harassed, or physically or sexually assaulted, or having to teach the provider about transgender people in order to get appropriate care.
- In the past year, **23% of respondents did not see a doctor when they needed to because of fear of being mistreated as a transgender person**, and 33% did not see a doctor when needed because they could not afford it.

Psychological Distress and Attempted Suicide

- **Thirty-nine percent (39%) of respondents experienced serious psychological distress** in the month before completing the survey (based on the Kessler 6 Psychological Distress Scale), compared with only 5% of the U.S. population.
- **Forty percent (40%) have attempted suicide in their lifetime**, nearly nine times the rate in the U.S. population (4.6%).
- **Seven percent (7%) attempted suicide in the past year**—nearly twelve times the rate in the U.S. population (0.6%).

HIV

- Respondents were **living with HIV (1.4%) at nearly five times the rate in the U.S. population (0.3%)**.
- **HIV rates were higher among transgender women (3.4%)**, especially transgender women of color. **Nearly one in five (19%) Black transgender women were living with HIV**, and American Indian (4.6%) and Latina (4.4%) women also reported higher rates.

Experiences in Schools

- **More than three-quarters (77%)** of those who were out or perceived as transgender at some point between Kindergarten and Grade 12 (K–12) **experienced some form of mistreatment**, such as being verbally harassed, prohibited from dressing according to their gender identity, disciplined more harshly, or physically or sexually assaulted because people thought they were transgender.
- **Fifty-four percent (54%)** of those who were out or perceived as transgender in K–12 **were verbally harassed, nearly one-quarter (24%) were physically attacked, and 13% were sexually assaulted in K–12 because of being transgender.**
- **Seventeen percent (17%)** faced such severe mistreatment as a transgender person **that they left a K–12 school.**
- **Nearly one-quarter (24%)** of people who were out or perceived as transgender in college or vocational school **were verbally, physically, or sexually harassed.**



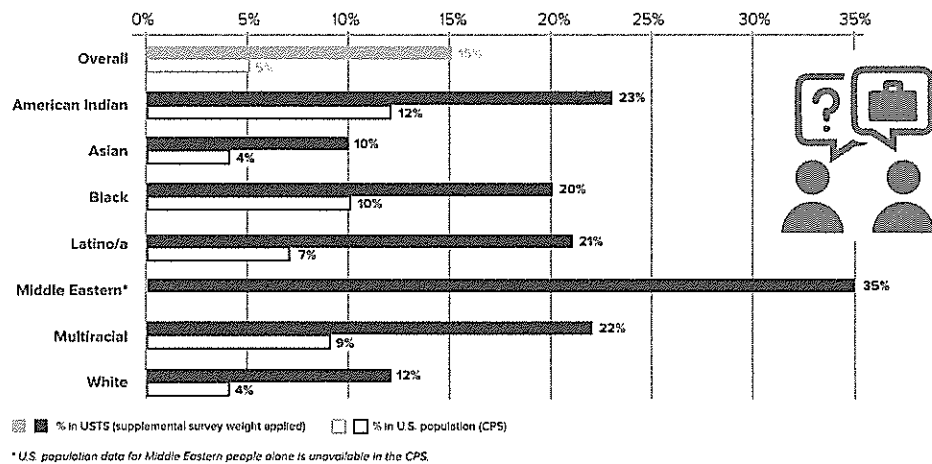
Experiences of people who were out as transgender in K–12 or believed classmates, teachers, or school staff thought they were transgender

EXPERIENCES	% OF THOSE WHO WERE OUT OR PERCEIVED AS TRANSGENDER
Verbally harassed because people thought they were transgender	54%
Not allowed to dress in a way that fit their gender identity or expression	52%
Disciplined for fighting back against bullies	36%
Physically attacked because people thought they were transgender	24%
Believe they were disciplined more harshly because teachers or staff thought they were transgender	20%
Left a school because the mistreatment was so bad	17%
Sexually assaulted because people thought they were transgender	13%
Expelled from school	6%
One or more experiences listed	77%

Income and Employment Status

- The unemployment rate among respondents (15%) was three times higher than the unemployment rate in the U.S. population (5%), with Middle Eastern, American Indian, multiracial, Latino/a, and Black respondents experiencing higher rates of unemployment.

Unemployment rate
RACE/ETHNICITY (%)



- Nearly one-third (29%) were living in poverty, more than twice the rate in the U.S. population (12%).

Employment and the Workplace

- One in six (16%) respondents who have ever been employed—or 13% of all respondents in the sample—reported losing a job because of their gender identity or expression in their lifetime.
- In the past year, 27% of those who held or applied for a job during that year—19% of all respondents—reported being fired, denied a promotion, or not being hired for a job they applied for because of their gender identity or expression.
- Fifteen percent (15%) of respondents who had a job in the past year were verbally harassed, physically attacked, and/or sexually assaulted at work because of their gender identity or expression.
- Nearly one-quarter (23%) of those who had a job in the past year reported other forms of mistreatment based on their gender identity or expression during that year,

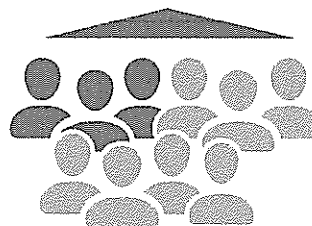
such as being forced to use a restroom that did not match their gender identity, being told to present in the wrong gender in order to keep their job, or having a boss or coworker share private information about their transgender status without their permission.

- **Overall, 30% of respondents who had a job in the past year reported being fired, denied a promotion, or experiencing some other form of mistreatment related to their gender identity or expression.**
- **More than three-quarters (77%) of respondents who had a job in the past year took steps to avoid mistreatment in the workplace, such as hiding or delaying their gender transition or quitting their job.**

Housing, Homelessness, and Shelter Access

- **Nearly one-quarter (23%) of respondents experienced some form of housing discrimination in the past year, such as being evicted from their home or denied a home or apartment because of being transgender.**
- **Nearly one-third (30%) of respondents have experienced homelessness at some point in their lives.**
- **In the past year, one in eight (12%) respondents experienced homelessness because of being transgender.**
- **More than one-quarter (26%) of those who experienced homelessness in the past year avoided staying in a shelter because they feared being mistreated as a transgender person.** Those who did stay in a shelter reported high levels of mistreatment: **seven out of ten (70%)** respondents who stayed in a shelter in the past year reported some form of mistreatment, including being harassed, sexually or physically assaulted, or kicked out because of being transgender.

Seven out of ten respondents who stayed in a shelter in the past year reported being mistreated because of being transgender.



- Respondents were nearly **four times less likely to own a home (16%) compared to the U.S. population (63%).**

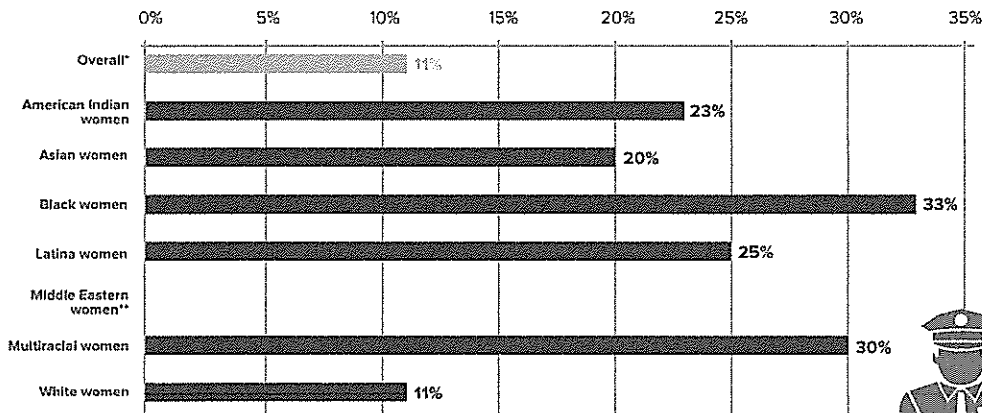
Sex Work and Other Underground Economy Work

- Respondents reported high rates of experience in the underground economy, including sex work, drug sales, and other work that is currently criminalized. **One in five (20%) have participated in the underground economy** for income at some point in their lives—including 12% who have done sex work in exchange for income—and 9% did so in the past year, with higher rates among women of color.
- Respondents who interacted with the police either while doing sex work or while the police mistakenly thought they were doing sex work reported high rates of police harassment, abuse, or mistreatment, with **nearly nine out of ten (86%) reporting being harassed, attacked, sexually assaulted, or mistreated in some other way by police.**
- **Those who have done income-based sex work were also more likely to have experienced violence.** More than three-quarters (77%) have experienced intimate partner violence and 72% have been sexually assaulted, a substantially higher rate than the overall sample. Out of those who were working in the underground economy at the time they took the survey, nearly half (41%) were physically attacked in the past year and over one-third (36%) were sexually assaulted during that year.

Police Interactions and Prisons

- **Respondents experienced high levels of mistreatment and harassment by police.** In the past year, of respondents who interacted with police or law enforcement officers who thought or knew they were transgender, **more than half (58%) experienced some form of mistreatment.** This included being verbally harassed, repeatedly referred to as the wrong gender, physically assaulted, or sexually assaulted, including being forced by officers to engage in sexual activity to avoid arrest.
- **Police frequently assumed that respondents—particularly transgender women of color—were sex workers.** In the past year, of those who interacted with law enforcement officers who thought or knew they were transgender, one-third (33%) of Black transgender women and 30% of multiracial women said that an officer assumed they were sex workers.
- **More than half (57%)** of respondents said they would feel **uncomfortable asking the police for help** if they needed it.
- Of those who were arrested in the past year (2%), **nearly one-quarter (22%) believed they were arrested because they were transgender.**

Transgender women reporting that police assumed they were sex workers in the past year (out of those who interacted with officers who thought they were transgender)
RACE/ETHNICITY (%)



*Represents respondents of all genders who interacted with officers who thought they were transgender
 **Sample size too low to report



- Respondents who were held in jail, prison, or juvenile detention in the past year faced **high rates of physical and sexual assault by facility staff and other inmates**. In the past year, nearly one-quarter (23%) were physically assaulted by staff or other inmates, and one in five (20%) were sexually assaulted. Respondents were over **five times more likely to be sexually assaulted by facility staff** than the U.S. population in jails and prisons, and over **nine times more likely to be sexually assaulted by other inmates**.

Harassment and Violence

- **Nearly half (46%) of respondents were verbally harassed** in the past year because of being transgender.
- **Nearly one in ten (9%) respondents were physically attacked** in the past year because of being transgender.
- **Nearly half (47%) of respondents were sexually assaulted** at some point in their lifetime and **one in ten (10%) were sexually assaulted in the past year**. Respondents who have done sex work (72%), those who have experienced homelessness (65%), and people with disabilities (61%) were more likely to have been sexually assaulted in their lifetime.
- **More than half (54%) experienced some form of intimate partner violence**, including acts involving coercive control and physical harm.
- **Nearly one-quarter (24%) have experienced severe physical violence by an intimate partner**, compared to 18% in the U.S. population.

Places of Public Accommodation

- Respondents reported being denied equal treatment or service, verbally harassed, or physically attacked at many places of public accommodation—places that provide services to the public, like retail stores, hotels, and government offices. Out of respondents who visited a place of public accommodation where staff or employees thought or knew they were transgender, **nearly one-third (31%) experienced at least one type of mistreatment in the past year in a place of public accommodation.** This included 14% who were denied equal treatment or service, 24% who were verbally harassed, and 2% who were physically attacked because of being transgender.
- **One in five (20%) respondents did not use at least one type of public accommodation** in the past year because they feared they would be mistreated as a transgender person.

Denied equal treatment or service, verbally harassed, or physically attacked in public accommodations in the past year because of being transgender

LOCATION VISITED	% OF THOSE WHO SAID STAFF KNEW OR THOUGHT THEY WERE TRANSGENDER
Public transportation	34%
Retail store, restaurant, hotel, or theater	31%
Drug or alcohol treatment program	22%
Domestic violence shelter or program or rape crisis center	22%
Gym or health club	18%
Public assistance or government benefit office	17%
Department of Motor Vehicles (DMV)	14%
Nursing home or extended care facility	14%
Court or courthouse	13%
Social Security office	11%
Legal services from an attorney, clinic, or legal professional	6%



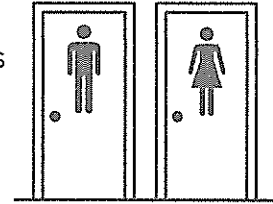
Experiences in Restrooms

The survey data was collected before transgender people's restroom use became the subject of increasingly intense and often harmful public scrutiny in the national media and legislatures around the country in 2016. Yet respondents reported facing frequent harassment and barriers when using restrooms at school, work, or in public places.

- **Nearly one in ten (9%) respondents reported that someone denied them access to a restroom in the past year.**
- In the past year, **respondents reported being verbally harassed (12%), physically attacked (1%), or sexually assaulted (1%)** when accessing a restroom.

- **More than half (59%)** of respondents **avoided using a public restroom** in the past year because they were afraid of confrontations or other problems they might experience.
- **Nearly one-third (32%)** of respondents **limited the amount that they ate and drank** to avoid using the restroom in the past year.
- **Eight percent (8%)** reported having a **urinary tract infection, kidney infection, or another kidney-related problem** in the past year as a result of avoiding restrooms.

More than half (59%) of respondents **avoided using a public restroom** in the past year because they were afraid of confrontations or other problems they might experience.

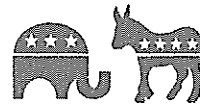


Civic Participation and Party Affiliation

- **More than three-quarters (76%)** of U.S. citizens of voting age in the sample reported that they were registered to vote in the November 2014 midterm election, compared to 65% in the U.S. population.
- **More than half (54%)** of U.S. citizens of voting age reported that they had voted in the midterm election, compared to 42% in the U.S. population.
- **Half (50%)** of respondents identified as Democrats, **48%** identified as Independents, and **2%** identified as Republicans, compared to 27%, 43%, and 27% in the U.S. population, respectively.

Political party affiliation

POLITICAL PARTY	% IN USTS	% IN U.S. POPULATION (GALLUP)
Democrat	50%	27%
Independent	48%	43%
Republican	2%	27%



HB 1319 TRANSGENDER NON-DISCRIMINATION RALLY & JUDICIARY COMMITTEE HEARING

RSVP to attend the State House Rally & Judiciary Committee Hearing on transgender non-discrimination legislation (HB 1319).

As a member of the Freedom New Hampshire Coalition, join us in Concord on Wednesday, January 31 at 10:30 a.m. for a rally in front of the Legislative Office Building. Then, join us in the room at the Judiciary Committee's scheduled hearing on HB 1319 (#TransBillNH) at 1 p.m. and help show lawmakers that Granite Staters support fairness for our transgender neighbors and friends.

HB 1319 Transgender Non-Discrimination Rally & Judiciary Committee Hearing

Wednesday, January 31 at 10:30 a.m.

Legislative Office Building

33 North State Street, Concord, NH

Join us as we come together in support of #TransBillNH.

* indicates required field

YOUR INFORMATION

First Name: *

Last Name: *

E-mail: *

City: *

Zip: *

Fight for Freedom

Sign up for ACLU emails to keep informed and know when to act.

RSVP



AMERICAN CIVIL LIBERTIES UNION OF NEW HAMPSHIRE

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Concord NH, 03301

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This is the website of the American Civil Liberties Union and the ACLU Foundation.
Learn more about these two components of the ACLU.

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WE THE PEOPLE

It's Time to Secure Non-Discrimination Protections for Transgender People in NH!

List Pulled: 1/29/18 3:50 p.m

First Name	Last Name	ZIP
Elizabeth	Zollner	03833
Marco	Protano	03104
Henry	Sammis	03031
Emily	Morgan	03055
Teresa	Donovan	03237
Ruth	Crosby	03870
Lynn	Arnold	03455
Josh	Peatfield	03079
valerie	waitt	03842
Molly	Robert	03860
Lynn	Ivey	03820
Stephen	Spaulding	03049
Ed	VanderPloeg	03257
John	Raby	03257
Gayle	Esterly	03053
Lynda	Dobens	03063
Jack	Hoffman	03811
Susan	McQuade	03431
David	Simpkin	03076
Andrea	Walsh	03818
Jan	Heirtzler	03824
C. Alexander	Cohen	03820
Laura	Sheridan	03062
Daniel	Pontoh	03820
Peter	Maggio	03811
Jasmine	Seguin	03867
Sheila	Moran	03766
Louise	Mculty	03051
D	Flynn	03857
Susan	Leavitt	03062
Katharine	Christie	03750
Kristin	Noel	03258
Lisa	Chazanovitz	03064
Elizabeth	Jones	03053
Kimberly	Cronin	03105
Barbara	Freedman	03842
Paula	DeLisi	03301
Sarah	Terry	03820
Robert	Schultz	03431
Christopher	Miller	03301
SUSAN	CARR	03860
BARBARA	CATALI	03860
Caine	Steele	03062
Megan	Rogers	03048
Susan	Almy	03766
Arthur	Heigl	03845
Jacob	Csinsi	03867
Jo-Ann	Belanger	03246
Jordan	Vachon	03304

Peter	Robert	03104
Sabine	Hope	03064
Eva	Goss	03227
Wiltrud	Mott-Smith	03307
Jennifer	Jones	03833
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Sarah	Dooley	03768
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Martha	Robb	03782
Sally	Johnson	03586
Carin	Reynolds	03766
Suzanne	Krohn	03032
Linnell	Krikorian	03103
Lorrylyn	Juergens	03053
Mary	Zahner	03450
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John	Malvey	03053
Dottie	Liberatore	03811
Rachel	Traub	03062
Gary	Braun	03064
Jim	Murphy	03470
Paula	Dempsey	03820
Dr. Daniel Thomas	Moran	03303
Jessica	Douillette	03301
Ann	Barrett	03801
Gregory	Cody	03079
Sara	Tirrell	03264
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Gordon	Smith	03865
Ina	Lippard	03585
Joyce	Johnson	03824
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Celine	Richer	03241
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Peter	Jones	03043
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Molly	Jacobson	03054
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Rebecca	Farver	03301
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Nathan	Fournier	03254
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Rosemary	D'Arcy	03222
Dennis	Lintz	03247
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Richard	Myers	03221
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Lisa	Llera	03431
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Thomas	Harris	03079
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Caryl	Procita	03458
J	N	03743
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Mitch	Davis	03602
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David	Lynch	03838
Ruth	Larson	03809
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Elaine	Thomas	03063
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Howard	Abramson	03215
Glen	Benjamin	03801
Marly	Coe	03844
Renee	Cicerchi	03884
Stephanie	Engel	03303
Guy	Cordelle	03449
Lawrence	Sullivan	03242
Sean P	Cronin	03071
Laney	Ramirez	03032
Chara	Belz	03102
Chris	López	11002

Erica	Bodwell	03301
Sheila	Phillips	03431
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Terry	Govan	03856
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Marsha	Feder	03049
Kristine	Baber	03820
Alexandra	Pecci	03865
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Tim	White	03882
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Denise	Reitsma	03741
Mary Jane	Pernaa	03801
Carl	Prellwitz	03825
Erin	Morehouse	03062
nancy	dowey	03222
Jan	Schmidt	03063
Stephanie	Kelliher	03102
Greg	Gagnon	03104
Gina	Carey	03862
Courtney	Lockwood	03301
Brittany	Zorn	03873
Alex	Lenzen	03766
Karen	Carr	03087
Bert	Becker	03055
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Richard	Hesse	03229
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Gerald	Trubey	03063
Mike	Spivak	03104
Bethany	Fitzgerald	03062
Jeffrey	Zellers	03301
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Adrienne	LaBombard	03766
Jean	Balfour	03452
Sheryl	Liberman	03054
Bonnie	Savageau	03038
Rebecca	Weaver	03229
Gregory	Descoteaux	03053
Heidi	Batchelder	03290
Susan	Davis	03060
Thomas	Engle	03033

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Julie	Schroepfel	03229
David	Hirsch	03801
Linda	Griebsch	03840
Gary	Levine	03755
Darcy	Walton	03301
Cynthia	Thompson	03766
Lawrence	Rice	03244
Lauren	Irwin	03301
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Terie	Norelli	03801
Lindsay	Irwin	03301
Marlyn	Neary	03576
Christine	Ewing	03102
Carol	Allen	03581
Amy	Pennell	03064
Nancy	Michalov	03431
Dawn	mills	03064
Stephanie	Bradley-Swift	03824
Casey	Lynch	03801
Shannon	Hoy	03290
Zac	DiPasquale	03079
Ted	Eaton	03833
corinne	dodge	03038
Cassie	B	03820
Shannon	Steele	03820
Racheal	Stuart	03037
Barbara	McElroy	03266
Rachel	Allen	03457
Tessa	Magnuson	03275
Eric	Gagne	03458
Katie	Moody	03801
Rebecca	Sanders-DeMott	03820
Elizabeth	Weidner	03820
Anne	Grossi	03110
Melinda	Garrett	03110
Kate	von Krusenstiern	03820
Maralyn	Perron	03242
Rose	Izikoff	03045
Rachel	Edelson	03062
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Jean	Buck	03229
Theresa	Allen	03598
Lori	Reed	03833
Paul	Colangelo	03087
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Edward	Farmlett	03246
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Brenda	Stewart	03304
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Peter	Welch	03824
Norine	McQueeney	03070

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Robert	Merrigan	03060
Marie	Forcier	03104
Richard	Evans	03222
Jeremy	Paris	03103
Julie	Andrews	03062
Wayne	Holway	03276
Dave	Mason	03846
Diane	Tinkham	03249
Susan	Kessler	03087
victoria	smith	03766
nico	t	92610
Elise	deMichael	03055
Sara	Johnson	03755
Dava	McCoig	03049
Michael	Haley	03440
Heather	Hesse-Stromberg	03867
Julie	Beck Goss	03049
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Linda	Stevenson	03052
Kathy	Grossman	03049
Anne	McBride	03457
Eileen	Herring	03054
Heath	Bingham	03801
Terry	Irwin	03301
Marcia	Garber	03104
Jennifer	Curran	03249
Benjamin	Smith	03867
Linda	Roy	03052
Sue	Tatten	03825
Alice	Meatley	03820
Jennifer	Burcke	03820
Eric	Bowman	03458
Louise	Hancock	03766
Joseph	Distefano	03842
Aimee	Ruiter	03237
Dudley	Baker	03449
cheryl	kyricopoulos	01835
Kenneth	Ruby	03079
Lisa	Jennings	03833
T.K	Whalen	03269
Jeffrey	Cohen	03818
Jocelyn	Brown	03458
Herbert	Dwyer	03570
Nancy	Pape	03823
Ann	Bardin	03054
Colleen	Cormack	03818
Geri	Davidson	03060
Barbara D.	Reed	03431
Natasha	Hubbard	03053
Lucy	Goldthwaite	03301
Maura	Ellins	03087
John	Cunningham	03054
June	Haskell	03063

Nancy	Emerson	31801
Bob	Keating	03063
Deborah	DiTommaso	03461
Janice	Oskar	03833
Susan	Adams	03777
Amy	MCINTYRE	03431
Diana	George	03449
John	QUIMBY	03768
Kathryn	Evans	03302
Frederick	Fernald	03894
Mary	Goldthwaite-Gagne	03458
Joseph	Ader	03054
Jessica	Duchano-Ader	03054
Lauren	Morrocco	03281
Stephanie	Ritchie	03431
Karen	Lowenthal	03444
Grace	Mattern	03261
rachel	frisbee	03246
Susan	Willoughby	03833
Michael	Friedman	03257
Ana	A	03870
Krystal	Morin	03055
Galina	Bay schwab	03047
Elizabeth	Newkirk	03824
Erika	Shoukimas	03826
Sharon	Fitzgerald	03431
Trish	Possee	03055
Kathy	Spielman	03824
Sarah	Partridge	03431
John	Sieswerda	03458
Angie	Krysiak	03077
Constantina	Karambatsos	03820
Jorden	Archambault	03461
Felix	Oliver	01886
Kim	Stanway	03461
		03827

business, or endorsements, etc. Islam does not conform to LGBTQ beliefs. Are you going to arrest the imam who refuses to have someone who is transgender on his staff and then close down his mosque?? Those are some practical issues.

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However, the politically correct must be horribly naive to think that there are not going to be a host of males and females who will abuse such laws and create chaos in the courtroom by readily pulling the "gender identity discrimination" trump card when things don't go their way, even when they are clearly not the most qualified person for a job, as an example. Have these sponsors given any thought about how this will destroy countless small businesses who will not be able to afford fighting this kind of thing in court?

I always deal compassionately with members of the LGBT community, but there are reasons why depression, anxiety and suicide in this group of individuals runs much higher than the norm. Many of these individuals have deep-seated emotional and psychological scars. (I know; I have worked with them.) They are hurting and need help. I am not trying to be sarcastic, but just speaking truth here: changing how a person looks on the outside is not going to change not dealing with the pain on the inside. Many of these people are not in touch with their deep heart issues and challenges. THAT is the main reason why this group is at such high risk for suicide and depression. Being transgender doesn't help the problem; it actually makes it worse because he/she is not dealing in truth, but in self-deception. There are plenty of people who have gone the transgender route who will testify to that. Rene Jax, a transsexual living with regret, warns about the dangers of embracing the transgender agenda. Watch Rene [here](#).

Respectfully submitted,
Dr. Bill Lero

<https://www.heritage.org/civil-society/report/sexual-orientation-and-gender-identity-sogi-laws-threaten-freedom>

Sexual Orientation and Gender Identity (SOGI) Laws Threaten Freedom

Ryan Anderson

America is dedicated to protecting the freedoms guaranteed under the First Amendment to the Constitution, while respecting citizens' equality before the law. None of these freedoms is absolute. Compelling governmental interests can at times trump fundamental civil liberties, but sexual orientation and gender identity (SOGI) laws do not pass this test. Rather, they trample First Amendment rights and unnecessarily impinge on citizens' right to run their local schools, charities, and businesses in ways consistent with their values. SOGI laws do not protect equality before the law; instead, they grant special privileges that are enforceable against private actors.

SOGI laws could also have serious unintended consequences. These laws tend to be vague and overly broad, lacking clear definitions of what discrimination on the basis of "sexual orientation" and "gender identity" mean and what conduct can and cannot be penalized. These laws would impose ruinous liability on innocent citizens for alleged "discrimination" based on subjective and unverifiable identities, not on objective traits. SOGI laws would further increase government interference in markets, potentially discouraging economic growth and job creation. With regard to "gender identity" and "transgender" teachers, students, and employees, SOGI laws could require education and

employment policies concerning schoolhouse, locker room, and workplace conditions that undermine common sense.

SOGI laws threaten the freedom of citizens, individually and in associations, to affirm their religious or moral convictions—convictions such as that marriage is the union of one man and one woman or that maleness and femaleness are objective biological realities to be valued and affirmed, not rejected or altered. Under SOGI laws, acting on these beliefs in a commercial or educational context could be actionable discrimination. These are the laws that have been used to penalize bakers, florists, photographers, schools, and adoption agencies when they declined to act against their convictions concerning marriage and sexuality.[1] They do not adequately protect religious liberty or freedom of speech.

In short, SOGI laws seek to regulate decisions that are best handled by private actors without government interference. SOGI laws disregard the conscience and liberty of people of good will who happen not to share the government's opinions about issues of marriage and sexuality based on a reasonable worldview, moral code, or religious faith. Accordingly, these laws risk becoming sources of social tension rather than unity.

Of course, business owners should respect the intrinsic dignity of all of their employees and customers, but SOGI laws are bad public policy. Their threats to our freedoms unite civil libertarians concerned about free speech and religious liberty, free-market proponents concerned about freedom of contract and governmental overregulation, and social conservatives concerned about marriage and culture.

What SOGI Laws Do

Activist groups such as the Human Rights Campaign (HRC)—an influential, sophisticated, and lavishly funded LGBT[2]-activist organization—are pushing SOGI laws on unsuspecting citizens at the federal, state, and local levels. In 2015, HRC launched its Beyond Marriage Equality initiative.[3] The centerpiece of the initiative is the Equality Act, a piece of federal legislation.[4]

The Equality Act would add “sexual orientation” and “gender identity” to more or less every federal civil rights law that protects on the basis of race, expanding them beyond their current reach and explicitly reducing current religious liberty protections.[5]

The Equality Act goes well beyond the proposed Employment Non-Discrimination Act (ENDA), which would have added SOGI only to employment law. When it was first introduced in 1994, ENDA included only “sexual orientation,” but “gender identity” was added to the bill in 2007. Each and every Congress has defeated ENDA since its introduction. Nevertheless its proponents have moved well beyond its original bounds of employment to now include “Public Accommodations, Education, Federal Financial Assistance, Employment, Housing, Credit, and Federal Jury Service.”[6]

The Equality Act would significantly amend and expand the definition of “public accommodations” in the Civil Rights Act of 1964. Indeed, a fact sheet on the Equality Act produced by Senators Jeff Merkley (D–OR), Tammy Baldwin (D–WI), and Cory Booker (D–NJ) notes that the act “[e]xpands the types of public accommodations receiving federal protection to cover *nearly every entity that provides goods, services, or programs.*”[7] Whereas the Civil Rights Act of 1964—which sought to combat institutionalized state-endorsed racism and integrate the South—defined public accommodations as entities such as hotels, restaurants, theaters, and gas stations, the Equality Act would define more or less *every* private business that is open to the public as a place of “public accommodation.”

The Equality Act is not alone in this. In 2014, the Houston City Council passed a SOGI law, which was dubbed the Houston Equal Rights Ordinance (HERO). In November 2015, the citizens of Houston voted to reject HERO—for good reasons. The law stated: “*Place of public accommodation* means every business with a physical location in the city, whether wholesale or retail, which is open to the general public and offers for compensation any product, service, or facility.”[8] Every business in the city open to the public would have been subject to this law. Yet neither HERO nor SOGI laws in other jurisdictions clearly define what actions count as discrimination on the basis of sexual orientation or gender identity. SOGI laws vary from jurisdiction to jurisdiction, but common features are that they leave unclarified what actions could be considered discriminatory, and they use expansive definitions of public accommodations, with many also applying to education, employment, housing, and banking, among others.

SOGI laws do have clear implications for bathrooms, locker rooms, and other sex-specific facilities. The Equality Act is intended, according to its co-sponsors, to “[c]larify that where sex-segregated facilities exist, individuals must be admitted in accordance with their gender identity.”[9] However, gender identity is an entirely subjective self-declaration. The Equality Act states: “The term ‘gender identity’ means the gender-related identity, appearance, mannerisms, or other gender-related characteristics of an individual, regardless of the individual’s designated sex at birth.”[10] The Houston law defined gender identity as “innate identification, appearance, expression, or behavior as either male or female, although the same may not correspond to the individual’s body or gender assigned at birth.”[11] No legal change of name or gender (and no surgery or hormone treatment) is required to identify as transgender—simply one’s self-professed and chosen identity, appearance, mannerisms, and behavior.

What does this mean? In May 2015, the school board of Fairfax County, Virginia, voted to add “gender identity” to its list of protected classes against overwhelming opposition from parents at the school board meeting.[12] *The Washington Times* explains the likely effect of the policy: “The amended policy could allow male students who identify as female to use girls’ bathrooms and locker rooms, among other changes.”[13]

How do these laws come about? *The Washington Post* reported on one of the driving forces behind the decision: new policy created by federal agencies: "In April 2014, the U.S. Education Department's Office for Civil Rights released updated guidelines to the 1972 Title IX civil rights law highlighting that the nondiscrimination clause 'extends to claims of discrimination based on gender identity or failure to conform to stereotypical notions of masculinity or femininity.'" [14] Because a federal agency unilaterally reinterpreted a 1972 law, local school boards were coming under fire. Indeed, the *Post* reports that "where schools are found to have failed to comply with Title IX, the Education Department may terminate federal funding. The Fairfax school system receives \$42 million...[annually] from the federal government." [15]

Indeed, the federal pressure was not unique to Fairfax County. In November 2015, the Department of Education's Office for Civil Rights sent a letter to an Illinois high school district accusing the district of violating Title IX because of its policies regarding transgender students. [16] At issue is the school's decision to allow a male student that identifies and dresses as a girl to use bathrooms with private single-stalls, but not to allow him into the girls locker rooms unless he changes behind a curtain out of respect for the privacy concerns of the surrounding students. [17] The federal government attacked this compromise solution. As the *Chicago Tribune* reports, as a result of the federal government intervention, "The district has 30 days to reach an agreement with authorities or risk having their federal educational funding suspended or even terminated." [18] Because the district wants to protect the privacy of all students, it risks losing federal educational funding.

The problems with SOGI laws extend beyond privacy concerns. SOGI laws do not adequately protect religious freedom. Indeed, some explicitly provide *no* protections for religious liberty. For example, the Equality Act removed the meager religious liberty protections that had existed in ENDA. It now contains no protections for religious belief or conduct. Even worse, the Equality Act states that the federal Religious Freedom Restoration Act cannot be used to defend people who believe that marriage is the union of man and woman if they are incorrectly charged with "discrimination" under the Equality Act. The bill says that religious freedom needs to take a back seat to special SOGI protections.

Americans should respect the equal dignity of their neighbors, but SOGI laws do not protect true equality before the law. For example, when the city council of Fayetteville, Arkansas, adopted a SOGI ordinance, informed citizens raised concerns about its intended and unintended consequences, including the abridgement of religious liberty and disturbing policies governing transgender persons' access to restrooms. One organizer of the successful campaign to overrule the ordinance explained what was at stake:

It was called the Civil Rights Ordinance, but it was misnamed. It was an ordinance that actually took away civil rights and freedom from people. It criminalized civil behavior. It didn't accomplish the stated purpose of the ordinance, and it was crafted by an outside group. It wasn't something Fayetteville residents put together.[19]

The reasons why SOGI laws are bad public policy are becoming clear.

SOGI Laws Create Unnecessary Problems

SOGI laws can have serious unintended consequences. They threaten small-business owners with liability for alleged "discrimination" based on subjective and unverifiable identities, not on objective traits. They expand state interference in labor markets, potentially discouraging economic growth and job creation. They endanger religious liberty and freedom of speech, and they mandate education and employment policies that undermine common sense in the schoolhouse and the workplace. In short, SOGI laws regulate commercial decisions that are best handled by private actors, and they regulate educational decisions best handled by parents and teachers, not bureaucrats.

Establishing special privileges based on gender identity is an especially bad idea. Prohibiting schools, businesses, and charities from making decisions about transgender students, faculty, and employees—particularly regarding those in positions of role models—could be confusing to children and detrimental to workplace morale.

First, while issues of sex and gender identity are psychologically, morally, and politically controversial, all should agree that children should be protected from having to sort through such questions before they reach an appropriate age as determined by their parents. SOGI laws would prevent schools, parents, and employers from protecting children from these adult debates about sex and gender identity by forcing employers, including schools, to yield to the desires of transgender employees in ways that put them in the spotlight.

Second, while some SOGI laws provide limited (and inadequate) exemptions for religious education, they provide no protection for students in public schools. These children would be prematurely exposed to questions about sex and gender if, for example, a male teacher returned to school identifying as a woman. Difficulties can also arise when a student identifies as transgender and seeks to use the restrooms and locker rooms that correspond to his or her new gender identity. These situations are best handled at the local level, by the parents and teachers closest to the children.

Finally, whatever the significance of gender identity, society cannot deny the relevance of biological sex in many contexts. For example, an employer or gym owner would be negligent to ignore the privacy or safety concerns of female employees or customers about having to share a bathroom or changing room with people who are biologically male, whether or not they "identify" as female. The same is true for students in bathrooms

and locker rooms. The implications for the privacy and safety rights of adults and children are extremely serious, and state laws are already stirring up such concerns. Writing about the proposed federal Employment Non-Discrimination Act, Hans Bader, a scholar with the Competitive Enterprise Institute, warns:

ENDA also contains "transgender rights" provisions that ban discrimination based on "gender identity." Similar prohibitions in state laws created legal headaches for some businesses. One case pitted a transgender employee with male DNA who sued after being denied permission to use the ladies' restroom, a denial that resulted from complaints filed by female employees. The employer lost in the Minnesota Court of Appeals, but then prevailed in the Minnesota Supreme Court. Another case involved a male-looking person who sued and obtained a substantial settlement after being ejected from the ladies' room in response to complaints by a female customer who thought that a man had just invaded the ladies' room.[20]

SOGI laws have also mandated government discrimination against adoption agencies in Massachusetts, Illinois, and the District of Columbia. Catholic Charities of Boston was forced to end its foster care and adoption programs because it refused to abandon Catholic teaching and place children with same-sex couples. Similarly, the District of Columbia's sexual orientation policy compelled Catholic Charities in the District to shut down its foster care and adoption program in 2011 after 80 years of service. Likewise, because the Evangelical Child and Family Agency (EFCA) believes that children should have the care of a married mother and father, the state of Illinois under its sexual orientation policy refused to renew the EFCA's foster care contract, effectively forcing them to end their foster care program.[21]

Private businesses have also been the targets of government discrimination as a result of sexual orientation law. The Oregon Bureau of Labor and Industries fined a small family bakery \$135,000 because the family members' Christian beliefs prohibited them from baking a wedding cake celebrating a same-sex marriage. Due to Washington state sexual orientation laws, 70-year-old Baronelle Stutzman, who owns Arlene's Flowers, still faces government seizure of her property because she politely refused to provide flowers for a same-sex wedding ceremony based on her religious beliefs. The owners of Elane Photography in New Mexico were ordered to pay more than \$6,000 in fines because they declined to photograph a same-sex commitment ceremony, even though other photographers in the area were more than happy to photograph the ceremony.[22]

SOGI Laws Infringe on Freedoms of Contract, Speech, and Religion

A fundamental principle of American labor law is the doctrine of "at will" employment, which leaves employers free to dismiss employees at any time. In many other countries, a thicket of laws and regulations makes it extremely difficult to terminate a contract with an employee. Because businesses do not want to be stuck with unproductive or superfluous

workers, they are less willing to take the risk of hiring new employees in jurisdictions with such laws.

Studies find that government restrictions on layoffs seriously restrict hiring and job creation. For example, in France, where the most severe government prohibitions on layoffs apply to businesses with 50 or more employees, one recent study found that more than twice as many French manufacturers have 49 employees as have 50 workers.[23] French businesses seem to curtail hiring to avoid being stuck with poor performers.

SOGI laws chip away at the at-will employment doctrine that has made the American labor market so much stronger than European labor markets. The subjective nature of sexual orientation and gender identity magnifies these problems by encouraging employees to threaten a lawsuit against their employer in response to adverse employment decisions.

Hans Bader points out, "Since American business seldom discriminates based on sexual orientation, the potential benefits of ENDA are limited, at best. But ENDA would impose real and substantial costs on business, and it could trigger conflicts with free speech and religious freedom." [24]

The threats to speech and religion are serious. Bader notes that the Supreme Court found that Title VII of the Civil Rights Act of 1964 "require[s] employers to prohibit employee speech or conduct that creates a 'hostile or offensive work environment' for women, blacks, or religious minorities." [25] Employers may be liable for damages and attorney's fees if they are negligent in failing to notice, stop, or discipline employees whose speech or conduct creates such an environment.

SOGI laws create new problems with respect to hostile work environment claims because they extend these restrictions to "actual and perceived sexual orientation or gender identity." In practice, this means employers who express disapproving religious or political views of same-sex marriage or tolerate employees who do could incur enormous legal liabilities. Such potential liability could cause employers to self-censor their speech and develop policies to prevent employees from expressing views such as support for marriage as a union of one man and one woman.

Bader, who supports same-sex marriage, warns of the potential violations of liberty that ENDA threatens for those who hold other views:

If ENDA were enacted, such liability would also cover "sexual orientation"-based hostile work environments.... Thus, to avoid liability, an employer might have to silence employees with political opinions that are perceived as anti-gay, and prevent such employees from expressing political views such as opposition to gay marriage or gays in the military that could contribute to a "hostile work environment."... While I have supported gay marriage and the inclusion of gays in the military, I do not think

employers should be sued because their employees express contrary views....

[S]ome courts have interpreted "disparate treatment" to include speech or conduct by the complainant's co-workers that affects the complainant's work environment, even when the speech is not aimed at the complainant, and is not motivated by the complainant's sex or minority status....

The possibility that ENDA will be used to silence speech about gay issues is very real. Indeed, some supporters of ENDA openly hope to use it to squelch viewpoints that offend them.[26]

In states with SOGI laws employers have already started censoring their employees.[27] Regina Redford and Robin Christy, two employees of the City of Oakland, California, responded to the formation of an association of gay and lesbian employees by forming the Good News Employee Association, which they promoted with flyers that read, "Good News Employee Association is a forum for people of Faith to express their views on the contemporary issues of the day. With respect for the Natural Family, Marriage and Family values." These flyers contained no reference to homosexuality, but their supervisors ordered the flyers removed, announced in an e-mail that they contained "statements of a homophobic nature and were determined to promote sexual orientation-based harassment," and warned that anyone posting such materials could face "discipline up to and including termination." [28]

State SOGI laws have also chilled employer speech. Seattle's Human Rights Commission brought charges against Bryan Griggs for playing Christian radio stations (on which he advertised) in his place of work and posting a letter from his congresswoman expressing reservations about gays in the military, when a self-identified gay employee complained of a hostile work environment. Griggs had to spend thousands of dollars on legal fees before the plaintiff dropped the charges, saying he had made his point.[29] State SOGI laws have also been used to violate the religious freedom of wedding professionals and religious charities, as noted above.

SOGI laws imperil economic freedom, privacy, child welfare, and religious liberty, creating more problems than they aim to resolve. They are a solution in search of a problem. Instead of government regulation and coercion, we should embrace the best of the American tradition: liberty under law.

A Presumption of Freedom

The foundational principle of American life is liberty under law. In general, consenting adults are free to enter or refuse to enter relationships of every sort—personal, civic, commercial, romantic—without government interference. Freedom of association and contract are presumed. If the government decides to interfere, it must explain why. It has the burden of proof.

The U.S. Constitution has traditionally protected such fundamental civil liberties as freedom of religion, speech, association, and contract as well as the right to own property. The recognition of these civil liberties leaves everyone equal before the law.

These rights of association and contract mean that businesses, charities, and civic associations should be generally free to operate by their own values. They should be free to choose their employees and their customers, the products and services that they produce or sell, the terms of employment, and the standards of conduct for members. They should be free to advance their own values and to live them out as they see fit. In the United States, after all, it is perfectly legal for an employer to fire an employee for all kinds of reasons—reasons someone else may find compelling, trivial, or deplorable. Of course, some people and groups can and do exercise their freedoms in ways that others may disapprove. But in this country we tolerate such differences for the sake of the benefits of liberty—creativity, innovation, reform, economic vitality, and the like.

Disagreement with someone's actions is not enough to justify the government coercing him into conformity with prevailing opinion. Free association and exchange are usually sufficient to sort these things out without the costs of government interference. Any business in the United States that posted a "no gays allowed" sign would soon find the power of public opinion expressed in the marketplace intolerably costly, without any need for the government to weigh in.

In short, any law that would establish special privileges based on a given trait has a high bar to clear. For one thing, it should be hard to imagine any *legitimate* decisions based on the trait. Otherwise, the cost of the law—sacrificing legitimate liberty—outweighs its benefit. Furthermore, the purported injustice targeted by the law must be resistant to market forces to justify *government* intervention, with all of its unintended costs. Some people now claim that laws that create special privileges based on SOGI clear this high bar. They are mistaken.

Freedom and Competition Work Better

Market competition can provide more nuanced solutions for particular situations that are superior to a coercive, one-size-fits-all government policy on sexual orientation and gender identity. Individual schools should be free to develop individualized policies to address the needs of their students, parents, and teachers. The same is true for businesses. Having various employers who hold a wide variety of religious beliefs or moral commitments makes it more likely that employees can find a good fit while limiting the chance of discrimination. After all, employers compete with each other for the best employees. They have incentives to consider only those factors that truly matter for their mission. And businesses compete with each other for customers, so they have every reason to accept business unless it really does conflict with their deepest commitments.

Those who base their business decisions on moral and religious views may well pay a price in the market, perhaps losing customers and qualified employees and perhaps gaining others. If the losses consistently outweigh the gains, they may be forced out of the business altogether. But this natural process of equilibration only weakens the case for costly government intervention. Bader reports that the liberal Center for American Progress admitted that market forces are already at work in this area: "Businesses that discriminate based on a host of job-irrelevant characteristics, including sexual orientation...put themselves at a competitive disadvantage compared to businesses that evaluate individuals based solely on their qualifications and capacity to contribute." [30] Decisions as to what is "job-relevant" should generally be left to employers and the market.

Many companies have voluntarily adopted their own SOGI policies. The Human Rights Campaign reports that 89 percent of Fortune 500 companies already do not consider sexual orientation in employment decisions. [31] Moreover, "[m]edian LGBT household income is \$61,500 vs. \$50,000 for the average American household," according to Prudential. [32] It is hard to justify a federal law that would interfere in employment decisions to create special privileges based on sexual orientation and gender identity when the market is already sorting these things out. [33]

The Analogy to Race

Advocates of SOGI laws, however, say that they are just like racial antidiscrimination laws. Indeed, the refrain from SOGI advocates for the past decade has been that laws designating marriage as the union of male and female are no more defensible than bans on interracial marriage. Some argue further that laws protecting the freedom of conscience with respect to sexual morality are indistinguishable from the laws that enforced race-based segregation. These arguments are wrong on several counts.

Even after the Supreme Court's judicial redefinition of marriage effectively deemed the sexes interchangeable, government has no compelling interest in forcing every citizen to affirm same-sex relationships as marriages in violation of their religious or moral convictions. Even people who personally support same-sex marriage and gender transitions can see that the government is not justified in coercing people who do not. After all, it is reasonable for citizens to believe that humans are created male and female and that marriage is the union of man and woman. When citizens lead their lives and run their businesses in accord with these beliefs, they deny no one equality before the law. They deserve protection against government coercion.

Sexual Orientation and Gender Identity Are Conceptually Different from Race.

Sexual orientation and gender identity are radically different from race and thus should not be elevated to a protected class in the way that race is. First, race manifests itself readily, whereas sexual orientation and gender identity are ambiguous, subjective, and

variable traits. Second, sexual orientation and gender identity are linked to actions, which are a proper subject matter for moral evaluation. Race is not.

Martin Luther King Jr. dreamed that his children would be judged not by the color of their skin; but by the content of their character. A person's character is expressed in his voluntary actions, and it is reasonable to make judgments about those actions. Race implies nothing about one's actions. But in practice, sexual orientation and gender identity terms are frequently used in reference to a person's actions. "Gay" comes to mean not simply a man who experiences same-sex attraction, but one who voluntarily engages in sexual conduct with other men. "Lesbian" similarly comes to mean a woman who engages in sexual conduct with other women. Meanwhile, "transgender" is used not simply to describe someone who experiences distress at his biological sex, but a biological male who voluntarily presents himself to the world as a female or a biological female who voluntarily presents herself as a male. This differs categorically from people in the civil rights era who from the moment they were born were excluded by law and practice from massive areas of public life simply because of the color of their skin.

Professor John Finnis of the University of Oxford explains why most modern legal systems are right to resist adding sexual orientation (much less gender identity) to antidiscrimination provisions:

[T]he standard modern position deliberately rejects proposals to include in such lists the item "sexual orientation." For the phrase "sexual orientation" is radically equivocal. Particularly as used by promoters of "gay rights," it ambiguously assimilates two things which the standard modern position carefully distinguishes: (I) a psychological or psychosomatic disposition inwardly orienting one towards homosexual activity; (II) the deliberate decision so to orient one's public behavior as to express or manifest one's active interest in and endorsement of homosexual conduct and/or forms of life which presumptively involve such conduct.

Indeed, laws or proposed laws outlawing "discrimination based on sexual orientation" are always interpreted by "gay rights" movements as going far beyond discrimination based merely on (i) A's belief that B is sexually attracted to persons of the same sex. Such movements interpret the phrase as extending full legal protection to (ii) public activities intended specifically to promote, procure, and facilitate homosexual conduct.

[34]

Rather than merely protecting against unjust discrimination based on involuntary attractions or desires, SOGI policies forbid citizens from considering public actions. But responding to what other people do is a reasonable basis for human action, something that government should not prohibit. Professor Finnis concludes:

So, while the standard position accepts that discrimination on the basis of type I dispositions is unjust, it judges that there are compelling reasons both to deny that

such injustice would be appropriately remedied by laws against "discrimination based on sexual orientation," and to hold that such a "remedy" would work significant discrimination and injustice against (and would indeed damage) families, associations, and institutions which have organized themselves to live out and transmit ideals of family life that include a high conception of the worth of truly conjugal sexual intercourse.[35]

Finnis's argument highlights one of SOGI policies' most concerning implications: The laws would further weaken the marriage culture and the ability of citizens and their associations to affirm that marriage is the union of a man and a woman and that sexual relations are reserved for marriage so understood. SOGI laws treat these convictions as if they were bigotry.

SOGI laws impugn judgments common to the Abrahamic faith traditions and to great thinkers from Plato to Kant. By the light of religion, reason, and experience, many people of good will believe that our bodies are an essential part of who we are and that maleness and femaleness are not arbitrary constructs but objective ways of being human. A person's sex is to be valued and affirmed, not rejected or altered. Our sexual embodiment as male and female goes to the heart of what marriage is: a union of sexually complementary spouses from which the next generation naturally springs. Sexual orientation and gender identity refers not only to thoughts and inclinations, but also to behavior, and it is reasonable for citizens to make distinctions based on actions. However, SOGI laws would prohibit reasonable decisions made in response to behaviors that are fraught with moral weight.

SOGI laws impinge on the ability of people to make reasoned and reasonable moral judgments concerning human sexuality in part because the definitions of sexual orientation and gender identity are ambiguous. They make it unlawful for citizens to engage in what the government deems to be "discrimination" based on an "individual's actual or perceived sexual orientation or gender identity." "Sexual orientation" is typically defined as "homosexuality, heterosexuality, or bisexuality," but the laws leave those terms undefined and offer no principle that limits "orientation" to those three. The definition of "gender identity" is usually just as elastic: "the gender-related identity, appearance, or mannerisms or other gender-related characteristics of an individual, with or without regard to the individual's designated sex at birth." [36]

Two eminent authorities—Paul McHugh, MD, the university distinguished service professor of psychiatry at the Johns Hopkins University School of Medicine, and Gerard V. Bradley, a professor of law at the University of Notre Dame—explain why antidiscrimination laws based on these categories are problematic as a matter of science and the law:

[S]ocial science research continues to show that sexual orientation, unlike race, color, and ethnicity, is neither a clearly defined concept nor an immutable characteristic of

human beings. Basing federal employment law on a vaguely defined concept such as sexual orientation, especially when our courts have a wise precedent of limiting suspect classes to groups that have a clearly-defined shared characteristic, would undoubtedly cause problems for many well-meaning employers.[37]

McHugh and Bradley caution against elevating sexual orientation and gender identity to the status of protected characteristics because of the lack of clear definition:

“Sexual orientation” should not be recognized as a newly protected characteristic of individuals under federal law. And neither should “gender identity” or any cognate concept. In contrast with other characteristics, it is neither discrete nor immutable. There is no scientific consensus on how to define sexual orientation, and the various definitions proposed by experts produce substantially different groups of people.[38]

Continuing, they summarize the relevant scholarly scientific research on sexual orientation and gender identity:

Nor is there any convincing evidence that sexual orientation is biologically determined; rather, research tends to show that for some persons and perhaps for a great many, “sexual orientation” is plastic and fluid; that is, it changes over time. What we do know with certainty about sexual orientation is that it is affective and behavioral—a matter of desire and/or behavior. And “gender identity” is even more fluid and erratic, so much so that in limited cases an individual could claim to “identify” with a different gender on successive days at work. Employers should not be obliged by dint of civil and possibly criminal penalties to adjust their workplaces to suit felt needs such as these.[39]

Because sexual orientation and gender identity are ambiguous, subjective concepts that may change over time, a law invoking them to define a protected class would be especially ripe for abuse.

It is not clear, moreover, what would prevent the category of “sexual orientation” from expanding to cover a host of inclinations and behaviors. McHugh and Bradley explain this policy problem in the context of the proposed ENDA:

Despite the effort of ENDA’s legislative drafters to confine “sexual orientation” to homosexuality, heterosexuality, and bisexuality, the logic of self-defined “orientation” is not so easily cabined.... Even polyamory, “a preference for having multiple romantic relationships simultaneously,” has been defended as “a type of sexual orientation for purposes of anti-discrimination law” in a 2011 law review article.[40]

No principle limits what will be classified as a sexual orientation or gender identity in the future. For example, Wesleyan College extended the LGBT acronym to recognize LGBTTTQQFAGPBDSM students.[41] Will SOGI laws be used to protect all of these

numerous orientations and identities including those clearly defined by their actions, such as sadism and masochism? If not, why not?

Lack of a limiting principle led McHugh and Bradley to conclude that SOGI laws would "lead to insurmountable enforcement difficulties, arbitrary and even whimsical results in many cases, and...would have an unjustified chilling effect upon all too many employers' decisions." [42] Whatever difficulties exist in enforcing laws banning discrimination because of race, they pale in comparison to the conceptual line-drawing problems associated with SOGI laws.

Laws Protecting Against Racism Were Necessary and Justified, Unlike SOGI Laws.

Government should never penalize people for expressing or acting on their view that marriage is the union of husband and wife, that sexual relations are properly reserved for such a union, or that maleness and femaleness are objective biological realities that people should accept instead of resist. Such views are inherently reasonable, even as people continue to disagree about them. Some people, however, want the government to penalize actions based on these reasonable beliefs, claiming that it is akin to racism. They are wrong. Here is why.

While protections against racial discrimination have been necessary and justified, antidiscrimination laws based on sexual orientation and gender identity are neither.

To see how racial discrimination was always alien to our liberties, rightly understood, we can look to history. "The most robust of all property rights," writes the law professor Adam MacLeod, "is the right to exclude, which enables an owner to choose which friends, collaborators, and potential collaborators to include in the use of land and other resources." [43] In common law, these protections extend even to the commercial domain: "If a property owner opens his or her domain to the public as a bakery, for example, the owner does not thereby relinquish her right to exclude. Rather, the common law requires the landowner to have a reason for excluding." [44]

But there are no such reasons for excluding on the basis of race, MacLeod argues:

To combat widespread racial discrimination, Congress and state legislatures promulgated rules in the latter half of the twentieth century that prohibit discrimination in public accommodations and large-scale residential leasing on the basis of race....

In essence, these laws established a bright-line rule. Exclusion on the basis of race is always unreasonable, and therefore unlawful. These laws pick out motivations for exclusion that are never valid reasons. This wasn't really a change in the law—it was never reasonable to discriminate on the basis of race—but rather a conclusive statement of what the law requires. [45]

Before the Civil War, a dehumanizing regime of race-based chattel slavery existed in many states. After abolition, Jim Crow laws enforced race-based segregation. Those

wicked laws enforced the separation of persons of different races, preventing them from associating or contracting with one another. Even after the Supreme Court struck down Jim Crow laws, integration did not come easily or willingly in many instances. Public policy therefore sought to eliminate racial discrimination, even when committed by private actors on private property.

Racial segregation was rampant, entrenched, and backed by state-endorsed violence when Congress intervened to stop it. Today, however, market forces are sufficient to ensure that people identifying as gay or lesbian receive the wedding-related services they seek. In every publicized case of a business owner declining to facilitate a same-sex ceremony, the service sought by the couple was readily available from other businesses. In other words, a pluralistic civil society is policing itself; no law is needed here.

Furthermore, experience shows that the right of religious liberty has been invoked largely with respect to marriage, not with respect to sexual orientation in general. Citizens have resisted being coerced into celebrating or providing services to same-sex weddings and treating same-sex relationships as marriages in violation of their beliefs. Devout Christian bakers, for example, will serve gays and lesbians like any other person, but might not render their baking services for a celebration of a same-sex wedding.

MacLeod explains how the right to exclude on a reasonable basis applies in these situations:

Why is it unreasonable for a photographer to serve all people, including those who self-identify as homosexual, but to refuse to endorse by her conduct the claim that a same-sex commitment ceremony is, in fact, a wedding? If a jury or other competent fact-finder determines that the photographer has a sincere moral or religious conviction that marriage is the union of a man and a woman (and therefore does not include a same-sex couple, a polyamorous group, a polygamous family, and so on), then the photographer has a reason not to use her property (in this case, her camera and her business) to endorse what she believes to be a lie.[46]

Running a business, school, or charity in accordance with the view that marriage is a union of husband and wife is reasonable. The same is true for a business, school, or charity that implements bathroom or locker room policies based on the biological differences of the sexes. Even if one disagrees with these beliefs and policies, they are reasonable and should remain lawful, unlike racist views which are unreasonable and rightly unlawful.

Bans on Interracial Marriage Were Based on Racism and Had Nothing to Do with Marriage. People who consider opposition to SOGI laws as analogous to racism often make their argument by comparing current opponents of same-sex marriage to people who once opposed interracial marriage. This argument also fails as a historical and conceptual matter, but few people know the relevant history. The assumption that

marriage is the union of male and female was nearly universal among human societies until the year 2000. Same-sex marriage is the work of revisionism in historical reasoning about marriage. By contrast, racial segregation laws, including bans on interracial marriage, were aspects of an insidious ideology that arose in the modern period in connection with race-based slavery and denied the fundamental equality and dignity of all human beings. The race of the spouses has nothing to do with the nature of marriage, and it is therefore unreasonable to make it a condition of marriage.[47]

Interracial marriage bans are the exception in world history. They have existed *only* in societies with a race-based caste system, in connection with race-based slavery. On the other hand, the understanding of marriage as the union of male and female has been the norm throughout human history, shared by the great thinkers and religions of both East and West and by cultures with a wide variety of viewpoints about homosexuality.

Likewise, many religions, quite reasonably, teach that human beings are created male and female and that male and female are created for each other in marriage. Nothing even remotely similar is true of race.

Far from having been devised as a pretext for excluding same-sex relationships—as some now charge—marriage as the union of husband and wife arose in many places over several centuries entirely independent of and well before any debates about same-sex relationships. Indeed, it arose in cultures that had no concept of sexual orientation and in some that fully accepted homoeroticism and even took it for granted.[48]

Searching the writings of Plato and Aristotle, Augustine and Aquinas, Maimonides and al-Farabi, Luther and Calvin, Locke and Kant, and Gandhi and Martin Luther King Jr., one finds that the sexual union of male and female goes to the heart of their reflections on marriage, but considerations of race with respect to marriage are simply absent.[49] Only late in human history do we see political communities prohibiting interracial marriage. Such bans had nothing to do with the nature of marriage and everything to do with denying racial equality.

The prohibitions of interracial marriage in colonial America were unprecedented, writes the historian Nancy Cott of Harvard:

It is important to retrieve the singularity of the racial basis for these laws. Ever since ancient Rome, class-stratified and estate-based societies had instituted laws against intermarriage between individuals of unequal social or civil status, with the aim of preserving the integrity of the ruling class.... But the English colonies stand out as the first secular authorities to nullify and criminalize intermarriage on the basis of race or color designations.[50]

Laws banning interracial marriage were virtually unique to America, explains the legal scholar David Upham: "As one jurist explained in 1883... '[m]arriage is a natural right into

which the question of color does not enter except as an individual preference expressed by the parties to the marriage. It is so recognized by the laws of all nations except our own.”[51] The English common law, which Americans inherited, imposed no barriers to interracial marriage.[52] Antimiscegenation statutes, which first appeared in Maryland in 1661, were the result of African slavery.[53] Slaves, Cott notes, “could *not* marry legally; their unions received no protection from state authorities. Any master could override a slave’s marital commitment.”[54] They were not citizens or even persons in the eyes of the law. “The denial of legal marriage to slaves quintessentially expressed their lack of civil rights,” writes Cott. “To marry meant to consent, and slaves could not exercise the fundamental capacity to consent.”[55]

Francis Beckwith summarizes the history of antimiscegenation laws:

The overwhelming consensus among scholars is that the reason for these laws was to enforce racial purity, an idea that begins its cultural ascendancy with the commencement of race-based slavery of Africans in early 17th-century America and eventually receives the imprimatur of “science” when the eugenics movement comes of age in the late 19th and early 20th centuries.[56]

He concludes:

Anti-miscegenation laws, therefore, were attempts to eradicate the legal status of real marriages by injecting a condition—sameness of race—that had no precedent in common law. For in the common law, a necessary condition for a legitimate marriage was male-female complementarity, a condition on which race has no bearing.[57]

In other words, antimiscegenation laws were but one aspect of a legal system designed to hold a race of people in a condition of economic and political inferiority and servitude. They had nothing to do with the nature of marriage. At their heart was a denial of human dignity.

Race has nothing to do with marriage, but marriage has everything to do with uniting the two halves of humanity—men and women—as husbands and wives and as mothers and fathers committed to any children they bring into the world. So while marriage must be color-blind, it cannot be blind to sex. The melanin content of a person’s skin has nothing to do with his capacity to unite with another in the bond of marriage as a comprehensive union naturally ordered to procreation. However, the sexual difference between a man and a woman is at the heart of marriage. Men and women, whatever their race, can unite in marriage. Children, whatever their race, deserve a mom and a dad—their own mom and dad wherever possible.

Conclusion

The problem with SOGI policies is not merely that they are unnecessary, that they produce unintended but profoundly damaging consequences, or that they are based on a

false analogy between same-sex marriage and interracial marriage. The main problem is even deeper: Sexual orientation and gender identity are radically different from race and should not be elevated to a protected class in the way that race is. There are no good historical or philosophical reasons for the law to treat sexual orientation and gender identity as it treats race—and doing so has serious costs.

SOGI laws are a solution in search of a problem. They pose serious problems for free markets and contracts, free speech and religious liberty, and the health of our culture and of pluralism. The main justification used to defend SOGI laws—that distinction made because of sexual orientation or gender identity is equal to invidious discrimination by race or color—fails conceptually, historically, and practically.

In this context, free markets and free contracts can and do provide the best solutions, while also respecting Americans' freedom of association, freedom of religion, and freedom of speech.

—Ryan T. Anderson, PhD, is William E. Simon Senior Research Fellow in American Principles and Public Policy in the Richard and Helen DeVos Center, of the Institute for Family, Community, and Opportunity, at The Heritage Foundation.



DISCRIMINATION PROTECTION FOR GENDER IDENTITY?

December 5, 2017

New Hampshire Senator Ed Butler (D-Carroll District) is sponsoring a 2018 bill to include gender identity as part of the state's anti-discrimination laws. The bill would apply to employment, housing and public accommodations.

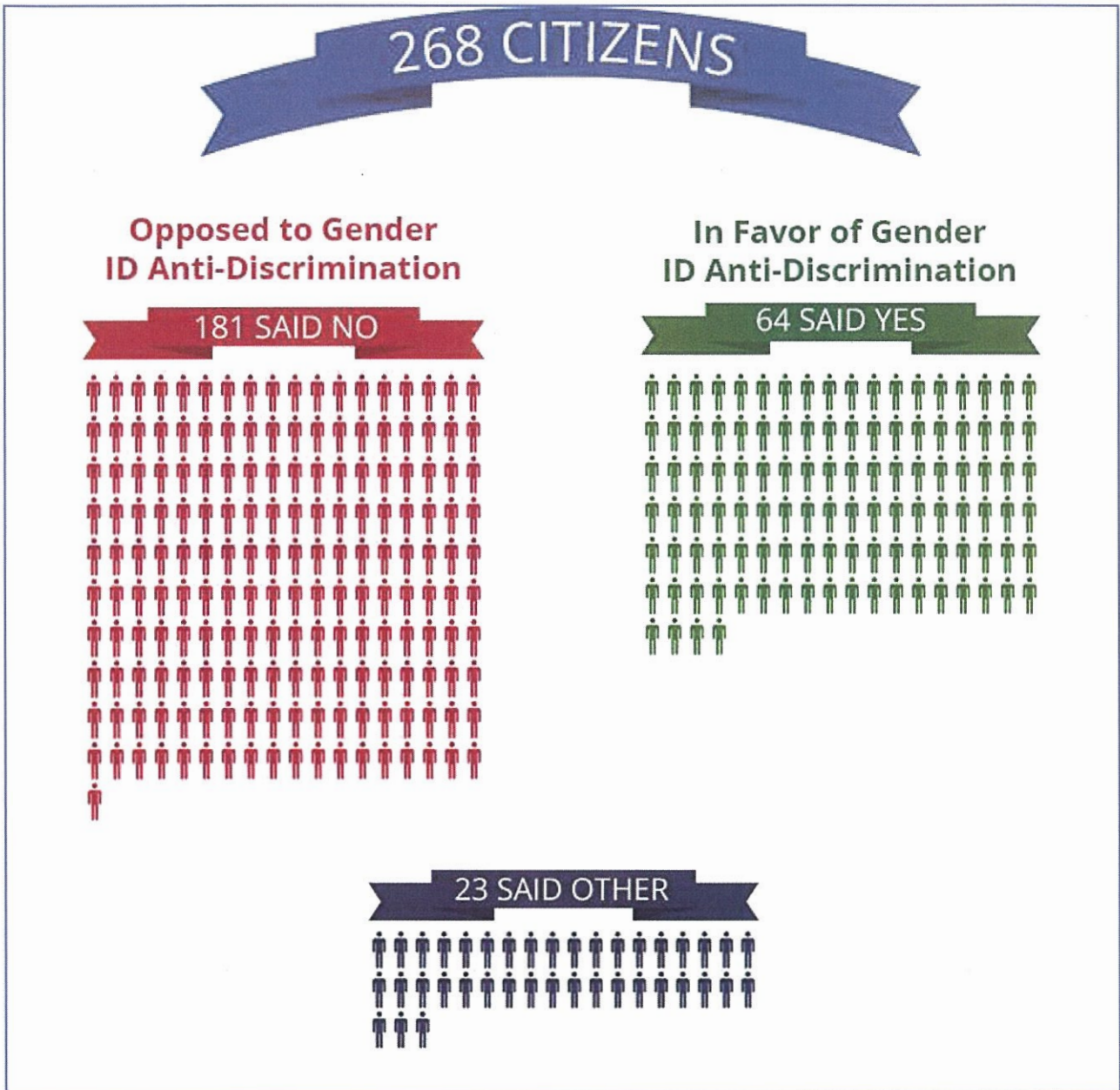
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Citizen Voices® Summary Report:

“Should NH add gender identity to state anti-discrimination laws?”

Discussion held on Citizens Count NH website and Facebook page December 5, 2017



WHAT PARTICIPANTS SAID

No: 181 people were opposed to adding gender identity to state anti-discrimination laws.

- “No. There are only two genders, male and female.”
- “No... ‘Gender identity’ is far too ambiguous a term. It’s going to create far more problems than it solves.”
- “No. We already have a discrimination law. Breaking it out into more factors and creating a special law is discrimination in itself.”

Yes: 64 people were in favor of adding gender identity to state anti-discrimination laws.

- “Yes, because we all deserve to be treated equally and gender identity is a fundamental human right. Some of my dearest friends and some of our greatest people are transgender persons.”
- “Gender is not binary, and it should not be legal to discriminate [against] those who express a non-binary gender.”
- “Yes. Let’s end discrimination once and for all.”

Other: 23 people commented on related questions and issues instead.

These included:

- Mental health: “What this state really needs is better funding for mental illness.”
- Discrimination in general: “You could probably even ask your grandparents about discrimination and how it effected [sic] them.”
- Defining gender: “Gender is a completely social construct, sex is determined by organs.”

**Editor selection of actual participant quotes.*

CCNH The Live Free or Die Alliance
LFDA December 5, 2017 ·

Should NH add gender identity to state anti-discrimination laws?

Join the discussion. Vote #yes or #no and tell us why.

This discussion will be summarized and presented as testimony at a public hearing on HB 1319, the bill related to this question. Only responses from New Hampshire residents are included in the summary. Please indicate in your response if you are from New Hampshire.

Learn more at <https://www.lfda.org/.../should-nh-add-gender-identity-state-...>



Should NH add gender identity to state anti-discrimination laws?

New Hampshire Senator Ed Butler (D-Carroll District) is sponsoring a 2018 bill to include gender identity as part of the state's anti-discrimination laws. In the bill, HB...

LFDA.ORG

53 Likes 333 Comments 3 Shares

Share

Tom Westheimer, Mark Scheerhoorn, Nyxx Sanz and 50 others like this.

Chronological

3 Shares

**Gary Vitello** #Yes NH Resident

December 5, 2017 at 2:08pm

**Gloria Gregoire** No. Stopped trying to destroy the great state of New Hampshire with your liberal BS. If you want that crap, move to Massachusetts.

10 · December 5, 2017 at 2:26pm · Edited

Hide 27 Replies

**Megan Seneca** Stop being a bigot and move to Alabama if you want to behave like that.

3 · December 5, 2017 at 2:15pm

**Randall Kelley** Megan Seneca no you can move along yourself I've been here a lot longer . Your delusional acceptance for mental imbalance without treatment is ridiculous at best See More

5 · December 5, 2017 at 2:19pm

**Luke Chance Farry** Stop trying to ruin the North with your redneck garbage. Keep heading south and don't stop.

3 · December 5, 2017 at 2:20pm

**Gloria Gregoire** I lived in NH all my life. I love the state but because I don't agree with you, I have to leave? You are a typical liberal. Your way or the highway. I was only giving my opinion, another thing liberals don't like, a different opinion.

4 · December 5, 2017 at 2:22pm

**Kenneth Masson** People in general not just liberals don't like stupidity. You get to live your life the way you want it let everybody else have that same freedom.

1 · December 5, 2017 at 2:24pm

**Nerrishia Bodwell** Gloria Gregoire you LITERALLY just Stated that you were going to move to Massachusetts if this is added BECAUSE YOU DON'T AGREE WITH IT. Dumbass

December 5, 2017 at 2:26pm

**Dianne Richter** #rekt

1 · December 5, 2017 at 2:34pm

**Gloria Gregoire** Kenneth Masson What about my freedom to uses a public bathroom without having to accept a man in the ladies room. Hey, I just have to get uses to it. I have to accept it. Get over it. Take some sensitive class. My being uncomfortable doesn't matter.

2 · December 5, 2017 at 2:34pm



Luke Chance Farry Your party is endorsing an actual pedophile. That card is no longer in your deck, sweetie.

December 5, 2017 at 2:36pm



Gloria Gregoire I done with your foul language and name calling. I'm just sorry that the great state of New Hampshire is going to crap because of all you liberals. That just what happen to the state of Massachusetts.

December 5, 2017 at 2:39pm



Luke Chance Farry If you want to live in a red state, please go do so. Sorry that all your racist and prejudiced peers in your age group are dying and leaving room for improvement.

December 5, 2017 at 2:43pm



Luke Chance Farry (not actually sorry, it's working out quite well)

1 · December 5, 2017 at 2:43pm



Luke Chance Farry "I'm tired or your foul language, now go away and stop trying to infringe upon my hate-speech!"

December 5, 2017 at 2:48pm



Dianne Richter Gloria, you've probably already used the bathroom at the same time as a transgender/transsexual individual and never realized it

Unless you make it a habit to peek in every stall, but that's just creepy and weird. Which judging from your comments is possible, but still.

1 · December 5, 2017 at 2:51pm · Edited



Karyn Maynard Gloria Gregoire with all due respect you did the same thing

December 5, 2017 at 2:53pm



Gloria Gregoire Karyn Maynard Yes, I only meant that Massachusetts is already a liberal state. I didn't make myself clear. That was my fault. I still vote No. Thank you for not call me a name or using foul language.

1 · December 5, 2017 at 3:15pm · Edited



Misha Wyatt Fowl language... 🐔 🐓 cluck cluck or peep peep? Which is more offensive? I'm sorry, I had to! 😊

December 5, 2017 at 3:13pm



Cheryl Ann Megan Seneca calling others a bigot is a disgusting and weak minded attempt to silence others whom you don't agree with . It's a fascist tactic and goes against everything this country stands for .

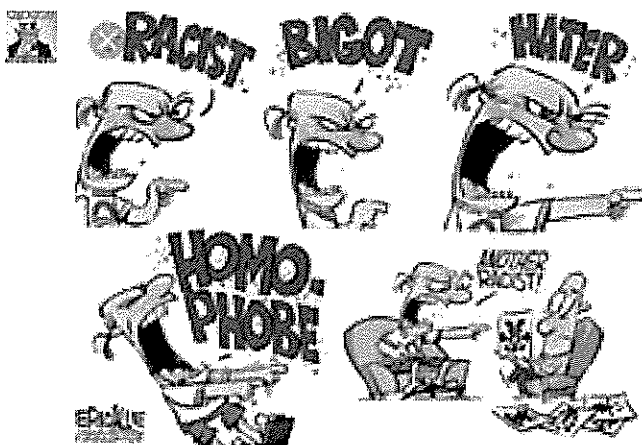
December 5, 2017 at 3:14pm



Luke Chance Farry Texas is red as all hell. Flights start at \$430!

December 5, 2017 at 3:15pm

Cheryl Ann Luke Chance Farry that's an outright lie!



Liberalism is a mental disorder.



December 5, 2017 at 3:16pm



Luke Chance Farry She called a bigot a bigot! What a fascist!

1 · December 5, 2017 at 3:17pm



Gloria Gregoire Misha Wyatt Thank you for bring my spelling error to my attention. You are so kind.

December 5, 2017 at 3:19pm



Roland W. Carter Megan Seneca - Stop being a bigot if you don't agree with someone.

December 5, 2017 at 3:21pm



Luke Chance Farry If you're bigoted, you're a bigot. If you're racist, you're a racist. If you look at a group of neo Nazis and call them "fine people", you're both. If you think a group of people deserve not to be protected by the same laws that protect others because you aren't one of them, you're scum.

December 5, 2017 at 5:18pm



Gordon Avery Gloria Gregoire : No husband or father would allow such a freakish thing to follow their wife or daughter into the ladies room, there would be some serious repercussions.

1 · December 5, 2017 at 6:41pm



Luke Chance Farry Lynn, your comment doesn't make any actual sense. I look forward to making you feel bad about your self and your kind, but I need you to be not only specific, but literate.

Gordon, if you have a family, they'd be better off with out you. Please help them.

December 5, 2017 at 9:10pm · Edited



Gloria Gregoire Luke Chance Farry I believe, you are just a horrible human being.

1 · December 5, 2017 at 9:19pm · Edited



Larry A. Walker Negative NH resident.

3 · December 5, 2017 at 2:13pm



Loren Scott #No #NHresident it's already in the law.

3 · December 5, 2017 at 2:14pm



Kyle Corriveau #No

Just because someone decides they wanna re-arrange a perfectly designed section of their body.

Let them, but don't think you can force it on others to turn a blind eye.

Sorry not Sorry just like Nazis and the BLM movement . Those people Belong in mandatory psych evaluations.

6 · December 5, 2017 at 2:14pm



Stevie Balint They absolutely do.

1 · December 5, 2017 at 2:16pm



Kenneth Masson Next you're going to force everybody to have their marriage in the church! Do these people bother you?

1 · December 5, 2017 at 2:26pm · Edited



Tyler Ferland Seriously though need to be checked and treated for the underlying cause rather than accepted for being ill

1 · December 5, 2017 at 2:45pm



Dianne Richter This is treated by seeing a psychiatrist and getting a sex change. 🤔

December 5, 2017 at 3:01pm



Megan Seneca How about we just pass a "Don't be an asshole" law and that would solve a bunch of issue in one bill.

5 · December 5, 2017 at 2:14pm



Eric Breslin Problem with that is - we'd lose all that vacation revenue from Massachusetts residents who wouldn't be able to cross the border



1 · December 5, 2017 at 3:29pm



Megan Seneca true

December 5, 2017 at 3:29pm



Lynn Christopher The don't be an asshole law would be so vague and a waste of time.. If there's one thing people stick to it's their beliefs.

apparently some people feel that if someone's beliefs differ from his or hers, that makes someone an asshole

December 5, 2017 at 4:43pm · Edited



Michael Kalukiewicz #no NH resident.

2 · December 5, 2017 at 2:14pm



Tom Jackson No

2 · December 5, 2017 at 2:15pm



Stevie Balint #No NH resident. I am sick of this "gender identity" "gender neutrality" "more than two genders" crap.

4 · December 5, 2017 at 2:16pm



Brandon Corcoran #no we don't accept your mental illness

10 · December 5, 2017 at 2:16pm

Hide 20 Replies



Kenneth Masson Your hate is a mental illness!

1 · December 5, 2017 at 2:27pm



Brandon Corcoran transgenderism is a construct of a l'll mind. Studies show that even when they are openly accepted they commit suicide at the same rate as transgenders who don't feel accepted. Facts aren't hate. BTW gay people are cool

3 · December 5, 2017 at 2:30pm



Dianne Richter Could you post links to those studies, please?

December 5, 2017 at 2:33pm



Brandon Corcoran Google it, don't have them saved

2 · December 5, 2017 at 2:33pm



Karyn Maynard Brandon Corcoran none of what you posted is true

Trans people have a higher rate of suicide due to social non acceptance , that is a known fact.

As far as "mental illness" it was declassified and is treated the same as being gay.

If you don't like them that's your right, but please at lease be honest and educated about what you post

1 · December 5, 2017 at 2:57pm · Edited



Brandon Corcoran Why dont you look up the study. Non acceptance makes no difference

December 5, 2017 at 3:00pm



Dianne Richter Everything I'm finding states the opposite of your claim, that being rejected increases risk, and that those who have had corrective surgery have much lower rates of suicide. So please show me the studies you are referring to, because I cannot find them.

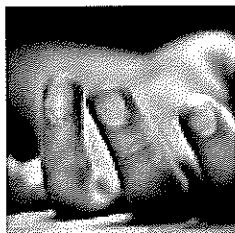
December 5, 2017 at 3:04pm



Dianne Richter In fact, here is a long list of studies that contradict your claim:

Specifically in one of the first paragraphs: "Transgender people who are rejected by their families or lack social support are much more likely to both consider suicide, and to attempt it. Conversely, those with strong support were 82% less likely to attempt suicide than those without support, according to one recent study."

<https://www.huffingtonpost.com/.../the-truth-about...>



The Truth About Transgender Suicide

HUFFINGTONPOST.COM

December 5, 2017 at 3:05pm · Edited



Cheryl Ann Kenneth Masson believing you are something you are not is a mental illness

December 5, 2017 at 3:18pm



Cheryl Ann Karyn Maynard that's not true at all . It's been proven their suicide is from people enabling their delusion and not getting them the mental health help they truly need

December 5, 2017 at 3:20pm



Francis X OMeara Dianne Richter studies by liberal colleges. This is the reason the electoral collage is so important.

December 5, 2017 at 4:32pm



Brandon Corcoran Huff post article lol

December 5, 2017 at 6:21pm



Dianne Richter With links to at least 10 actual studies that exist, which you'd know if you clicked on it. I'm still waiting for your proof.

December 5, 2017 at 8:21pm



Dianne Richter Cheryl Ann So are you mentally ill? I assume you think you're a decent person..

December 5, 2017 at 8:22pm

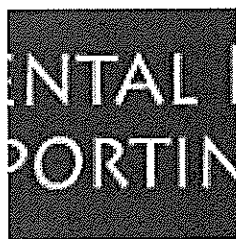


Brandon Corcoran <https://williamsinstitute.law.ucla.edu/.../AFSP-Williams...>

December 6, 2017 at 12:18am



Brandon Corcoran http://depts.washington.edu/mhreport/facts_suicide.php



Facts About Mental Illness and Suicide - Mental Health Reporting...

DEPTS.WASHINGTON.EDU

December 6, 2017 at 12:26am



Dianne Richter Imfao did you even read that first link?

"• Respondents who experienced rejection by family and friends, discrimination, victimization, or violence had elevated prevalence of suicide attempts"

And I'm not sure what the second has anything to do with what you're stating, obviously people with depression are going to be more likely to commit suicide.

Still waiting for something that actually backs up your claim.

December 6, 2017 at 2:53pm



Dianne Richter Drake 😏😏 I can't even 😏😏😏😏

December 6, 2017 at 2:53pm



Drake Richter Too easy.

December 6, 2017 at 2:59pm



Brandon Corcoran Did you read that their findings are inconclusive and needs more study and transgenderism is associated with other mental health disorders

December 6, 2017 at 8:59pm



Dennis O'Brien What happened to live free or die? Live free applies to gender identity too. You can't pick and chose what you want it to apply to. Smoke some pot, relax in the woods, don't tell your neighbor what to do, enjoy no sales tax and live free!!

10 · December 5, 2017 at 2:16pm



J Emily Watson Hear hear!!!!

1 · December 5, 2017 at 2:26pm



Karyn Maynard Best attitude yet

1 · December 5, 2017 at 2:57pm



Randall Kelley #absolutely NOT !!

2 · December 5, 2017 at 2:17pm



Aaron Morris #No. resident. There are only two genders. If you want to deal with your illness with playing dress up, whatever I don't care, but don't force me

to pretend in your fantasy.

4 · December 5, 2017 at 2:17pm



Kenneth Masson Your hate is a illness.

December 5, 2017 at 2:29pm



Linda McNie Snodgrass Your liberal lunacy is More of an illness.

2 · December 5, 2017 at 2:33pm



Aaron Morris It's the liberals that have the multi gender thinking, so I have no idea what you are talking about: And science is not hate, it's truth. To belittle someone by insults is just childish. But if you would like to discuss with facts on why you think I'm hateful, I'm all for that. If not, stop trolling.

2 · December 5, 2017 at 2:36pm · Edited



Kenny Scipione Kenneth Masson , gender dysphoria is a mental illness, hate is a choice. Simply because one does not want more laws that do not work does not mean someone hates. Funny how anyone who does not 100% support the LGBT agenda "hates"

2 · December 5, 2017 at 2:37pm



Tyler Ferland Seriously though just because you're retarded doesn't mean I have to feed into iy

December 5, 2017 at 2:44pm



Karyn Maynard Kenny Scipione actually it's no longer classified as mental illness.

December 5, 2017 at 2:58pm



Dianne Richter Kenny Scipione So if someone is discriminated against for being trans, what exactly is currently protecting them, and how would this law not "work"?

December 5, 2017 at 3:06pm



Kenny Scipione Karyn Maynard , yes it is and so is suicidal ideation.

December 5, 2017 at 3:42pm



Kenny Scipione Dianne Richter , we already have sexual and sexual orientation protections. Why do they not work? More laws are going to work? Every time the left gets upset ot opinionated, they howl for more laws. What will emerge is it will be a crime if one does not call someone by their "preferred pronoun" I do NOT want my rights eroded. BTW, how many genders do they teach in medical schools?

December 5, 2017 at 5:39pm



Luke Chance Farry #yes NH resident, I'm not a redneck so it's a pretty simple decision.

5 · December 5, 2017 at 2:18pm

Joey Tee



December 5, 2017 at 2:18pm

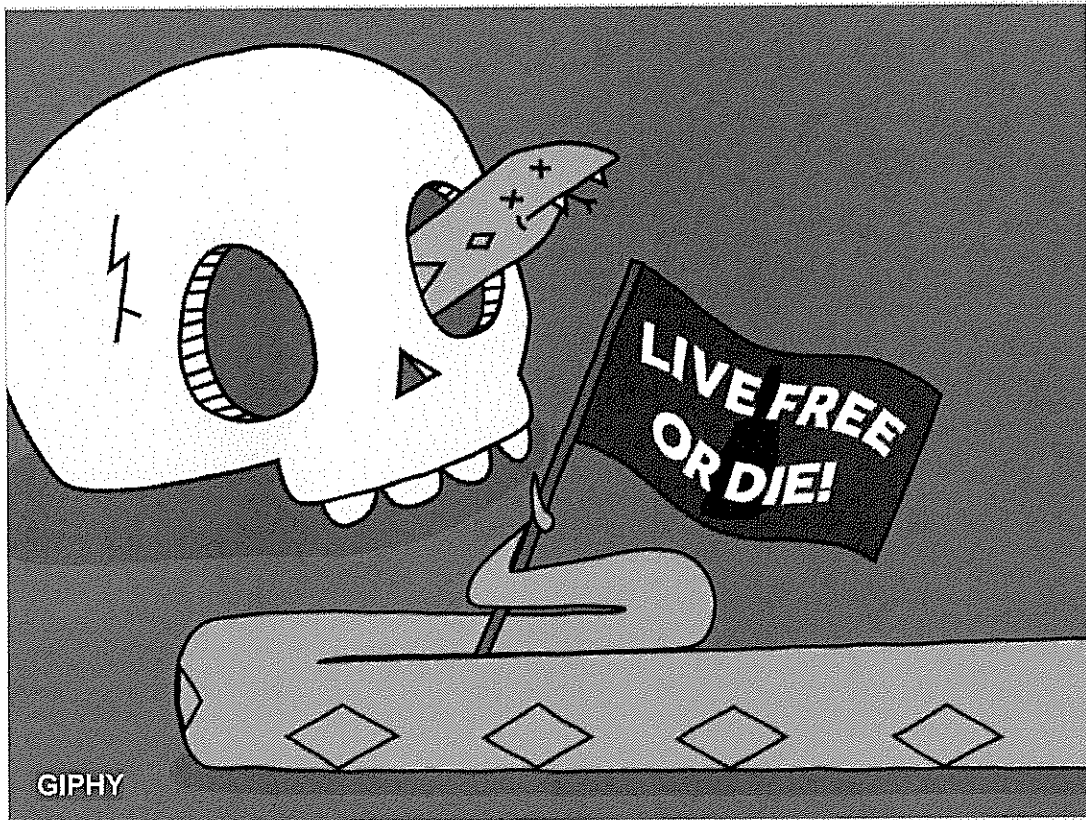


Alex Drinkwater Add people who think they're cuckoo clocks while you're at it.

3 · December 5, 2017 at 2:18pm



Dennis O'Brien



2 · December 5, 2017 at 2:18pm



Eric Moore No. But we'll direct you to a psychiatrist that specializes in gender dysphoria. Mental illness should not be accepted and those types of "people" don't deserve any special treatment over the rest of the normal population. This is all for attention, typical liberal trash.

5 · December 5, 2017 at 2:20pm



Kenneth Masson Spoken just like a hateful bigot!

1 · December 5, 2017 at 2:30pm



Dianne Richter So, you know that psychiatrists that specialize in this are usually to determine if the person is mentally sound enough to get corrective surgery so that their body matches their brain, right? I mean that's fine if that's how you want to help them, but really it's none of your business unless it is personally affecting you (say your child or lover can no longer live as the gender they were assigned at birth).

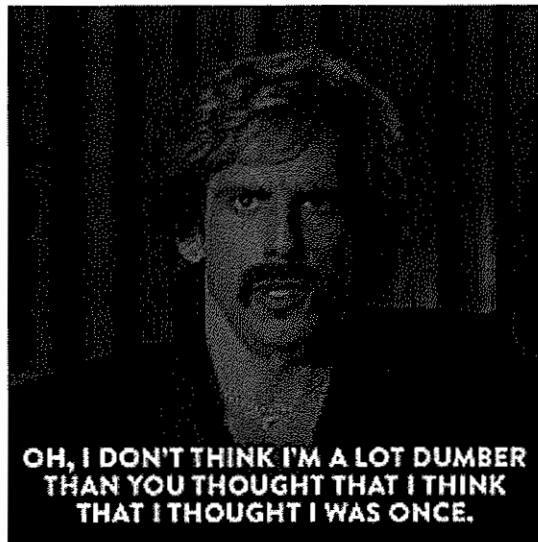
4 · December 5, 2017 at 2:31pm



Luke Chance Farry Some times "people" like Eric type something so profoundly dumb that I'm literally shocked that they can type at all.
December 5, 2017 at 2:39pm



Eric Moore Liberals will be liberals. Thankfully those types don't breed very successfully from all the mutilations/hormones/modifications, really a self fulfilling cycle. Now the big problem is reducing the amount white christian conservatives reproduce. Ooooo bring on the saltiness.

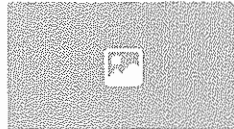


December 5, 2017 at 2:54pm



Steven R. Roy Sr. Luke Chance Farry here's some more "people" for you to mock.

<https://www.cnsnews.com/.../johns-hopkins-psychiatrist...>



**Johns Hopkins Psychiatrist:
Transgender is 'Mental Disorder;'**...

CNSNEWS.COM

1 · December 5, 2017 at 2:58pm



Dianne Richter I can't wait until all these old people are gone >.>

1 · December 5, 2017 at 3:09pm

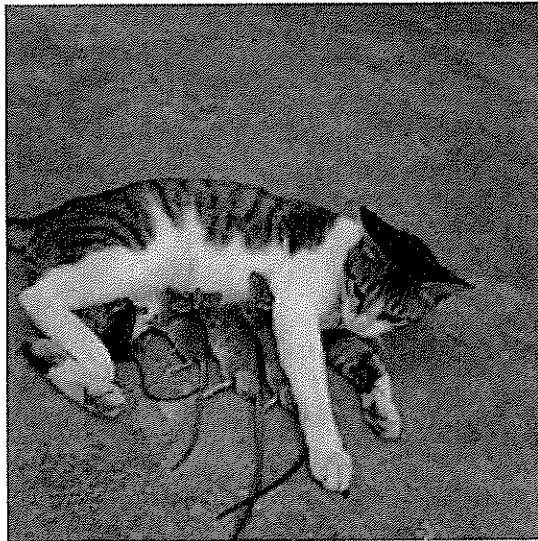


Eric Moore Cant wait till liberals stop stuffing their agenda down everyone's throat here in NH. It's unacceptable and unnatural. Laws that make it so those types can go after other people when they have their feelings hurt a little bit, is not happening in NH. Its bullshit, they dont deserve a mechanism to get special treatment from normal people. They can move to MA and pay MA taxes for that special treatment.

December 5, 2017 at 3:32pm



Eric Moore Libtards would think this is perfectly natural. Mic drop.



December 5, 2017 at 3:33pm



Griffin McGee Eric Moore Saying you hate foster parents, big guy? Sayin you hate biracial families? The cat is nursing infant animals, giving of herself to support other, needful, creatures who can't support themselves.

Yeah it's perfectly natural.

December 6, 2017 at 7:23pm



Eric Moore No its not natural actually, those rats are dead and put there to prove the exact point i was trying to make. Libtards take everything at face value and just accept anything, but in reality there is more to everything than what they see. See cats and rats are natural enemies, even domestic rats. You put living rats near a cat, they freak the fuck out and run. The scene in the picture is UNNATURAL, it only took 1 liberal jack ass to try and justify it and make some fucked up comment "you don't like foster parents big guy?" I have a foster nephew so you can go fuck right off. My brother raised him properly too, so he is a regular straight male with no identity issues. Couldn't be happier for him that he never had issues.

December 6, 2017 at 7:53pm



Ben Brown #no nhresident

1 · December 5, 2017 at 2:21pm



Erik Smith 100% #yes.

December 5, 2017 at 2:21pm



Mary Hodgman #YES NH Resident.

December 5, 2017 at 2:21pm



Yvette Biasiucci No

2 · December 5, 2017 at 2:22pm

Seth A Quimby Of course.



December 5, 2017 at 2:22pm



J Emily Watson How about love each other and withhold judgement at all. We are all "humans". We share the planet, live and let live but does it need to be legislated? What about all the other discrimination? Like AGE?

1 · December 5, 2017 at 2:32pm



Griffin McGee J Emily Watson That's how legislation works. If you want to go on the street of every town in NH and yell "Hey stop discriminating!" Go ahead and see how far it gets you. Laws exist for a reason.

1 · December 6, 2017 at 7:20pm



Mike Frick Nope

2 · December 5, 2017 at 2:22pm



Johnathan Baker #no

2 · December 5, 2017 at 2:23pm



Dianne Richter #yes Protection should be a right

December 5, 2017 at 2:23pm



Mike Smith #Yes #NHResident

December 5, 2017 at 2:24pm



John Roane You already have them, female and male, get over it. NH is fast becoming more like MA. every day, especially with crap like this.

5 · December 5, 2017 at 2:26pm · Edited



Dianne Richter Yeah! Screw Mass with their healthcare, unions, and great colleges..

1 · December 5, 2017 at 3:11pm



Eric Moore And that's why its in MA, NOT NH.

December 5, 2017 at 4:45pm



J Emily Watson How about just being human without judgement. I wont get on my soapbox but its pretty sad that we need these laws in the first place. Love makes the world go round #NO

2 · December 5, 2017 at 2:24pm



Griffin McGee Oh totally. People should just love each other. Why would anyone want to hurt someone else in the first place? Laws against murder and assault are silly, it's sad we even need those laws in the first place.

Such idealism is pointless, the government makes laws to protect its citizens, so why won't you support them protecting other citizens?

1 · December 6, 2017 at 7:19pm



J Emily Watson I am well aware that this is so not an apple pie blue sky world. You really dont know when someone is being sarcastic. I couldnt care less. Im about as idealistic as a piece of s. In the toilet
December 6, 2017 at 9:03pm · Edited



J Emily Watson This is not a good day for me to debate. I am surely in an i dont give a f about anything mood
December 6, 2017 at 9:05pm · Edited



J Emily Watson You know. Life sucks and then you die? Thats the real world.
December 6, 2017 at 9:06pm · Edited

Keith Waite No



1 · December 5, 2017 at 2:25pm



Spencer Haywood No absolutely not #nhresident

2 · December 5, 2017 at 2:25pm



Larry Nash No

2 · December 5, 2017 at 2:26pm



Jeff Swett # yes, since some will use any excuse to discriminate if it remains legal to do so.

3 · December 5, 2017 at 2:26pm



Hollie Joy Ottman #no NH resident

2 · December 5, 2017 at 2:27pm



Art Hebert No

1 · December 5, 2017 at 2:27pm



Mike Furbush # no NH resident.

December 5, 2017 at 2:28pm



Linda Ehrhardt-Oriowo NO, they are already protected. No special rights above and beyond what everyone else has

6 · December 5, 2017 at 2:28pm



Dianne Richter Okay, first what is protecting them exactly? Please point to the specific legislation you are referring to.

Secondly, should we also then stop protecting blacks? Gays? I mean where do we stop?

December 5, 2017 at 2:54pm

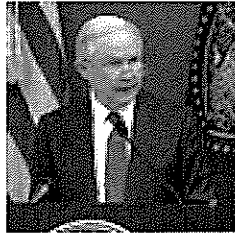


Lucy Pivonka The Civil Rights Act of 1964 protects them. No need for anything else. Are you happy?

2 · December 5, 2017 at 3:34pm



Dianne Richter <https://www.nbcnews.com/.../federal-civil-rights-law...>



Federal civil rights law doesn't protect transgender workers,...

NBCNEWS.COM

1 · December 5, 2017 at 4:19pm



Lynn Christopher Just a reminder the Civil Rights Act applies to both parties in this situation

December 5, 2017 at 4:49pm



Eric Moore How about we cite actual laws and not stupid news articles which are opinions of laws.

December 5, 2017 at 4:56pm



Griffin McGee Eric Moore Here let me quote it for you. "Although federal law, including Title VII, provides various protections to transgender individuals, Title VII does not prohibit discrimination based on gender identity per se," the memo, signed by Attorney General Jeff Sessions, states. "Title VII expressly prohibits discrimination 'because of sex...' and several other protected traits, but it does not refer to gender identity. 'Sex' is ordinarily defined to mean biologically male or female."

Gender discrimination is not mentioned, but sex is. Therefore such discrimination is "allowed."

December 6, 2017 at 7:17pm



Ray Cabral #yes #nhresident

December 5, 2017 at 2:29pm



Anthony Romano #no NH resident

2 · December 5, 2017 at 2:30pm



Kenny Scipione #no NH resident

1 · December 5, 2017 at 2:31pm

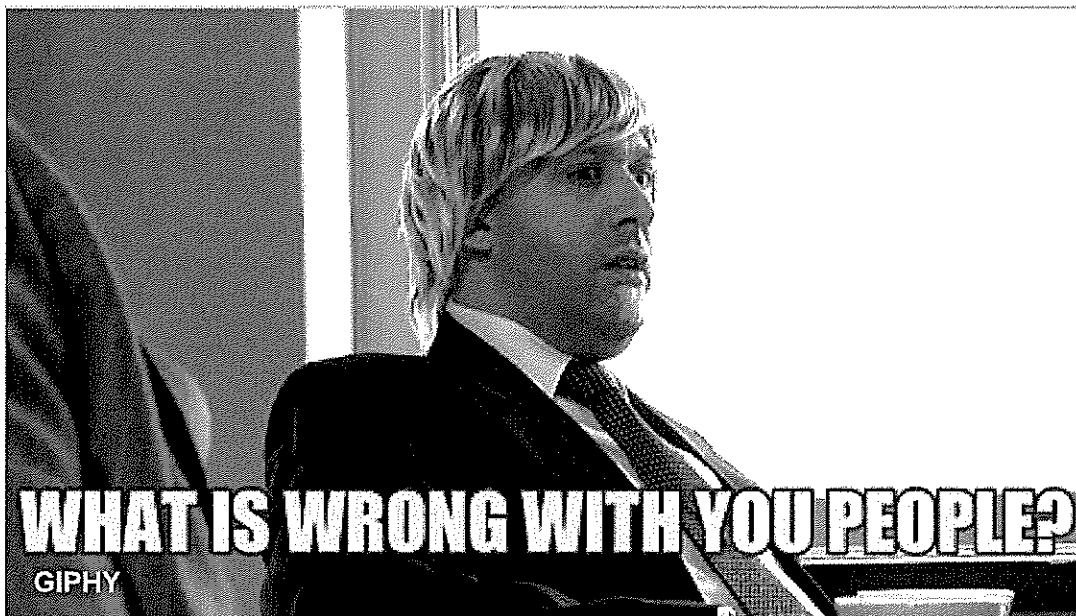


Kathy Komar #NO NH resident

1 · December 5, 2017 at 2:32pm



Debbie Eldridge Sargent



December 5, 2017 at 2:32pm



Richard Younglove Is this all the politicians have to Waste Their Time on ? Save us the grief you're causing and just Stay Home !

1 · December 5, 2017 at 2:32pm



Karen Michelle #no NH resident don't add to the confusion of man or woman

1 · December 5, 2017 at 2:32pm



Debbie Eldridge Sargent No NH resident.

1 · December 5, 2017 at 2:32pm



Scott Johnston How hard is it to tell if someone is a male or female? A male will most likely have a penis, and a female will most likely have a vagina. Yes folks, it's really that simple. I do understand that there are intersex folks out there, but there are not very many of them to make much of a difference.

4 · December 5, 2017 at 2:32pm



Dianne Richter Well, I mean first you need to be able to look at their genitals, and unless you're a huge creep, most likely you're not ever going to know.

December 5, 2017 at 2:54pm



Scott Johnston Why would I need to know in the first place? I'm just talking about scientific facts.

December 5, 2017 at 4:22pm



Scott Johnston I'm not like Donald Trump, I don't go around grabbing people's pussies LOL.

December 5, 2017 at 4:22pm



Scott Johnston The entire book on psychology is based on opinions of said psychologists and psychiatrists. Almost none of it has been

proven scientifically at all.

December 6, 2017 at 7:18pm



Scott Johnston I will never, and I mean ever refer to someone as anything other than either male or female.

December 6, 2017 at 7:19pm



Scott Johnston People like you will believe almost anything if enough people agree, but that does not always make it a fact. Good night

December 6, 2017 at 7:20pm



Scott Johnston I don't care if someone is offended by something that I believe, especially if I'm not trying to purposely offend them. What happens after someone is offended? Nothing, that's what happens, nothing. You can think your own way and I will think my own way. It's none of my business how you think and it's none of yours how I think.

December 6, 2017 at 7:40pm



Griffin McGee Lmao.

December 6, 2017 at 7:48pm



Rachel Sargent Scott Johnston Just trying to understand here, are you saying if you see someone and they look "male" but say they refer to themselves as "female" or "she/her" are you going to refer to them as "he/him" because of how they look to you?

December 6, 2017 at 8:53pm



Scott Johnston That's not what I'm saying at all. If someone was born a male, I will always consider them a male, and vice a versa. You can look at it anyway you want, but so can I. You cannot actually change someone's sex. A true sex change is impossible

December 6, 2017 at 9:08pm



Jon Clark #no

1 · December 5, 2017 at 2:33pm



Sarah Chamberlain #No. And get rid of all other anti-discrimination laws concerning private property and private business. Fire the thought police. #NHresident

6 · December 5, 2017 at 2:35pm



Scott Johnston Agreed

December 5, 2017 at 2:38pm



Dianne Richter Yeah, I'd love to be able to kick all the Christians out XD

December 5, 2017 at 2:55pm



Sarah Chamberlain If you own property, there's no reason why you shouldn't be able to keep Christians out of it if that's your preference.

1 · December 5, 2017 at 3:01pm



Russ Nelson Private property ... it's how we can all get along with each other.

1 · December 5, 2017 at 4:08pm



Patrick Joseph Lynch #yes wtf why not

1 · December 5, 2017 at 2:36pm



Russ Nelson Because anti-discrimination laws aren't necessary. You own your property and you get to decide what happens on it. Not on your property? You have no say except through social pressure.

December 5, 2017 at 4:10pm



Patrick Joseph Lynch I understand public ethics and agree to some extent, but how someone chooses to express themselves shouldn't be discriminated. How that person is acting in public should be socially acceptable to a good extent

December 5, 2017 at 4:12pm



Scott Johnston Also, there is really no such thing as a true sex change. If you are born a male, you have an X and a Y chromosome, if you are born a female, you have two X chromosomes, you will die with the exact same chromosomes you were born with.

3 · December 5, 2017 at 2:36pm



Danie Adam Sterling Davis Jr. CRISPR

1 · December 5, 2017 at 2:48pm



Karyn Maynard You need to read a biology book on DNA

Lmao

There's all kinds of variances.

Geez just last week a medical paper was released suggesting that women permanently retain male DNA within their brains from men they had sex with

December 5, 2017 at 3:04pm



Sarah Chamberlain Karyn Maynard, that's been floating around the intertubes for years now, and is completely false (certainly not from any noteworthy "medical paper"). It's true, other variances exist, and it's true that women might retain male DNA, but from pregnancy, NOT from men with whom they've had sex.

1 · December 5, 2017 at 4:00pm · Edited



Scott Johnston Karyn Maynard, and you believe that?

December 5, 2017 at 4:15pm



Scott Johnston What makes you think I've never read a Biology book on DNA? I may understand more than you do for all you know
December 5, 2017 at 4:15pm



Martha Madsen Yes

1 · December 5, 2017 at 2:36pm



Bruce Cory #No NH Resident.....there are 2 genders they can be tested with a DNA test, there are no others, when you look up Transgenderism you will find it in books on philology, Sigmund Freud call it a deep physios, and supporting it as a life style Sociopathic

December 5, 2017 at 2:38pm



Jesse Garland #NO NH resident, not the governments business.

2 · December 5, 2017 at 2:41pm



Dianne Richter So the government just shouldn't protect anyone here? Lets get rid of the military then, man we'd be out of debt so fast

2 · December 5, 2017 at 2:58pm



Jesse Garland Its not up to the government to dictate who hires who. The government gives little about you or me.

1 · December 5, 2017 at 3:01pm



Bob Hallowell The Government has 1 Constitutional responseability and that's the military. Everything else is the real drain on the budget.

2 · December 5, 2017 at 3:04pm



Griffin McGee Yeah seriously, who needs to learn to read and write anyways?

And international relations? Yeah just screw off, every other nation in the world. We can do everything ourselves.

Don't forget the justice system, who needs it? We can solve every problem with a bullet regardless. If someone gets accused of stealing, they probably did it anyways - just assume guilt!

December 6, 2017 at 7:12pm · Edited



Don Falkowski No

1 · December 5, 2017 at 2:41pm



Graham Baker #Yes and eliminate ALL governmental gender references. Why should my drivers license indicate what is in my pants? It should only reference my ability to drive.

We should be recognized as Citizens, not as male or female.

1 · December 5, 2017 at 2:41pm



Jesse Garland You shouldn't need a drivers license either. To the government you are a number not a person

1 · December 5, 2017 at 2:57pm



Allan Pechner Jr. #no

2 · December 5, 2017 at 2:41pm



Abigail Thorpe How about... we care for the homeless first that are living in tents all over friggin concord first...

3 · December 5, 2017 at 2:41pm



Duffy Daugherty # NO NH Resident.....

2 · December 5, 2017 at 2:42pm



Nanette Geary They should change name to nutz hampshire

December 5, 2017 at 2:43pm



Kimberly Morin #NO everyone already has the SAME PROTECTIONS. No one should be given special rights

8 · December 5, 2017 at 2:44pm



J Emily Watson Yes thats what bothers me. Do we have to signify each difference in people?

2 · December 5, 2017 at 2:46pm



Kimberly Morin It's a slippery slope that leads to bad outcomes redefining motherhood , fatherhood, man, woman, parents etc etc

5 · December 5, 2017 at 2:53pm



J Emily Watson It all boils down to Adam. And Eve. Who were the result of Darwins theory. What do you think?

December 5, 2017 at 5:43pm



David Headley #NO, NH resident. There are 2 genders, determined by your chromosomes and evident at birth.

1 · December 5, 2017 at 2:44pm



Deb Johnson I don't think the discussion should take place until we figure out just how many genders there are.

December 5, 2017 at 2:44pm



Ian Price 2

3 · December 5, 2017 at 2:59pm



Deb Johnson That was my guess, but, it was marked "wrong" by some.

1 · December 5, 2017 at 3:11pm



Griffin McGee Can't imagine why.

December 6, 2017 at 7:11pm



Harry Seavey Hell #NO nah resident

1 · December 5, 2017 at 2:45pm



Wayne Clapper No, this is just more treats for personal injury lawyers and damaged people.

2 · December 5, 2017 at 2:46pm



Andy Brown Lmfao

1 · December 5, 2017 at 2:47pm



John Best #Yes , Have lawyers make laws to determine what sort of thinking is allowed. Punish anyone who tries to think for themselves.

December 5, 2017 at 2:48pm



Jonathan Giguere How about adding "XY" or "XX" instead of male or female..... it'll be harder for them to argue that since no matter how much surgery or what people believe the DNA is always the same.

1 · December 5, 2017 at 2:48pm



Griffin McGee Well then we can identify their sex, but gender is a psychological identifier. It isn't inherently limited to male or female, which is a biological factor.

It's honestly simple. Willful ignorance does you no credit.

December 6, 2017 at 7:10pm



Jonathan Giguere Griffin McGee the purpose behind a ID is to be able to use it as identification, that is simple. Unfortunately an ID can't reflect some people's psychological disorders properly so they should go by what you were born with

Penis = Male


Vagina= Female

If you would like to self identify as something else good for you but in the end you are still genetically a male or a female.

December 10, 2017 at 6:03am




Kenny Scipione

 **HuffPost** @
 Yesterday at 6:19 PM · 🌐

DNA results confirm the remains of a Viking warrior are female.



 **Greg Curtner**
 So you admit gender is in your DNA, not something you can just pick and choose or "self identify" as?

December 5, 2017 at 2:49pm



Trisha Schuman Absolutely #yes. NH resident. It's 2017, there's no such thing as 'doing gender wrong'.

1 · December 5, 2017 at 2:49pm



Volf Dangler #No. #NHresident. Guess I'm a redneck...

1 · December 5, 2017 at 2:49pm



Wayne Peterson Say no to Senator ed butler. VOTE HIM OUT!

2 · December 5, 2017 at 2:49pm



Benjamin Lineberry #no #nhresident

1 · December 5, 2017 at 2:50pm

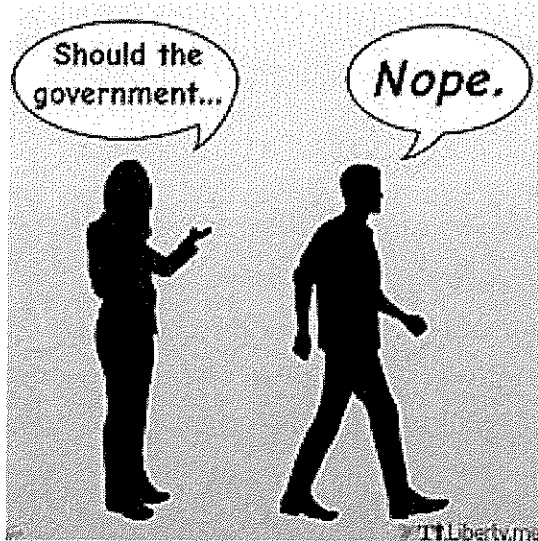


John Merva #No #NH Resident I guess this is the most important issue we have to worry about in the state government..... 😞

1 · December 5, 2017 at 2:50pm



Benjamin Lineberry



12 · December 5, 2017 at 2:51pm



Bryan Whitmore Exactly

1 · December 5, 2017 at 2:51pm



Griffin McGee But I bet you love the military, no?

December 6, 2017 at 7:09pm



Donna Manning NO...NH resident here. Just call everyone HUMANS.

1 · December 5, 2017 at 2:51pm



Griffin McGee Yeah, and you don't see color either, right? There is no racism, we're all just part of the human race. Right?

1 · December 6, 2017 at 7:09pm



Donna Manning Humans with histories...all of us. But we are individuals and WE decide what we do with our lives.

December 6, 2017 at 8:13pm



Karyn Maynard #Yes NH resident

December 5, 2017 at 2:52pm · Edited



Brandon Parent #No We are a sexually dimorphic species consisting of exactly two genders. There is no scientific evidence saying otherwise. If you do find one, well jee goly willickers you discovered a literal new species.

Furthermore government should not be concerning itself with this kind of rubbish.

Stick to science of observable reality, not the "science" of feelz. If we keep this up Western Civilization is doomed.

Oh, and before I forget #taxationistheft

3 · December 5, 2017 at 2:53pm · Edited



Gary Grazioli Watch out the carpet munchers say yes

December 5, 2017 at 3:00pm



Joey Boulanger Gender is a completely social construct, sex is determined by organs. I learned that when I was 8 years old, how about you?

December 5, 2017 at 3:09pm



Alyssa King You aren't a scientist, you don't know what the hell you're talking about.

December 5, 2017 at 3:15pm · Edited



Brandon Parent I literally just stated that we are a sexually dimorphic species. That is a scientific fact.

If you were to deny that, then I guess I'm sorry. You would be actively denying our observable, measurable biological reality.

Literally.

We can only reproduce when a male and female copulate. Furthermore we have physical attributes and characteristics that are distinct from one another i.e. bone structure, height, muscular difference ect. You don't need to have a PHD or whatever to understand observable reality.

Post 1948 with the rise of the whole gender "theory" nonsense is where the terms sex and gender seem to have become disjointed in Western Civilization. Some people for reasons, beyond reason buy into the "theories" that have zero scientific backing.

December 5, 2017 at 8:10pm · Edited



Jenny Ricker No.

1 · December 5, 2017 at 2:53pm



Arthur Ranguette Gender identity? Do you mean like a boy has a penis and a girl has a vagina? If you have a penis and like to touch other penises you're still a boy if you have a vagina and like to touch other vaginas you're still a girl.

4 · December 5, 2017 at 2:53pm



David Edgar We need to worry about really problems not catering to the mentally ill and those who want to use them to further their backwards agenda

3 · December 5, 2017 at 2:57pm




George Preston No just that simple you are a man or woman unless you go under the knife then you a crazy man or women


2 · December 5, 2017 at 2:59pm





Sheila Wallace No. There are two sexes and you were born with one.


2 · December 5, 2017 at 2:59pm


 **Griffin McGee** Gender is not the same as sex.
December 6, 2017 at 7:07pm


 **Steven R. Roy Sr.** #no
1 · December 5, 2017 at 2:59pm


 **Scott Perry** 🍷 🍷 🍷 🍷 🍷 🍷
December 5, 2017 at 2:59pm


 **Eric-Jennifer Ives** #no NH resident
1 · December 5, 2017 at 3:00pm


 **Loreen Costello Sullivan** NO NH Resident
1 · December 5, 2017 at 3:00pm


 **Gary Grazioli** Absolutely not
1 · December 5, 2017 at 3:01pm


 **Michael Carr** This is totally pointless. You already can't discriminate based on gender so trans gender is already covered. This is just a feel good bill so some politicians can wave it around and say "look how progressive and open minded we are!"
4 · December 5, 2017 at 3:01pm


 **Teresa Fuller** doesn't it already come under sexual discrimination?
1 · December 5, 2017 at 3:01pm · Edited

 **Vendaval Mills** NH, Rockingham County. "Last year's bill also failed due to concern that it would empower male predators to enter women's bathrooms." - ok, yes, that's good enough for me: #no
1 · December 5, 2017 at 3:02pm

 **Brian Sprague** no
1 · December 5, 2017 at 3:03pm

 **Daniel Hebert** #NO NH resident there is only 2. Male and female anything else is a mental disorder.
3 · December 5, 2017 at 3:05pm

 **Jamie E Hicks** #No no resident. Shouldn't need laws to tell people to be kind to everyone. No matter what their views are.
3 · December 5, 2017 at 3:06pm

 **Josh Standish Wilkins** Yea I for one don't care if it's a hate crime. Damn straight I'll discriminate against gender identity! I will always call u what u are even if u think u are a diff gender cause ur not!!!
2 · December 5, 2017 at 3:08pm

Benjamin Rohn Exactly



1 · December 5, 2017 at 3:30pm



Griffin McGee Glad to see, Josh, that you're taking a full "supporting Hate Crime" stance. You a fan of beating those disrespectful negroes who dare consort with the white women, too?

December 6, 2017 at 7:07pm



Bob Hallowell No. In the end it's about special treatment, not equal treatment.

3 · December 5, 2017 at 3:09pm · Edited



Colby Varney Nope and I'm not following it if they do

1 · December 5, 2017 at 3:08pm



Griffin McGee You would rather break the law than treat someone fairly?

December 6, 2017 at 7:06pm



Colby Varney I treat every person I meet with respect, I'm simply not going to accept totalitarianist regulations in social settings. I don't think people should be mandated by law to be nice to one another

December 6, 2017 at 8:21pm



Gabriella Barabas Szabados If U borns with a utiris and overies, U born as a female, even after U have turned Ur in unto a out, Ur DNA still sat Ur a female, and if U born with out female organs, even if U turn Ur outy into a inside, Ur DNA will still be male, even with taking astrogen

1 · December 5, 2017 at 3:12pm · Edited



Gabriella Barabas Szabados If U able to read,write and speak a other language U would not critizes others who do

1 · December 5, 2017 at 3:47pm · Edited



Cheryl Ann #no... hell no. We are equal and protected with current laws . No special privileges!

1 · December 5, 2017 at 3:10pm



Tom Rochette No.

1 · December 5, 2017 at 3:12pm



Carol Ann Penrod Goodman Yes.

December 5, 2017 at 3:14pm



Richard D. Irving No way!

1 · December 5, 2017 at 3:15pm



Paula Vanbuskirk NH res: NO! this will be the first step towards discrimination

1 · December 5, 2017 at 3:16pm



Roland W. Carter #no NH resident

1 · December 5, 2017 at 3:19pm



Chuck Mitchell Yes !!!

December 5, 2017 at 3:19pm



Tish Silveira No.

1 · December 5, 2017 at 3:23pm



David Waterman #No. NH resident.

1 · December 5, 2017 at 3:24pm



Paul Boutin Yeah, 'cause nothing stops discrimination like dividing people into classes.

4 · December 5, 2017 at 3:25pm



Geoff Paquette #No because science. NH resident.

3 · December 5, 2017 at 3:25pm · Edited



Sharon Griffin Woodside #NO nh resident

1 · December 5, 2017 at 3:25pm



Elizabeth LaPlume #yes

December 5, 2017 at 3:26pm



Anna Perkins Yes, NH

December 5, 2017 at 3:26pm



Sean Cregg I can't even believe this is a question. Just treat everyone with some respect and it won't matter if they are gay, straight, neutral, black, white, yellow, brown.

2 · December 5, 2017 at 3:27pm



Robin Bruedle It's sad that we have to have laws to protect people from discrimination now a days. People don't respect others

1 · December 5, 2017 at 4:33pm



Lisa Stella NO

2 · December 5, 2017 at 3:29pm



Gordon Avery #NO!!!!!!!!!!!!!! Well now it has become established, beyond the shadow of a doubt positive that N. H.'s House is run by loons with a serious mental disorder, and the head loon, according to this report, is Senator Ed Butler (D-Carroll District). Yes, you might know that it would be an amoral, culture/state and country hating democrat. The News referred to the modern democrat party as today's socialist party. Barack HUSSEIN Obama pushed this retarded transgender crap with his bathroom initiative. Imagine, the country 20 trillion in debt thanks to his foolishness, and a cowardly Congress and Senate, and his only thought is a bathroom initiative, what a legacy. What's so damn sad is people like this Butler who want to continue BHO's America hating

policies. Once the morality is gone the country becomes ripe for the picking.

George Washington said that "religion and morality are indispensable" to America's happiness.... President Trump / Our first president said that virtue of morality was a necessary spring of popular government.

Crime, corruption, immortality, abortion, sodomy, sexual perversion sweep our land.

This transgender crap is an evil against which children must be protected

As God has been pushed further and further out of our lives the vacuum created, in so doing, has caused us to forget the source of our morality, and deplorable things like this are the result. Without God and a strong sense of morality the nation will fall.

N. H. Born and raised.

3 · December 5, 2017 at 6:33pm · Edited



Robin Buedle There was no debt,
BTW, heterosexuals are the bathroom sex offenders
December 5, 2017 at 4:34pm



Kayla Hornbrook It seems many people here are unsure of the difference between sex and gender. Because science. Regardless, #yes #nhresident

2 · December 5, 2017 at 3:29pm



Lisa Stella Catering to the 1%

3 · December 5, 2017 at 3:29pm



Harry John Bickford Good point.
December 5, 2017 at 3:47pm



Robin Buedle Discrimination is beyond 1%
December 5, 2017 at 4:35pm



Tyler Mahan No get with reality there's only two genders and it only seems to be a hate crime is if a white person doesn't

1 · December 5, 2017 at 3:30pm



Robin Buedle Discrimination needs to stop no matter what gender
December 5, 2017 at 4:35pm



Marvin Herzig There's only two.....stop wasting time and money on this crap.
..NH.

2 · December 5, 2017 at 3:32pm



Bill Marr Yes, but only if we identify any and all genders not selectively. So we must also include Vermin, Spaghetti Strainers, camel jockeys, clowns, superheroes, Jedi, Sith, the living dead, transformers, orcans, gamma ray

victims, etc. you know, all 17,843,692 different possible genders. Then we can be sure to offend everyone.

5 · December 5, 2017 at 3:35pm · Edited



Jesse Brill Lols 😊

December 5, 2017 at 3:35pm



Annette L Hicks #Yes #NHRESIDENT

December 5, 2017 at 3:35pm



Lucy Pivonka The Civil Rights Act of 1964 protects all groups from discrimination already. Cut the crap.

10 · December 5, 2017 at 3:35pm



Shawn Stewrat #NHresident. Simple. You stand to urinate (Males) You Sit to urinate (female)

What is the Answer again? 😊

2 · December 5, 2017 at 3:36pm



Franklin Ritter #NO WE ARE ALL EQUALLY WORTHLESS... NH RESIDENT Stop with this crap

3 · December 5, 2017 at 3:36pm



Patricia Spina Hell NO! This is special treatment for an IDEA they get in their heads.

2 · December 5, 2017 at 3:36pm



Dennis Rose #no from Nashua less laws more freedom

2 · December 5, 2017 at 3:37pm



Laurie McCloud-Ellison No

1 · December 5, 2017 at 3:42pm

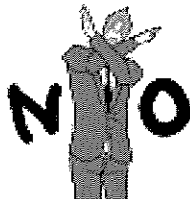


John Anger NO

2 · December 5, 2017 at 3:44pm



Cindi Lockwood



1 · December 5, 2017 at 3:45pm



Andrew Scolaro No

1 · December 5, 2017 at 3:46pm



Carrie Cabral Sturdevant #no, NH resident. Discrimination is already against the law.

2 · December 5, 2017 at 3:46pm



Sandy Gendron Yes absolutely!

December 5, 2017 at 3:50pm



David Mastroianni No. A female is a female and a male is a male. There is no issue.

December 5, 2017 at 3:54pm



Scott Lachance #no Hillsborough county

December 5, 2017 at 3:55pm



Willie Connolly- Enos Yes NH .resident. many of you really need to educate yourselves regarding this topic. So much hate and intolerance. Sad real sad.

1 · December 5, 2017 at 3:56pm



Adam Cobban We did. Its called biology class

December 5, 2017 at 4:16pm



Willie Connolly- Enos Then retake it Adam Cobban

1 · December 5, 2017 at 4:20pm



Kyle Morris Nobody should be jailed for discrimination

December 5, 2017 at 4:29pm



Mark Meriano 🙄HELL NO🙄 these people who want to change their gender are mentally ill and need psychiatric treatment

1 · December 5, 2017 at 3:58pm



Leanne Maher Psiras #Yes. NH resident. Everyone needs to mind their own business.

December 5, 2017 at 3:59pm



Kyle Morris Why should someone be jailed for their comments?

December 5, 2017 at 4:27pm



Glyn Church Agreed Kyle Morris.

December 5, 2017 at 5:14pm



Jay Farrell #no #nhres

December 5, 2017 at 4:01pm



Matt Russell #No NH resident.

December 5, 2017 at 4:05pm



Joseph Boell That's IT.. WASTE MORE OF MY TAX DOLLARS..NO!!!

2 · December 5, 2017 at 4:09pm

Sheridan Folger #NO #Dolts



December 5, 2017 at 4:10pm



Andrew Gregory #no NH resident.

December 5, 2017 at 4:10pm



Laurie Anderson Warnock #yes, NH resident

December 5, 2017 at 4:12pm



Alan Poliquin Why is this a big deal people need hobbies. If u got a dick bro use the dudes room or go home and use ur universal toilet and feel safe or something

2 · December 5, 2017 at 4:12pm



Ty Landers Words of wisdom

December 5, 2017 at 9:51pm



Ann Marie Banfield NO. Creating a special class isn't equality. IT's creating a special class.

December 5, 2017 at 4:14pm



Kathy Coakley There's a difference between special rights and equal rights.

December 5, 2017 at 5:02pm



Timothy Sylvernailed #no NH resident.....LIVE FREE OR DIE

1 · December 5, 2017 at 4:14pm



Peter DiNardo Exactly free for all residents! ❤️

December 5, 2017 at 4:45pm



Bernard Edgar Allard Dauphinais #Yes. (NH resident)

December 5, 2017 at 4:14pm



Adam Cobban #no

December 5, 2017 at 4:16pm

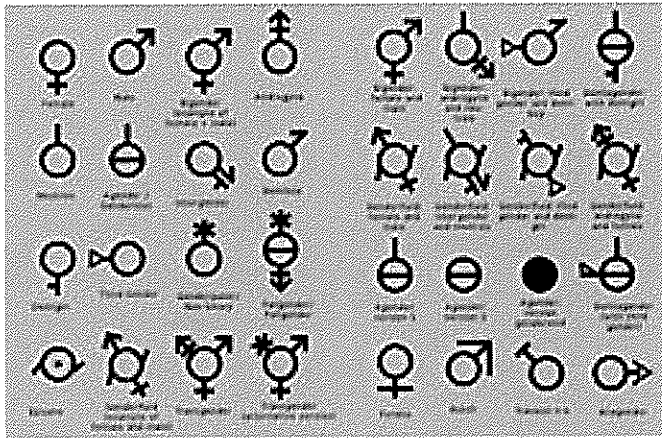


Emily G Rose #Yes #NHResident There should be zero discrimination.

1 · December 5, 2017 at 4:17pm



Timothy Sylvernailed Can you memorize all this!



1 · December 5, 2017 at 4:17pm



Kathy Perozzi Frickin' state of coddling!

1 · December 5, 2017 at 4:26pm



Kyle Nadeau Live free or die

December 5, 2017 at 4:22pm



Jayne Gilmore The denying science.

December 5, 2017 at 4:23pm



Bill Waters No

December 5, 2017 at 4:24pm



Nate Bernitz Yes - NH resident

December 5, 2017 at 4:24pm



Kyle Morris There should be no discrimination laws at all.

December 5, 2017 at 4:26pm



Robin Buedle There should be no discrimination at all

3 · December 5, 2017 at 4:31pm



Kyle Morris Yes I agree but if someone wants to be an ass that is their right.

1 · December 5, 2017 at 4:42pm



Kyle Morris Believing mean should be illegal is anti freedom

December 5, 2017 at 4:42pm



Kyle Morris Literally the 1st amendment

December 5, 2017 at 4:42pm



Ellen Phillips Kyle, this isn't about someone being mean. This is about a person not having the right to a job they are qualified for or an apartment they can afford. It goes way beyond mean!

1 · December 5, 2017 at 5:03pm



Kyle Morris Yeah but regardless of morals private property is private property and buisness. Nobody is forcing you to buy from those businesses and you don't have a right to tell someone what they can and can't do with their business

December 5, 2017 at 5:06pm



Kyle Morris I for one would never discriminate or buy from people who did. But.... It's their right.

December 5, 2017 at 5:06pm



David Merchant Kyle, take a walk down history lane and ask the Jews during the Nazi era what they think about discrimination, or take a walk down the back of the bus in the 50's and ask Rosa Parks about discrimination. You could probably even ask your grand parents about discrimination and how it effected them! No discrimination to anyone unless their Nazi's. Nobody likes Nazi's.

December 5, 2017 at 5:18pm



David Merchant And to also add on the private business part, it is actually unlawful to discriminate someone from your business, this was created by the Civil Rights Act of 64'.

December 5, 2017 at 5:22pm



Rich OConnor Only if you want to be known as Northern Massachusetts .. Stay independent My friends ..

December 5, 2017 at 4:29pm



Robin Bruedle #Yes let's end discrimination once and for all

1 · December 5, 2017 at 4:30pm



Mederick Cote No

December 5, 2017 at 4:32pm



William Owen Right #No... perhaps instead of continuing to enable these people's psychological problems perhaps getting them the help they most likely need would be a better use of time.

2 · December 5, 2017 at 4:34pm



Andrew Wood Lets pretend even for a moment that it IS a "psychological problem".

What harm does it cause?

And why does trying to force someone back into their assigned gender box have such a high fatality rate?

1 · December 5, 2017 at 5:14pm



Mark Moore Andrew Wood, because gender dysphoria is a mental illness.... Anyone with a mental illness never has just one.. It's a shame they are struggling but if you cater to one mental illness where do you really draw the line?

1 · December 5, 2017 at 6:42pm



Mark Moore That being said.. they put themselves in the position for being discriminated on by simply not just checking the box of their born gender.. No one cares how you identify in private.. Or give three options to make it simple.. Male, Female, Undisclosed.

1 · December 5, 2017 at 6:48pm



William Owen **Right** Well said Mark. I personally don't care how someone identifies themselves but I nor anyone should not be forced to agree with them just simply because it's what they believe.

December 5, 2017 at 9:08pm



Darlene Kilgallon #yes NH resident

December 5, 2017 at 4:37pm



Wes Chapmon NO!

December 5, 2017 at 4:37pm



Aron C Vance No!

December 5, 2017 at 4:38pm



Thomas Miller No.. gender is not a nationality

1 · December 5, 2017 at 4:38pm



Ellen Phillips What does nationality have to do with this? Did you even read the post?

December 5, 2017 at 5:00pm



Kathy Coakley Wow Thomas, your comment is a sad commentary or how narrow minded some people are.

December 5, 2017 at 5:04pm



Thomas Miller Read the Constitution on Civil Rights.

It's about We the People, not sexual preference.

Tired of Globalist gender neutral bull crap, done

December 5, 2017 at 7:14pm



Thomas Miller Liberal Globalist enough is enough

1 · December 5, 2017 at 4:39pm



Timothy Jackson NO!

1 · December 5, 2017 at 4:41pm



Kathy Coakley #YES! NH Resident. We need to be against all discrimination. Equality is something that we should always strive for in every walk of life.

3 · December 5, 2017 at 4:42pm



Don Merchand Sorry...you don't get to choose your sex...you either got a hoo or a twig and berries,that simple

December 5, 2017 at 5:16pm



Kathy Coakley People don't choose to be transgendered just like people don't choose to be gay. They know from childhood. It's a hard path to walk and I'm grateful that it's not a path that I have walk. I have a transgendered son and having trans friends in the past made it easy for me to understand when he came out. Don, you may very well have a transgendered family member and not even know. One of my trans friends is in his 60's and lived in a closet for years. I don't mean to be rude but you need to open your mind a tad.

1 · December 5, 2017 at 6:22pm



Kathy Coakley BTW, when it comes to teen suicide, a high percentage is due to gender identity.

December 5, 2017 at 6:24pm



Kathy Coakley The Twig and berries references hilarious oh by the way!

December 5, 2017 at 6:25pm



Vivian Jeanne Murphy Sex (M or F) has nothing to do with gender! Sex is between your legs and gender is between your ears. NOT THE SAME. This has been true since man evolved. Read some history and science. If you're christian follow Jesus not some cherry picked verses from the Old Testament. (A) Marriage shall consist of a union between one man and one or more women. (Gen 29:17-28; Sam 3:2-5)

(B) Marriage shall not impede a man's right to take concubines in addition to his wife or wives. (II Sam 5:13; I Kings 11:3; II Chron 11:21)

(C) Marriage shall be considered valid only if the wife is a virgin. If the wife is NOT a virgin, she shall be executed. (Deut 22:13-21)

(D) Marriage of a believer and a non-believer shall be forbidden. (Gen 24:3; Num 25:1-9; Ezra 9:12; Neh 10:30)

(E) Since marriage is for life, No government or law shall be able to permit divorce. (Deut 22:19; Mark 10:9)

(F) If a married man dies without children, his brother shall marry the widow. If he refuses to marry his brother's widow or deliberately does not give her children, he shall pay a fine of one shoe and be otherwise punished in a manner determined by law. (Gen 38:6-10; Deut25:5-10)

(G) In lieu of marriage, if there are no acceptable men in your town, it is required that you get your Dad drunk and have sex with him (even if he had previously offered you up as a sex toy to men young

and old), tag teaming with any sisters you may have. Of course this rule applies only if you are female. (Gen 19:31-36)

1 · December 6, 2017 at 11:09am



Peter DiNardo #yes as a person of the LGBT community it's time we feel and live free in our state. Be inclusive and stop the hate. ❤️

4 · December 5, 2017 at 4:43pm



Don Merchand Why is it that you people can't just live free instead of jumping up on a stump and telling all of us that we have to approve and like what you do just be who you are and mind your own damn business

1 · December 5, 2017 at 5:14pm



Peter DiNardo don't call people "you people". We live in a modern society where all walks of life exist. Everyone deserves to feel loved and acknowledged.

December 5, 2017 at 5:21pm



Lynn Christopher I have empathy for you Peter yet you have to understand we all have separate beliefs... But if you going to be involved in society there needs to be one set of rules to cover us all it means both sides need to be tolerant respectful and understanding... Take comfort in home but then again some of you liberals I think the government should be thinking for you in all aspects of your existence

December 5, 2017 at 6:03pm



Peter DiNardo Lynn Christopher your words are kind yet backhanded, you cannot impose narrow minded beliefs on a open welcoming society. Regardless what anyone think , the world will slowly meld together. We're one hopeless specie on a perfect rock. Learn to love all you have around you and don't be biased to things you don't understand.

1 · December 5, 2017 at 6:10pm



Caya Burley Kidney NO!!!!

1 · December 5, 2017 at 4:50pm



Ellen Phillips Why so much hate?

December 5, 2017 at 4:58pm



Joseph Cote Yes because everyone deserves the right to the pursuit of happiness

7 · December 5, 2017 at 4:53pm



Don Merchand You don't get to choose gender either you have a twig and berries or you don't

December 5, 2017 at 5:13pm



Zach Cogswell Facts it's one or the other

December 5, 2017 at 6:30pm



Mark Moore If you can choose your gender, shouldn't we be allowed to choose our ethnicity too?

December 5, 2017 at 6:35pm



Adam McGrath No

December 5, 2017 at 4:53pm



Adam McGrath No. Not unless they're willing to label it a mental disorder. Otherwise it is not a race or ethnicity and it will cause problems when one of them try to work somewhere they shouldnt be working.

2 · December 5, 2017 at 4:55pm



Ellen Phillips 🙄🙄 Seriously Adam?

December 5, 2017 at 4:57pm



Don Merchand Yes Ellen Phillips....seriously!!!! 🙄

December 5, 2017 at 5:12pm



Andrew Wood "It will cause problems"

Cite an example of gender expression causing a problem, besides when someone gets upset and starts being hostile towards someone with a noncis gender identity.

1 · December 5, 2017 at 5:12pm



Adam McGrath Well for starters. Nobody wants to go to jail for calling a woman a woman. Making biology illegal, doesn't change it

December 5, 2017 at 6:11pm



Adam McGrath Also. Suicide rate is almost %40. Twice the average. Doesnt change after surgery. Theres that too. No its not because America is just oh so cruel to them either. Those are nazi germany suicide rates. So spare me. Its a mental disorder. Body dysmorphia. Don't try and deny that fact, it makes you look foolish. Try and argue why we should encourage mental disorders and make it illegal to say otherwise.

December 5, 2017 at 6:14pm



Adam McGrath Are men who "identify" as women going to be suing for being stuck in prisons with other men? Or vice versa.?

December 5, 2017 at 6:20pm



Ellen Phillips # yes, from a New Hampshire, First District resident. It is long overdue.

2 · December 5, 2017 at 4:56pm



Mike Greene So what's the arguement? -- that people don't feel comfortable in sexual based separations?

So opt to mix them. What then when no ones comfortable? Do we ban bathrooms.

But yep fresh drinking water is still a high a high commodity. 'Murica.

2 · December 5, 2017 at 4:59pm



Andrew Wood The argument is that people can be denied services and jobs and housing because someone is uncomfortable with how the individual presents themselves. And not in a "Oh they are unhygenic and unfit for the position" kind of way, in a "I'm really uncomfortable with the idea of gender expression" kind of way.

That's wrong to do.

December 5, 2017 at 5:09pm



Andrew Wood Yes. Discrimination is not cool. If I say "Hey, I'd prefer if you call me Andrew instead of Andy," nobody would blink an eye. This really isn't that different. Why does it matter to you how people choose to view themselves?

Respect other people. That's what it comes down to.
This #NHResident says #Yes.

2 · December 5, 2017 at 5:07pm



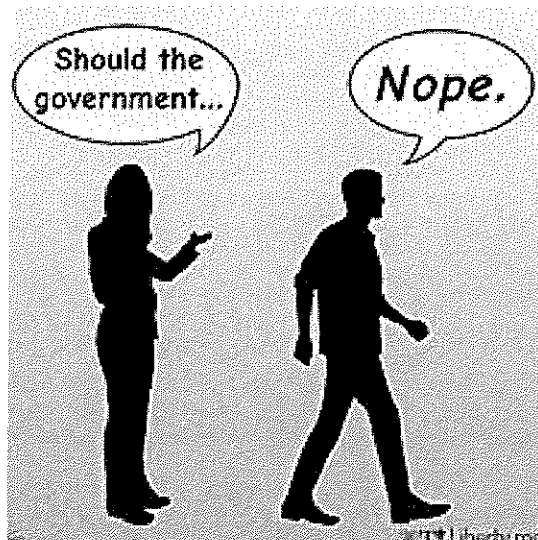
Andrew Wood That has literally never been a problem though.
December 5, 2017 at 5:20pm



Chris Hemmah No it is not cool. Neither is classism.
December 5, 2017 at 10:43pm



Donna Savard Mcloughlin



6 · December 5, 2017 at 5:07pm



Don Merchand #no NH CITIZEN where do you folks find any authority for the state in the NH Constitution to have any input on gender or any other of these social issues,soooooo quit asking such STUPID questions!

3 · December 5, 2017 at 5:11pm



Carolyn Grant AMEN!

1 · December 5, 2017 at 5:20pm



Andrew Wood Discrimination has a direct impact on the welfare of citizens, so I'd say the state has a lot of vested interest in it.

December 5, 2017 at 6:35pm



Chris Hemmah Andrew Wood the question is based on a specific group. If you were actually concerned about general discrimination you would want non specific antidiscrimination laws.

1 · December 5, 2017 at 10:46pm



Don Merchand The state has no authority to create a third gender just because there are certain people that think they want to be the opposite of what they are like I said you either got a Twig and berries are you don't

1 · December 6, 2017 at 1:46am · Edited



Carolyn Grant HOW RIGHT YOU ARE, DON!

December 6, 2017 at 4:05am



Lynn Christopher #no New Hampshire resident... Why must we involved the government in our matters?

1 · December 5, 2017 at 5:18pm



Tim Mahoney #no. Nh resident

2 · December 5, 2017 at 5:22pm



Tim Mahoney Adam Twist Mahoney. I think everyone should be treated equally by means of no one being given special treatment.

December 6, 2017 at 5:21am



Timothy Tigges So sick of this garbage

2 · December 5, 2017 at 5:22pm



Anna Bourbeau Doucette yes!

1 · December 5, 2017 at 5:31pm



Denise Hamilton #no. You are either a man or woman and that is decided in the womb.

4 · December 5, 2017 at 5:32pm



Anne Plante-Oleary How does it hurt you if another person identifies differently than how you believe they should? Leave people alone. If they are good at what they do an employer or school should not be able to discriminate against them

December 5, 2017 at 6:44pm



Thomas Jordan No

December 5, 2017 at 5:44pm



Bill Mahoney No 🤔

December 5, 2017 at 5:45pm



Joey Rowell Yes

December 5, 2017 at 5:51pm



Ted Maltzie #no NH Resident. Because if we let this go on, they'll identify as a goat and will be talking about species discrimination. Science wins this debate. #Therecanbeonlytwo.

2 · December 5, 2017 at 5:56pm



Caitlyn April #jussayin

December 5, 2017 at 6:08pm



Ted Maltzie Caitlyn April X and Y chromosomes..... actual science.

2 · December 5, 2017 at 6:12pm



Glenn Rules How about we call it dick and no dick instead of male and female would that work

2 · December 5, 2017 at 7:00pm



Joycelyn Loughlin Nope cause babys can be born with both! Google it uppppp

December 5, 2017 at 7:16pm



Joycelyn Loughlin So guess who gets the pick gender?!?! The doc or parent who says the kid will choose differently later??? Oh right, its the kids choice as it should be!

December 5, 2017 at 7:17pm



Karen Sue 🍷🍷🍷 You can change the outside but the genes will always tell the truth.

1 · December 7, 2017 at 1:21pm · Edited



Caitlyn April Yes. Yes it should.

1 · December 5, 2017 at 6:07pm



John Scanlon Yeah why don't make a lot about mental illness and prosecute people who call out people with mental illness

December 5, 2017 at 6:07pm



Wannetta Collins No what foolishness a crime is a crime

December 5, 2017 at 6:08pm



Chelsea Williams #NO. You can't change DNA.

6 · December 5, 2017 at 6:08pm



Caitlyn April So explain xxy, xyy, xyxy, etc. Genetics prove there are actually more then two. Juuuuust sayin

December 5, 2017 at 6:11pm



Chelsea Williams Oh, excuse me. I didn't know that I could drain my blood and get entirely new DNA with my sex change operation. Good call Caitlyn April.

1 · December 5, 2017 at 6:17pm



Caitlyn April It isn't a change in dna. It's adjusting to a genetic mutation. You can try to church it up all you want, but science says gender is a grey area. There are more then two combination sequences.

1 · December 5, 2017 at 6:20pm



Chelsea Williams Ok. David, or whatever your name is. I've never been to church and I'm not saying there are just 2. I'm saying you can't change what you already have..... Plain and simple.

December 5, 2017 at 6:23pm



Jerrod Lassar Caitlyn April, you're correct. It is a mutation. Self hate and mutation is destroying mankind.

December 5, 2017 at 7:15pm



Jim Quinn No

December 5, 2017 at 6:22pm



Allan Trombley If you don't know which of the TWO you are then your parents need to be arrested and you need to be placed in a foster home.

December 5, 2017 at 6:25pm



Leon Rideout #NO

December 5, 2017 at 6:26pm



Richey Rollins #NO-NH resident.

Why? Because it's a waste of time for the government to answer calls "this person doesn't identify me as an Apache helicopter"

2 · December 5, 2017 at 6:36pm



Mark Moore My question is.. since we are letting people choose their genders now, do I get to choose my ethnicity?!

2 · December 5, 2017 at 6:37pm



James Twining Im not even human im a 1991 ford tempo. #dontdiscriminate

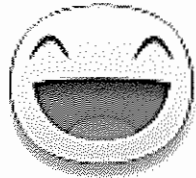
1 · December 5, 2017 at 6:51pm



Mark Moore James Twining if anyone oppresses your beliefs let me know and we will set the world on fire with a Facebook post about it.
December 5, 2017 at 6:52pm



Jennifer Cloutier



1 · December 5, 2017 at 8:35pm



Mark Perrault How about mental health for those who are confused on their gender ?

1 · December 5, 2017 at 6:40pm



Jennifer Cloutier Oh give me a break

1 · December 5, 2017 at 8:36pm



Blaine Davis Kari Sable it has been considered a mental health issue for decades actually.

1 · December 5, 2017 at 9:54pm



Mark Perrault See where we are going wrong? Thanks Obama. Here, plain and simple trick, look in your pants. Is a penis there? If yes your gender is male.if not you gender is female. Now if you think that's homophobia ,yes see a mental Doctor fast.

1 · December 6, 2017 at 6:10am · Edited



Griffin Poutre Kari Sable <https://www.psychiatry.org/.../what-is-gender-dysphoria>

**ERICAN
IATRIC
CIATION** What Is Gender Dysphoria?
PSYCHIATRY.ORG

December 6, 2017 at 10:08am



Anne Plante-Oleary #yes NH resident

3 · December 5, 2017 at 6:44pm



Gail Goodwin McIver Noooooooo!!!

December 5, 2017 at 6:49pm



Butterfly-Queen Tesha I'm going to identify as a tree which means I won't be able to work so if they deny me for disability because of that do I get to scream discrimination? Give me a f***** break enough is enough!

2 · December 5, 2017 at 6:57pm



Jennifer Benn Yes. citizens/ tax payers rights should be protected.

2 · December 5, 2017 at 7:04pm · Edited



Chris Hemmah But only the ones the state chooses to protect? Classism...

1 · December 5, 2017 at 10:42pm



Jennifer Benn Chris Hemmah ? the state should protect all citizens. and visitors. regardless of your personal thoughts on gender.

December 5, 2017 at 10:44pm



Chris Hemmah Jennifer Benn then you should be content with general anti discrimination laws and not call for ones specific to a certain group.

1 · December 6, 2017 at 7:52am



Jennifer Benn Chris Hemmah be content huh? Sounds like a privileged position. I'll be content when all people are fairly represented by the law.

December 6, 2017 at 12:07pm



Chris Hemmah Well then, congratulations, it happened in 1964.

December 6, 2017 at 3:23pm



Jennifer Benn Chris Hemmah and now we will include transgendered people to be protected from discrimination. Why is this a problem?

December 6, 2017 at 3:55pm



Karen Crescentini Noooo

December 5, 2017 at 7:06pm



Jay Currie #NO

December 5, 2017 at 7:07pm




Jerrod Lassar No. Just give genderly confused people the answer they need to end the chaos. A DNA test and optional therapy for them and the cosmetic surgeon.

December 5, 2017 at 7:21pm




Jp Marzullo Sorry there are only TWO genders no matter how many times you try to change it with propoganda. NO its not discrimination.


4 · December 5, 2017 at 7:24pm

 **Christopher Bell** My argument all the time. They confuse sexual and physiological preferences with that of gender. You could technically have a third gender as we have those born with both organs— but that's still very rare.


December 5, 2017 at 7:38pm


 **F Brian Gillis** Any labels that people create or use to identify a group creates division. We have one label American. Yes we are all defense from other groups but we are or should be one America. This push to create new definitions and sub sets is the most bigoted action out there. Be that label your heritage, gender or something else. Until we drop this politics of division and regulating how small groups by carving out special treatment we will never have equality. Our lawmakers should not be looking to add laws but to remove some. Politics of division is ruining this great country.

December 6, 2017 at 5:56am


 **David Russell** You're failing to recognize the difference between gender and gender identity. Sometimes, those two things aren't the same. It's okay if they're not the same. It's not okay to discriminate if those things aren't the same.


December 8, 2017 at 1:30pm

 **Lynda Gayle Hallock** NOOOO!!
December 5, 2017 at 7:36pm

 **Paul Hague** #yes who am I to judge. Like he said...judge not lest you be judged likewise.

1 · December 5, 2017 at 7:38pm

 **Kevin Whittum Jr.** # hell NO
December 5, 2017 at 7:45pm

 **Michelle Huot West** No
December 5, 2017 at 7:54pm

 **Jesse Jambaar Arsenault** #no NHResident


Pretending any communities problems will be made better if we make them or give them civil rights protections in the form of extra punitive measures, is silly.

Last I checked The Civil Rights Act of 1964 was pretty spot on with how it handles civil rights.

2 · December 5, 2017 at 7:57pm

 **Susan Furey** #NO #NHRESIDENT

1 · December 5, 2017 at 8:07pm

 **Sky Marquis** #yes nh resident... What does someones gender identity matter to you?

December 5, 2017 at 8:12pm



Ryan Downer It's a matter of mental illness.

4 · December 5, 2017 at 8:23pm



Clay R. Bradley why does it matter to you whom I choose to employ?

2 · December 5, 2017 at 9:11pm



Sky Marquis You chose not to employ someone who is being who they want to be. Sounds kinda messed up.

December 5, 2017 at 9:13pm



Chris Hemmah Sky Marquis no, it sounds like it is Clay R. Bradley's business and money going to employment of others. If you don't like how he does business either do not use it, or open an opposing business to put his out of work. Using the government to make him do business how you would like him to is both morally and ethically wrong. Sounds kinda messed up kid.

December 5, 2017 at 10:38pm



Mark Drake #NO NHres

December 5, 2017 at 11:09pm



Ryan Downer #NO.

1 · December 5, 2017 at 8:23pm



Laura Condon No. Stop the nonsense.

2 · December 5, 2017 at 8:27pm



Kerry Anne Garnick Absolutely #yes. NH resident and transgender woman.

2 · December 5, 2017 at 8:30pm



Jennifer Cloutier #Nooooo NH Resident.

2 · December 5, 2017 at 8:40pm



Walker Mallory #no gender dysphoria

1 · December 5, 2017 at 8:42pm · Edited



Laurie Williams #NO, NH Resident.

2 · December 5, 2017 at 8:45pm



Chris Hemmah #no NH Resident and we should remove all specific protections for different classes, ethnicities, sexual orientations... if you want to protect people against discrimination make it general, or don't do it at all.

3 · December 5, 2017 at 9:02pm



Jake Governo #Yes NH resident, unless we're simply updating and refining existing laws.

December 5, 2017 at 9:09pm

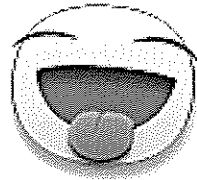


Ernest Paul When is the crap going to end?The Gays are never satisfied!

December 6, 2017 at 3:55am



Ernest Paul



December 6, 2017 at 6:02am



Ernest Paul Michelle Landis

December 6, 2017 at 6:02am



Greg Searle #No I identify as a NH Resident

December 6, 2017 at 3:56am



Ron Turner NO!!!

December 6, 2017 at 3:58am



John Reuter No

1 · December 6, 2017 at 4:13am



Karl Simon #Yes The degree of support for bigotry on here is astounding.

This is not a mental illness - as so many people who clearly have no understanding of what they're writing about have indicated. Regardless, it is dispicalbe to discriminate against folks for being themselves.

Gender is not binary, and it should not be legal to discriminate those who express a non-binary gender.

4 · December 6, 2017 at 4:23am



David M MacAllen I feel as though biology and science would disagree with you. But to each his own if you want to believe that

December 6, 2017 at 5:36am



Joe Manley Good thing the way you "feel" about something doesn't affect biology's very real place in this discussion.

1 · December 6, 2017 at 5:46am



Lisa Coady Everyone has rights and whether or not people agree or understand the shoe on the other foot people have rights

December 6, 2017 at 4:24am



Maryellen Colvin Your DNA define who u are

1 · December 6, 2017 at 4:36am



Dave Gardner Its a democrat wish so it looks like it will be passed.

1 · December 6, 2017 at 5:20am



Steven Hough Ha id rather see a law against discriminating the hearing impaired before these mental chumps one def or hars of hearing is a larger chunk of population and they have employment rates as low as 3 percent this is a bigger issue then a mentally ill kid

December 6, 2017 at 5:31am



David M MacAllen What this state really needs is better funding for mental illness.

1 · December 6, 2017 at 5:38am



Charlene Courtney No they should work on the drug epidemic and deal with the poverty and lack of housing here

3 · December 6, 2017 at 5:39am



Cotten J. Smith #Yes (NH resident). The world is changing, and for the better. The Granite state should be at the vanguard of decency, not in its caboose.

1 · December 6, 2017 at 5:47am



Rick Simpkins Jr. Only 2genders science and biology say so so #NO

1 · December 6, 2017 at 6:51am



Thomas Carr #no NH resident there is only 2 genders male and female

2 · December 6, 2017 at 5:52am



Rick La Porte No

December 6, 2017 at 5:54am



Bobbie Hassett Poor NH, the live free or die state seems to be having lots of issues.

December 6, 2017 at 5:56am



Bob Robertson Magically created in order to divide and alienate people, making it easier to conquer them.

3 · December 6, 2017 at 6:26am



Bob Robertson #No #NHResident

December 6, 2017 at 6:25am



Michael Chevalier NO there are too many 'laws' already

December 6, 2017 at 6:36am



Paul Eschmann There's only 2 genders, male and female

1 · December 6, 2017 at 6:39am



Alex Kish #no. NH resident. It should read "gender dysphoria" as that what the DSM5 calls it. Which is a mental health issue and should be viewed more akin to a handicap - already a protected class - as is sexual orientation.

1 · December 6, 2017 at 6:42am



Ned Farn Hell no

1 · December 6, 2017 at 6:55am



Bob Cattaneo That way, everyone can squat when the pee....

December 6, 2017 at 7:07am



Leonard Swett NO 🙄🙄🙄🙄🙄

1 · December 6, 2017 at 6:57am



Robin Muske #yes nh resident

December 6, 2017 at 7:11am



Paul Ranberg It's a mental disorder

2 · December 6, 2017 at 7:17am



Matt Wrightington #no nh resident I wish this state would stay the way it was before all of the liberals started moving here and ruining it like the hell holes they fled

2 · December 6, 2017 at 7:24am



Paul Morency



If I had a dollar for every gender there is, I'd have two dollars and a bunch of counterfeits.

2 · December 6, 2017 at 7:35am



Daniel Kerttu Male and female

1 · December 6, 2017 at 8:31am



Sue Polidura Nope, had enough fo this bullcrap

1 · December 6, 2017 at 8:35am



Brett Day DNA

1 · December 6, 2017 at 8:37am

Barbara C. Sherman Yes. And a NH resident.



December 6, 2017 at 8:42am



Harold A. Lowell #NO because God made only 2 Genders Male and Female and quite honestly, I don't believe that God really appreciates these transgenders telling HIM how they should be....NOPE.....this has got to stop...

1 · December 6, 2017 at 8:49am



Balaram Dass For one God also made hermaphrodites, for two God made 2 sexes for those who aren't hermaphrodites, god did not make "genders" (I E nowhere in the Bible does it say boys must like blue and girls must like pink), three I don't know what God u worship but is in COMPLETE control and doesn't get angry when things don't go his way

1 · December 6, 2017 at 10:20am

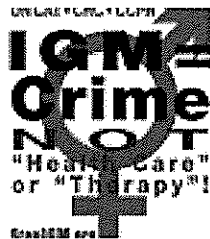


Harold A. Lowell Balaram Dass evidently, not the same God you worship....and maybe that's a good thing

December 6, 2017 at 11:21am



Richard Angell Balaram nailed it. Remember the hermaphrodites! stop.genitalmutilation.org



STOP Intersex Genital Mutilations in Children's Clinics!

STOP.GENITALMUTILATION.ORG

December 6, 2017 at 4:34pm



Harold A. Lowell Richard Angell Maybe he nailed it for you but not for me.....you have your beliefs I have mine....enough said.....and I am done with this issue because I am not going to have a certain group of religious fanatics and liberal troublemakers trying to cram their crap down my throat....I stand by my beliefs and that is the final word..if you don't like it, then you can go pound sand as well....

December 6, 2017 at 5:02pm



Cheryl Heymans #Yes NH resident. One shouldn't be able to display discrimination against anyone

December 6, 2017 at 8:50am



Darren Clayton More Gospel 🙏

December 6, 2017 at 8:51am



Pat Ashnault #Yes! No one should be discriminated against because of race,religion,sexual identity,age-we are a country that used to epitomize freedom-it's sad to see prejudice winning.

December 6, 2017 at 9:12am



Walter Corey WE DONT NEED NEW LAWS HERE,,,,,EQUAL OPPORTUNITY IS ALREADY A LAW FOR BUISINESSES,,,,AND MANY OTHER PLACES ALSO

December 6, 2017 at 9:38am



Walter Corey # NO,,,NEW HAMPSHIRE RESIDENT,,,,,,I THINK THEY GET ENOUGH SPECIAL TREATMENT NOW,,,,,,ITS TIME FOR YOU ALL TO MOVE ON TO SOME IMPORTANT LAWS DONT YA THINK,,,,,,

1 · December 6, 2017 at 9:36am



Mary Srephens I'm from nh. No this should not be added to law. You are what you are. You were either born a male or female that's it. There are studies that show this is a mental health problem. Like Schizophrenia, Bipolar or any other. I believe it has only been made worse by the way our society has decided that we need to agree with everyone and everything that people choose to believe in at the moment. There is always something new, just wait it will change. I always thought that nh was a state that stood strong and had a strong foundation . This country needs to get back to fundamentals. Stop trying to avoid talking about things that may hurt someone's feelings. You can't solve a problem by sweeping it under the rug. We are only being enablers. Instead let's get this where insurance companies have to put this on the list of mental health issues that they have to cover. Or maybe in a few years well have people chasing cars and pooping in the street because they identify as a dog

2 · December 6, 2017 at 9:39am



Katara Moreland #NO

December 6, 2017 at 9:46am



Katara Moreland #NO. You can't change biology, female or male.

1 · December 6, 2017 at 9:48am



Balaram Dass Uh what? Have u heard of genetically modified food? Also sex is not gender.. for someone with a pic "no place for hate" on her page this is a strange "no"

December 6, 2017 at 10:23am



Balaram Dass Chemotherapy, medication, food, clean water, plenty of things change biology lol

December 6, 2017 at 10:23am



Katara Moreland Balaram Dass you cant have a penis and say you have a vagina when you don't.

1 · December 6, 2017 at 10:29am



Katara Moreland Balaram Dass it's not hate either it's facts.

1 · December 6, 2017 at 10:29am



Katara Moreland Balaram Dass and why tf where you creeping on my page? No place for hate yeah with bulking

December 6, 2017 at 10:32am



Katara Moreland Bullying *

December 6, 2017 at 10:33am



Liam Shenk Nobody claims they are sexually a female. People who identify as trans see themselves more as the female gender. It has nothing to do with sex.

December 6, 2017 at 4:32pm



Liam Shenk Why do you think they have hormone therapy?

December 6, 2017 at 4:35pm



Richard LeFrance #NO NH resident. You dont even want to open that can of worms. The deranged left already includes pedophilia in the alphabet of recognized genders. The state could then be accused of targeting people based on their "gender" when then arrest child molesters. <http://www.independent.co.uk/.../paedophilia-sexual...>

1 · December 6, 2017 at 10:04am



Liam Shenk Pedophiles and hepephiles are dangerous to our youth in a way that transgender people are not. You must just get really pissed off seeing someone living out their life in the way they want it.

December 6, 2017 at 4:38pm



Richard LeFrance <https://www.mrc.org/bozells.../democrats-sex-and-children>

Democrats on Sex and Children

MRC.ORG

December 6, 2017 at 8:07pm



Scott Upham No

1 · December 6, 2017 at 10:11am



Sharon M. O'Connor No

1 · December 6, 2017 at 10:33am



David LaPlante No

1 · December 6, 2017 at 10:38am



John David Burke Jr. No

1 · December 6, 2017 at 10:50am



Susan OConnor No. It is a mental illness and there are already laws to protect them.

3 · December 6, 2017 at 11:06am



Stephen Noble #No NH resident. "Gender Identity" is far too ambiguous a term. It's going to create far more problems than it solves.

2 · December 6, 2017 at 11:07am



Joe Statz yes we are not the judge and jury on this planet
December 6, 2017 at 12:34pm



Jodi Parker #yes nh resident
December 6, 2017 at 12:39pm



Steven Charles NO!! THERE ARE ONLY TWO GENDERS MALE AND FEMALE BOTH CREATED BY GOD!
MAN MADE SEXES ARE CREATED BY MENTAL ILLNESS, AND WE SHOULD REOPEN THE THOUSANDS OF MENTAL FACILITIES, TO HOUSE AND HELP THESE POOR CONFUSED SOULS 🙄

2 · December 6, 2017 at 1:20pm



Rick Smith #no discrimination is KEY to a free society. NH resident
1 · December 6, 2017 at 1:23pm



Dawn Mistler No
1 · December 6, 2017 at 1:23pm



Katherine Reed YES ...soon to move back.
December 6, 2017 at 1:24pm



Keith Mochida As long as it's male and female. The rest of the nonsense is mental illness .

3 · December 7, 2017 at 3:33am · Edited



Sharon Parker-Roberge Mail, Eh?
December 6, 2017 at 7:33pm



D Malcolm Nolan I thought God made boy girl ,what else is there??
1 · December 6, 2017 at 2:30pm




Stewart Weldon YES duh
December 6, 2017 at 3:01pm




David Winchester plenty cuz mother nature makes mistakes that god can't seem to fix but maybe it wasn't mother nature but god that made the mistake and you are proof
December 6, 2017 at 3:02pm




Linds Jakows #yes NH resident- everyone deserves explicit protections under the state law against discrimination, including our transgender friends & neighbors
December 6, 2017 at 3:15pm

 **Kimberly Morin** EVERYONE in NH is already protected by state law against discrimination. EVERYONE.

2 · December 6, 2017 at 8:14pm

 **Linds Jakows** It's surprising to know that there are no explicit protections in the NH state Law Against Discrimination for transgender people. The state Law Against Discrimination includes protections based on race, age, religion, sexual orientation, etc... but not yet gender identity. It's time to update the law and join 18 other states and 200 municipalities in ensuring explicit protections.


December 7, 2017 at 6:13am

 **Kimberly Morin** Linds Jakows They are protected under the EXACT same laws as everyone else. They are not special, they should not get special rights.


December 7, 2017 at 7:12pm

 **David Xavier** #No #NHResident

2 · December 6, 2017 at 3:43pm

 **Brad Smith** Which one, arent there almost 100 different genders now

December 6, 2017 at 4:46pm

 **Brad Smith** <https://www.google.com/search...>


December 6, 2017 at 4:48pm

 **Brian Fox** #no


1 · December 6, 2017 at 5:09pm

 **Christopher J Plourde** No


1 · December 6, 2017 at 5:36pm

 **Kathy Buell** No, they are not asking for equal rights...they want special rights...not affordable to anyone. They are asking us to look at a total male, and respect him as a female when we know it is a complete lie of nature..against all science and biology. Take away my right to not accept their lie.

December 6, 2017 at 7:22pm

 **Robert Taylor** And where may I ask did you get your biology degree from? Ill go out on a limb and say you don't have one.

December 6, 2017 at 10:27pm

 **Kathy Buell** Robert Taylor Stupid reply..now denying biology...Universiy of Illinois..

December 7, 2017 at 8:31am

 **Griffin McGee** #yes Because there is never an excuse to discriminate.

1 · December 6, 2017 at 7:24pm



Sharon Parker-Roberge #yes

December 6, 2017 at 7:34pm



Jon Stone No.... NH Resident

1 · December 6, 2017 at 7:58pm · Edited



Caine Steelwind #yes

1 · December 6, 2017 at 11:09pm



Olivia Paiva No. Gender is a scientific fact. Either you have man parts or woman parts. You can't make up your own definition for gender. It is what it is. That being said any man or woman is free to act and look how they please. Just don't deny what you were naturally born as.

2 · December 7, 2017 at 6:05am



Nyxx Sanz did you know men have nipples because all fetus's start female

December 7, 2017 at 6:43am



Vincent Marcellino Nyxx Sanz, be that as it may, I grew a penis and testicles at some point.(not sure when in pregnancy those pop). As Olivia stated, what you're born with is what you are. You can make the choice to live how you wish. But you can't deny what you came out of your mother as.

1 · December 9, 2017 at 9:25am



David Hamilton Nyxx Sanz and?there's also men like me.who are yy (we don't make estrogen)

December 14, 2017 at 8:31am



Kate Jute #yes nh shpuld ne a free state

December 7, 2017 at 7:06am



David Hamilton Lol,I'm willing to be trumps not your president,if this is a free stayer,should I be allowed.to own a full auto with no extra paperwork?

1 · December 14, 2017 at 8:33am



Kate Jute Yes and no

December 14, 2017 at 9:11am



Mark Scheerhoorn I say yes. Olivia is straight out of the '50s....

December 7, 2017 at 7:47am



Olivia Paiva Science and nature has nothing to do with the fifties dude.....

December 9, 2017 at 9:52am

Claudia Anctil Yes. All we are asking for is equality.



December 7, 2017 at 9:32am



John McAuliffe There are only two genders. MALE AND FEMALE. If your confused look down at your crotch and try to figure it out.

5 · December 7, 2017 at 10:08am



David Bruce No

December 7, 2017 at 11:02am



Art Brennan Yes, because we all deserve to be treated equally and gender identity is a fundamental human right. Some of my dearest friends and some of our greatest people are transgender persons.

December 7, 2017 at 11:12am



Harry Schmetlap I agree with James Twining don't discriminate. Live free or die

1 · December 7, 2017 at 2:01pm



Jard Allanson #No. People can identify however they want and I fully support that. However I don't support government protections for certain "protected classes". People should be free to discriminate however they want. I don't agree with bigotry but I it's an issue of freedom of association.

December 7, 2017 at 3:33pm



Evelyn Logan No.

December 7, 2017 at 3:49pm



Jess Edwards The law is irrelevant. It's already covered under RSA 354-A. Let's educate people so they know the truth. The sky is blue. Let's pass a law saying the sky is blue.

December 7, 2017 at 7:07pm



Matt Hanson No! What is in your pants is who you are. Bunch of sick freaks! Get back in your closet!

December 8, 2017 at 10:30am



Corey Green Wow this is exactly the problem.

December 10, 2017 at 5:56am



Lance Bennett Nh and no. There are only 2 genders male and female

December 8, 2017 at 10:36am



Lauren Gagnon #yes. Mind your own damn business and leave your neighbors alone.

December 8, 2017 at 2:47pm



Joe Capriotti #no #nhresident because there is no end in sight. You could be one of 298 gender identities.

December 8, 2017 at 3:20pm



Norman M Henderson Jr #YES

December 8, 2017 at 7:10pm



Shari Cusano The parts you are born with are the factor here, if you choose to be sexually liberated that is your own business so keep it to yourselves !

December 9, 2017 at 7:26am



William Lee Berryhill no because we dont need another califonia jail time sentence for calling someone the wrong sex, other wise im going to start jailing everyone that thinks im a mam

December 10, 2017 at 3:17am



David Hamilton Yes, but only to shut the mentally ill up (gender identity issues are listed as such) there are only two genders, and you can switch between the two yes, but that's it, there's no gender fluid... so while I say yes, I say Trans take this and give up gun ownership and military rights (it's not just a right but a privilege to serve your country) because time after time we have proven that Trans ppl are highly unstable (you can get mad at me all you want, it's clear that these days ppl with facts are hated) and most of them experience suicidal ideology.

December 14, 2017 at 8:37am



Cheryl Jones #yes. #nhresident. Because it is proven that male employees earn three times more than their female counterparts.

December 14, 2017 at 1:07pm



Evelyn Logan Sorry, but that can't be true. So, proven by who? Please include links to evidence in your response.

December 17, 2017 at 2:44pm



Robert Means Absolutely not!

#NO

December 26, 2017 at 5:08pm

CITIZEN VOICES METHODOLOGY

Citizens Count NH's Citizen Voices® are a key aspect of our efforts to put the opinions of New Hampshire citizens front-and-center when policy decisions are being debated and made.

Six days a week, Citizens Count posts a yes-or-no question related to a public policy issue in New Hampshire on our Facebook page, inviting members to join the discussion and share their opinion. Participation in these discussions varies greatly, but often includes hundreds or thousands of individuals from across the political spectrum engaging in lively, thoughtful discourse.

How Responses are Counted

The full content of all responses to the discussion is exported into a spreadsheet. Citizens Count staff members review each response and determine whether it constitutes a 'yes' response, 'no' response, or broader comment on the issue.

Responses which are not in any way related to the issue or to New Hampshire public policy, such as personal conversations between citizens, are labeled "off-topic".

Participants are requested to use hashtags to clarify their position, but in the absence of a hashtag, staffers will still attempt to classify a response based on its specific content. Each response is reviewed by at least two staffers, who will discuss and resolve any discrepancies in how a response has been categorized.

Concurrences ("likes" on comments) are counted as responses in the same category as the comment "liked". For example, a "like" on a "yes" post is considered an additional "yes" response for quantification purposes.

"Likes" on the question post itself, or post shares which do not include a comment from the user, are not included in any of the above categories.

Only one response from each individual citizen is counted in this manner.

The Numbers

The total number of participants listed for each Citizen Voice is the sum of the following:

- Individuals giving “yes” or “no” responses.
- Individuals making broader comments on the issue or related policy issues.

How Citizens Voices are Used

Each Citizen Voices write-up is distributed via email to a custom list of recipients that can include any of the following:

- Membership of legislative committees likely to consider the specific bill in question, or who oversee a particular policy area.
- The full body of the House and Senate.
- New Hampshire’s federal Congressional delegation.
- Leaders of special interest groups or associations.
- Town or school administrators.
- New Hampshire media outlets.

Every Citizen Voices is additionally sent to the office of the governor, and to our list of Citizens Voices subscribers, which includes both interested citizens and elected officials who have opted-in.

Citizens Voices may also be presented by Citizens Count NH staffers as testimony at legislative hearings or submitted to the appropriate body as public comment.

[Click here](#) to subscribe to Citizen Voices.

Do you have additional questions about Citizens Voices or our methodology? Please [contact us](#).



Sign the Pledge:

**IT'S TIME TO SECURE
NON-DISCRIMINATION PROTECTIONS
FOR TRANSGENDER PEOPLE IN NH!**

New Hampshire is the only New England state without explicit non-discrimination protections for transgender people. But in 2018, we can change that—by urging state lawmakers to pass #TransBillNH (HB 1319) to update the state law to prohibit discrimination against our transgender friends and neighbors.

**ADD YOUR NAME NOW IF YOU AGREE: It's time to ensure
fair treatment for transgender people under NH law!**



Kathleen Abate

Manchester | kat41367@aol.com

Tina Abbate

Hampton | tinaabbate82@gmail.com

Judith Abbott

Sanbornton | judiabbott@aol.com

Jessica Abdallah

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Amendments

Amendment to HB 1319

1 Amend the title of the bill by replacing it with the following:

2

3 AN ACT prohibiting discrimination based on gender identity and status as a victim of
4 sexual assault.

5

6 Amend the bill by replacing all after the enacting clause with the following:

7

8 1 Title and Purposes of This Chapter; Gender Identity; Victim of Sexual Assault. Amend RSA
9 354-A:1 to read as follows:

10 354-A:1 Title and Purposes of Chapter. This chapter shall be known as the "Law Against
11 Discrimination." It shall be deemed an exercise of the police power of the state for the protection of
12 the public welfare, health and peace of the people of this state, and in fulfillment of the provisions of
13 the constitution of this state concerning civil rights. The general court hereby finds and declares
14 that practices of discrimination against any of its inhabitants because of age, sex, *gender identity*,
15 race, creed, color, marital status, familial status, physical or mental disability, [Ø] national origin,
16 *or status as a victim of sexual assault* are a matter of state concern, that such discrimination
17 not only threatens the rights and proper privileges of its inhabitants but menaces the institutions
18 and foundation of a free democratic state and threatens the peace, order, health, safety and general
19 welfare of the state and its inhabitants. A state agency is hereby created with power to eliminate
20 and prevent discrimination in employment, in places of public accommodation and in housing
21 accommodations because of age, sex, *gender identity*, race, creed, color, marital status, familial
22 status, physical or mental disability, [Ø] national origin, *or status as a victim of sexual assault*
23 as herein provided; and the commission established hereunder is hereby given general jurisdiction
24 and power for such purposes. In addition, the agencies and councils so created shall exercise their
25 authority to assure that no person be discriminated against on account of sexual orientation.

26 2 New Paragraph; Gender Identity; Definition. Amend RSA 354-A:2 by inserting after
27 paragraph XIV-d the following new paragraph.

28 XIV-e. "Gender identity" means a person's gender-related identity, appearance, or behavior,
29 whether or not that gender-related identity, appearance, or behavior is different from that
30 traditionally associated with the person's physiology or assigned sex at birth. Gender-related
31 identity may be shown by providing evidence including, but not limited to, medical history, care or
32 treatment of the gender-related identity, consistent and uniform assertion of the gender-related
33 identity, or any other evidence that the gender-related identity is sincerely held as part of a person's



NOT ADOPTED
2.27.18



1 core identity provided, however, that gender-related identity shall not be asserted for any improper
2 purpose.

3 3 New Paragraph; Victim of Sexual Assault; Definition. Amend RSA 354-A:2 by inserting after
4 paragraph XV the following new paragraph:

5 XVI. "Status as a Victim of Sexual Assault" shall be evidenced by a pending criminal
6 investigation or complaint alleging sexual assault, or a criminal conviction for sexual assault, as
7 defined in RSA RSA 632-A.

8 4 General Powers and Duties of the Commission; Gender Identity and Victim of Sexual Assault.
9 Amend RSA 354-A:5, VIII-IX to read as follows:

10 VIII. To create such advisory agencies and conciliation councils, local, regional or statewide,
11 as in its judgment will aid in effectuating the purpose of this chapter, and the commission may
12 empower them to study the problems of discrimination in all or specific fields of human
13 relationships or in specific instances of discrimination, because of age, sex, *gender identity*, race,
14 color, sexual orientation, marital status, familial status, or physical or mental disability, religious
15 creed, [Ø] national origin, *or status as a victim of sexual assault* in order to foster, through
16 community effort or otherwise, good will, cooperation and conciliation among the groups and
17 elements of the population of the state, and make recommendations to the commission for the
18 development of policies and procedures in general and in specific instances, and for programs of
19 formal and informal education which the commission may recommend to the appropriate state
20 agency. Such advisory agencies and conciliation councils shall be composed of representative
21 citizens, serving without pay, but with reimbursement for actual and necessary traveling expenses;
22 and the commission may make provision for technical clerical assistance to such agencies and
23 councils and for the expenses of such assistance.

24 IX. To issue such publications and such results of investigations and research as in its
25 judgment will tend to promote good will and minimize or eliminate discrimination because of age,
26 sex, *gender identity*, race, color, marital status, familial status, physical or mental disability,
27 religious creed, [Ø] national origin, *or status as a victim of sexual assault* and on account of
28 sexual orientation.

29 5 Opportunity for Employment Without Discrimination a Civil Right; Gender Identity and
30 Victim of Sexual Assault Added. Amend RSA 354-A:6 to read as follows:

31 354-A:6 Opportunity for Employment Without Discrimination a Civil Right. The opportunity to
32 obtain employment without discrimination because of age, sex, *gender identity*, race, creed, color,
33 marital status, physical or mental disability, [Ø] national origin, *or status as a victim of sexual*
34 *assault* is hereby recognized and declared to be a civil right. In addition, no person shall be denied
35 the benefits of the rights afforded by this section on account of that person's sexual orientation.

36 6 Unlawful Discriminatory Practices; Gender Identity and Victim of Sexual Assault Added.
37 Amend RSA 354-A:7, I-III to read as follows:



Amendment to HB 1319

- Page 3 -

1 I. For an employer, because of the age, sex, *gender identity*, race, color, marital status,
2 physical or mental disability, religious creed, ~~or~~ national origin, *or status as a victim of sexual*
3 *assault* of any individual, to refuse to hire or employ or to bar or to discharge from employment
4 such individual or to discriminate against such individual in compensation or in terms, conditions
5 or privileges of employment, unless based upon a bona fide occupational qualification. In addition,
6 no person shall be denied the benefit of the rights afforded by this paragraph on account of that
7 person's sexual orientation.

8 II. For a labor organization, because of the age, sex, *gender identity*, race, color, marital
9 status, physical or mental disability, creed, ~~or~~ national origin, *or status as a victim of sexual*
10 *assault* of any individual, to exclude from full membership rights or to expel from its membership
11 such individual or to discriminate in any way against any of its members or against any employer
12 or any individual employed by an employer, unless based upon a bona fide occupational
13 qualification. In addition, no person shall be denied the benefit of the rights afforded by this
14 paragraph on account of that person's sexual orientation.

15 III. For any employer or employment agency to print or circulate or to cause to be printed
16 or circulated any statement, advertisement or publication, or to use any form of application for
17 employment or to make any inquiry or record in connection with employment, which expresses,
18 directly or indirectly, any limitation, specification or discrimination as to age, sex, *gender identity*,
19 race, color, marital status, physical or mental disability, religious creed, ~~or~~ national origin, *or*
20 *status as a victim of sexual assault* or any intent to make any such limitation, specification or
21 discrimination in any way on the ground of age, sex, *gender identity* race, color, marital status,
22 physical or mental disability, religious creed or national origin, unless based upon a bona fide
23 occupational qualification; provided, however, that nothing in this chapter shall limit an employer
24 after the offer of hire of an individual from inquiring into and keeping records of any existing or
25 pre-existing physical or mental conditions. In addition, no person shall be denied the benefit of the
26 rights afforded by this paragraph on account of that person's sexual orientation.

27 7 Equal Housing Opportunity Without Discrimination a Civil Right; Gender Identity and
28 Victim of Sexual Assault Added. Amend RSA 354-A:8 to read as follows:

29 354-A:8 Equal Housing Opportunity Without Discrimination a Civil Right. The opportunity to
30 obtain housing without discrimination because of age, sex, *gender identity*, race, creed, color,
31 marital status, familial status, physical or mental disability, ~~or~~ national origin, *or status as a*
32 *victim of sexual assault* is hereby recognized and declared a civil right. In addition, no person
33 shall be denied the benefit of the rights afforded by this section on account of that person's sexual
34 orientation.

35 8 Unlawful Discriminatory Practices; Gender Identity; Victim of Sexual Assault. Amend RSA
36 354-A:10 to read as follows:

37 354-A:10 Unlawful Discriminatory Practices. It shall be an unlawful discriminatory practice



1 for any person, being the owner, lessee, sublessee, assignee, managing agent or other person having
2 the right to rent or lease a dwelling or commercial structure or being in the business of selling or
3 renting dwellings or commercial structures:

4 I. To refuse to sell or rent after the receipt of a bona fide offer, or to refuse to negotiate for
5 the sale or rental of, or otherwise make unavailable or deny, a dwelling or commercial structure to
6 any person because of age, sex, **gender identity**, race, color, marital status, familial status,
7 physical or mental disability, religion, [Ø] national origin, **or status as a victim of sexual**
8 **assault**. In addition, no person shall be denied the benefit of the rights afforded by this paragraph
9 on account of that person's sexual orientation.

10 II. Discriminate against any person in the terms, conditions, or privilege of sale or rental of
11 a dwelling or commercial structure, or in the provision of services or facilities in connection
12 therewith, because of age, sex, **gender identity**, race, color, marital status, familial status, physical
13 or mental disability, religion, [Ø] national origin, **or status as a victim of sexual assault**. In
14 addition, no person shall be denied the benefit of the rights afforded by this paragraph on account of
15 that person's sexual orientation.

16 III. To make, print or publish, or cause to be made, printed or published, any notice,
17 statement or advertisement, with respect to the sale or rental of a dwelling or commercial structure
18 that indicates any preference, limitation, or discrimination based on age, sex, **gender identity**,
19 race, color, marital status, familial status, physical or mental disability, religion, [Ø] national
20 origin, **or status as a victim of sexual assault** or an intention to make any such preference,
21 limitation or discrimination. In addition, no person shall be denied the benefit of the rights afforded
22 by this paragraph on account of that person's sexual orientation.

23 IV. To represent to any person because of age, sex, **gender identity**, race, color, marital
24 status, familial status, physical or mental disability, religion, [Ø] national origin, **or status as a**
25 **victim of sexual assault** that any dwelling or commercial structure is not available for inspection,
26 sale, or rental when such dwelling is in fact so available. In addition, no person shall be denied the
27 benefit of the rights afforded by this paragraph on account of that person's sexual orientation.

28 V. For profit, to induce or attempt to induce any person to sell or rent any dwelling by
29 representations regarding the entry or prospective entry into the neighborhood of a person or
30 persons of a particular age, sex, **gender identity**, race, color, marital status, familial status,
31 physical or mental disability, religion, [Ø] national origin, **or status as a victim of sexual**
32 **assault**. In addition, no person shall be denied the benefit of the rights afforded by this paragraph
33 on account of that person's sexual orientation.

34 VI. To evict a tenant solely on the grounds that the person has acquired immune deficiency
35 syndrome (AIDS) or is regarded to have acquired immune deficiency syndrome.

36 VII. For any person or other entity whose business includes engaging in residential real
37 estate-related transactions to discriminate against any person in making available such a



1 transaction, or in the terms or conditions of such a transaction, because of age, race, color, religion,
2 sex, **gender identity**, disability, familial status, marital status, [~~or~~] national origin, **or status as a**
3 **victim of sexual assault**. In addition, no person shall be denied the benefit of the rights afforded
4 by this paragraph on account of that person's sexual orientation.

5 VIII. To deny any person access to, or membership or participation in, any multiple-listing
6 service, real estate brokers' organization or other service, organization, or facility relating to the
7 business of selling or renting dwellings, or to discriminate against that person in the terms or
8 conditions of such access, membership, or participation, on account of age, familial status, sex,
9 **gender identity**, race, color, creed, disability, national origin, marital status, [~~or~~] sexual
10 orientation, **or status as a victim of sexual assault**.

11 9 Equal Access to Public Accommodations a Civil Right; Gender Identity; Victim of Sexual
12 Assault. Amend RSA 354-A:16 to read as follows:

13 354-A:16 Equal Access to Public Accommodations a Civil Right. The opportunity for every
14 individual to have equal access to places of public accommodation without discrimination because of
15 age, sex, **gender identity**, race, creed, color, marital status, physical or mental disability, [~~or~~]
16 national origin, **or status as a victim of sexual assault** is hereby recognized and declared to be a
17 civil right. In addition, no person shall be denied the benefit of the rights afforded by this section on
18 account of that person's sexual orientation.

19 10 Unlawful Discriminatory Practices in Public Accommodations; Gender Identity; Victim of
20 Sexual Assault. Amend RSA 354-A:17 to read as follows:

21 354-A:17 Unlawful Discriminatory Practices in Public Accommodations. It shall be an unlawful
22 discriminatory practice for any person, being the owner, lessee, proprietor, manager,
23 superintendent, agent or employee of any place of public accommodation, because of the age, sex,
24 **gender identity**, race, creed, color, marital status, physical or mental disability, [~~or~~] national
25 origin, **or status as a victim of sexual assault** of any person, directly or indirectly, to refuse,
26 withhold from or deny to such person any of the accommodations, advantages, facilities or privileges
27 thereof; or, directly or indirectly, to publish, circulate, issue, display, post or mail any written or
28 printed communication, notice or advertisement to the effect that any of the accommodations,
29 advantages, facilities and privileges of any such place shall be refused, withheld from or denied to
30 any person on account of age, sex, **gender identity**, race, creed, color, marital status, physical or
31 mental disability, [~~or~~] national origin, **or status as a victim of sexual assault**; or that the
32 patronage or custom thereat of any person belonging to or purporting to be of any particular age,
33 sex, **gender identity**, race, creed, color, marital status, physical or mental disability, [~~or~~] national
34 origin, **or status as a victim of sexual assault** is unwelcome, objectionable or acceptable, desired
35 or solicited. In addition, no person shall be denied the benefit of the rights afforded by this section
36 on account of that person's sexual orientation.

37 11 Construction; Gender Identity; Victim of Sexual Assault. Amend RSA 354-A:25 to read as



1 follows:

2 354-A:25 Construction. No provision of this chapter shall be deemed to supersede any other
3 provision of law for the protection of minors or for the regulation of the employment of minors. The
4 provisions of this chapter shall be construed liberally for the accomplishment of the purposes
5 thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of the
6 civil rights law or any other law of this state relating to discrimination because of age, sex, *gender*
7 *identity*, race, creed, color, marital status, physical or mental disability, ~~or~~ national origin, *or*
8 *status as a victim of sexual assault*; but, as to acts declared unlawful by this chapter the
9 procedure provided in this chapter shall, while pending, be exclusive and the final determination
10 therein shall exclude any other action, civil or criminal, based on the same grievance of the
11 individual concerned. If such individual institutes any action based on such grievance without
12 resorting to the procedure provided in this chapter, such person may not subsequently resort to the
13 procedure in this chapter, provided, however, that nothing in this section shall prevent any
14 individual from applying for or receiving unemployment compensation while the procedure
15 provided for in this chapter is pending or after the procedure provided in this chapter has been
16 concluded. This section shall not prevent the commission for human rights from investigating and
17 acting upon a complaint of discrimination when the complainant has also filed a claim for
18 unemployment compensation in which the issue of illegal discrimination is raised.

19 12 Effective Date. This act shall take effect 30 days after its passage.



1 follows:

2 354-A:25 Construction. No provision of this chapter shall be deemed to supersede any other
3 provision of law for the protection of minors or for the regulation of the employment of minors. The
4 provisions of this chapter shall be construed liberally for the accomplishment of the purposes
5 thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of the
6 civil rights law or any other law of this state relating to discrimination because of age, sex, *gender*
7 *identity*, race, creed, color, marital status, physical or mental disability, ~~or~~ national origin, *or*
8 *status as a victim of sexual assault*; but, as to acts declared unlawful by this chapter the
9 procedure provided in this chapter shall, while pending, be exclusive and the final determination
10 therein shall exclude any other action, civil or criminal, based on the same grievance of the
11 individual concerned. If such individual institutes any action based on such grievance without
12 resorting to the procedure provided in this chapter, such person may not subsequently resort to the
13 procedure in this chapter, provided, however, that nothing in this section shall prevent any
14 individual from applying for or receiving unemployment compensation while the procedure
15 provided for in this chapter is pending or after the procedure provided in this chapter has been
16 concluded. This section shall not prevent the commission for human rights from investigating and
17 acting upon a complaint of discrimination when the complainant has also filed a claim for
18 unemployment compensation in which the issue of illegal discrimination is raised.

19 12 Effective Date. This act shall take effect 30 days after its passage.



2018-0241h

AMENDED ANALYSIS

This bill prohibits discrimination based on gender identity and or status as a victim of sexual assault. The bill also defines gender identity and status as a victim of sexual assault.

New Hampshire Commission for Human Rights



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House Judiciary Committee

HB 1319: An Act prohibiting discrimination based on gender identity

TESTIMONY OF COMMISSIONER SYLVIA GALE

NEW HAMPSHIRE COMMISSION FOR HUMAN RIGHTS

Good afternoon, Mr. Chairman and members of the Committee. My name is Sylvia Gale, I live in Nashua, NH and I serve proudly as an appointed Commissioner on the New Hampshire Commission for Human Rights. I am pleased to come before the Committee today to offer the Commission's strong support for HB 1319. The legislation will provide a much-needed affirmation of the Commission's existing jurisdiction and provide parties appearing before the Commission a clear statutory basis for resolving claims of discrimination on the basis of gender identity.

The Human Rights Commission is the state agency that was created in 1965 by New Hampshire's Law Against Discrimination, RSA Chapter 354-A. We celebrated our 50th Anniversary in the fall of 2015. Our Commission consists of seven volunteer Commissioners nominated by the Governor and confirmed by the Executive Council, together with a full-time staff of seven to conduct the day-to-day work of the Commission.

The Human Rights Commission is charged under Chapter 354-A to hear and resolve claims of discrimination in employment, housing, and public accommodations for a number of protected classes, which include age, sex, sexual orientation, race, creed, color, marital status, familial status, physical or mental disability or national origin.

The proposed legislation would add “gender identity” to the list of protected classes covered under the Commission’s anti-discrimination jurisdiction.

Let me take a moment to explain why this this legislation affirms and clarifies, rather than expands, our existing jurisdiction. This is also the reason that this legislation is not expected to have any fiscal impact on the Commission’s caseload.

Since 1988, the Human Rights Commission has accepted and heard transgender discrimination cases under our existing Chapter 354-A jurisdiction. That year, in a case called *Jane Doe v. Electro-Craft Corporation* (1988), the New Hampshire Superior Court held that the Commission has jurisdiction under Chapter 354-A to hear discrimination claims on the basis of gender identity. For nearly 30 years, decisions of the Commission have adhered to the Court’s core decision.

But while we have accepted transgender discrimination cases for 30 years, Chapter 354-A remains silent on recognizing gender identity as a protected class in New Hampshire. The absence of an express recognition of transgender rights in our statute has caused confusion and uncertainty among parties and practitioners in cases before the Commission. First of all, we continue to hear arguments that the Commission lacks authority to hear transgender discrimination cases from parties that may not be familiar with our case law. This sort of confusion among parties and practitioners simply wastes everyone’s time and resources. Passage of HB 1319 would put an end to that confusion.

But even when parties are aware of our case law, the lack of clear statutory guidance has also created uncertainty in our decisional law. Without an express statutory basis for these cases, parties have relied on 30 years of evolving case law to advance a number of alternative legal theories in support of transgender rights. In most instances, these cases are heard in the Superior Courts. The result is that decisions in New Hampshire involving transgender discrimination have rested on multiple legal theories over time. HB 1319 will provide a unified statutory basis for protecting transgender rights under RSA 354-A, which is a most welcome and long overdue development in our law.

Adding express statutory language in Chapter 354-A will provide clarity and certainty to our anti-discrimination law. That’s why HB 1319 is so important and necessary. It will give clear notice to employers, landlords and businesses as to what their legal obligations are with regard to transgender people, and it will provide transgender people with the tools they need to protect themselves. And it will send a strong message that New Hampshire is not open for discrimination.

Bill as
Introduced

HB 1319 - AS INTRODUCED

2018 SESSION

18-2009
05/04

HOUSE BILL **1319**

AN ACT prohibiting discrimination based on gender identity.

SPONSORS: Rep. Butler, Carr. 7; Rep. Stone, Rock. 1; Rep. Fothergill, Coos 1; Rep. Dean-Bailey, Rock. 32; Rep. Hennessey, Graf. 1; Rep. Crawford, Carr. 4; Rep. Bean, Rock. 21; Rep. Gargas, Hills. 27; Rep. McMahon, Rock. 7; Rep. Darrow, Graf. 17; Sen. Bradley, Dist 3; Sen. Innis, Dist 24; Sen. Reagan, Dist 17; Sen. Woodburn, Dist 1; Sen. Fuller Clark, Dist 21

COMMITTEE: Judiciary

ANALYSIS

This bill prohibits discrimination based on gender identity. The bill also defines gender identity.

Explanation: Matter added to current law appears in *bold italics*.
Matter removed from current law appears [~~in brackets and struck through~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Eighteen

AN ACT prohibiting discrimination based on gender identity.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 1 Title and Purposes of This Chapter; Gender Identity. Amend RSA 354-A:1 to read as follows:

2 354-A:1 Title and Purposes of Chapter. This chapter shall be known as the "Law Against
3 Discrimination." It shall be deemed an exercise of the police power of the state for the protection of
4 the public welfare, health and peace of the people of this state, and in fulfillment of the provisions of
5 the constitution of this state concerning civil rights. The general court hereby finds and declares
6 that practices of discrimination against any of its inhabitants because of age, sex, *gender identity*,
7 race, creed, color, marital status, familial status, physical or mental disability or national origin are
8 a matter of state concern, that such discrimination not only threatens the rights and proper
9 privileges of its inhabitants but menaces the institutions and foundation of a free democratic state
10 and threatens the peace, order, health, safety and general welfare of the state and its inhabitants.
11 A state agency is hereby created with power to eliminate and prevent discrimination in
12 employment, in places of public accommodation and in housing accommodations because of age, sex,
13 *gender identity*, race, creed, color, marital status, familial status, physical or mental disability or
14 national origin as herein provided; and the commission established hereunder is hereby given
15 general jurisdiction and power for such purposes. In addition, the agencies and councils so created
16 shall exercise their authority to assure that no person be discriminated against on account of sexual
17 orientation.

18 2 New Paragraph; Gender Identity; Definition. Amend RSA 354-A:2 by inserting after
19 paragraph XIV-d the following new paragraph.

20 XIV-e. "Gender identity" means a person's gender-related identity, appearance, or behavior,
21 whether or not that gender-related identity, appearance, or behavior is different from that
22 traditionally associated with the person's physiology or assigned sex at birth. Gender-related
23 identity may be shown by providing evidence including, but not limited to, medical history, care or
24 treatment of the gender-related identity, consistent and uniform assertion of the gender-related
25 identity, or any other evidence that the gender-related identity is sincerely held as part of a person's
26 core identity provided, however, that gender-related identity shall not be asserted for any improper
27 purpose.

28 3 General Powers and Duties of the Commission; Gender Identity. Amend RSA 354-A:5, VIII-
29 IX to read as follows:

30 VIII. To create such advisory agencies and conciliation councils, local, regional or statewide,
31 as in its judgment will aid in effectuating the purpose of this chapter, and the commission may

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- Page 2 -

1 empower them to study the problems of discrimination in all or specific fields of human
2 relationships or in specific instances of discrimination, because of age, sex, *gender identity*, race,
3 color, sexual orientation, marital status, familial status, or physical or mental disability, religious
4 creed or national origin, in order to foster, through community effort or otherwise, good will,
5 cooperation and conciliation among the groups and elements of the population of the state, and
6 make recommendations to the commission for the development of policies and procedures in general
7 and in specific instances, and for programs of formal and informal education which the commission
8 may recommend to the appropriate state agency. Such advisory agencies and conciliation councils
9 shall be composed of representative citizens, serving without pay, but with reimbursement for
10 actual and necessary traveling expenses; and the commission may make provision for technical
11 clerical assistance to such agencies and councils and for the expenses of such assistance.

12 IX. To issue such publications and such results of investigations and research as in its
13 judgment will tend to promote good will and minimize or eliminate discrimination because of age,
14 sex, *gender identity*, race, color, marital status, familial status, physical or mental disability,
15 religious creed or national origin, and on account of sexual orientation.

16 4 Opportunity for Employment Without Discrimination a Civil Right; Gender Identity Added.
17 Amend RSA 354-A:6 to read as follows:

18 354-A:6 Opportunity for Employment Without Discrimination a Civil Right. The opportunity to
19 obtain employment without discrimination because of age, sex, *gender identity*, race, creed, color,
20 marital status, physical or mental disability or national origin is hereby recognized and declared to
21 be a civil right. In addition, no person shall be denied the benefits of the rights afforded by this
22 section on account of that person's sexual orientation.

23 5 Unlawful Discriminatory Practices; Gender Identity Added. Amend RSA 354-A:7, I-III to
24 read as follows:

25 I. For an employer, because of the age, sex, *gender identity*, race, color, marital status,
26 physical or mental disability, religious creed, or national origin of any individual, to refuse to hire or
27 employ or to bar or to discharge from employment such individual or to discriminate against such
28 individual in compensation or in terms, conditions or privileges of employment, unless based upon a
29 bona fide occupational qualification. In addition, no person shall be denied the benefit of the rights
30 afforded by this paragraph on account of that person's sexual orientation.

31 II. For a labor organization, because of the age, sex, *gender identity*, race, color, marital
32 status, physical or mental disability, creed, or national origin of any individual, to exclude from full
33 membership rights or to expel from its membership such individual or to discriminate in any way
34 against any of its members or against any employer or any individual employed by an employer,
35 unless based upon a bona fide occupational qualification. In addition, no person shall be denied the
36 benefit of the rights afforded by this paragraph on account of that person's sexual orientation.

37 III. For any employer or employment agency to print or circulate or to cause to be printed
38 or circulated any statement, advertisement or publication, or to use any form of application for

1 employment or to make any inquiry or record in connection with employment, which expresses,
 2 directly or indirectly, any limitation, specification or discrimination as to age, sex, *gender identity*,
 3 race, color, marital status, physical or mental disability, religious creed or national origin or any
 4 intent to make any such limitation, specification or discrimination in any way on the ground of age,
 5 sex, race, color, marital status, physical or mental disability, religious creed or national origin,
 6 unless based upon a bona fide occupational qualification; provided, however, that nothing in this
 7 chapter shall limit an employer after the offer of hire of an individual from inquiring into and
 8 keeping records of any existing or pre-existing physical or mental conditions. In addition, no person
 9 shall be denied the benefit of the rights afforded by this paragraph on account of that person's
 10 sexual orientation.

11 6 Equal Housing Opportunity Without Discrimination a Civil Right; Gender Identity Added.
 12 Amend RSA 354-A:8 to read as follows:

13 354-A:8 Equal Housing Opportunity Without Discrimination a Civil Right. The opportunity to
 14 obtain housing without discrimination because of age, sex, *gender identity*, race, creed, color,
 15 marital status, familial status, physical or mental disability or national origin is hereby recognized
 16 and declared a civil right. In addition, no person shall be denied the benefit of the rights afforded
 17 by this section on account of that person's sexual orientation.

18 7 Unlawful Discriminatory Practices; Gender Identity. Amend RSA 354-A:10 to read as follows:

19 354-A:10 Unlawful Discriminatory Practices. It shall be an unlawful discriminatory practice
 20 for any person, being the owner, lessee, sublessee, assignee, managing agent or other person having
 21 the right to rent or lease a dwelling or commercial structure or being in the business of selling or
 22 renting dwellings or commercial structures:

23 I. To refuse to sell or rent after the receipt of a bona fide offer, or to refuse to negotiate for
 24 the sale or rental of, or otherwise make unavailable or deny, a dwelling or commercial structure to
 25 any person because of age, sex, *gender identity*, race, color, marital status, familial status,
 26 physical or mental disability, religion or national origin. In addition, no person shall be denied the
 27 benefit of the rights afforded by this paragraph on account of that person's sexual orientation.

28 II. Discriminate against any person in the terms, conditions, or privilege of sale or rental of
 29 a dwelling or commercial structure, or in the provision of services or facilities in connection
 30 therewith, because of age, sex, *gender identity*, race, color, marital status, familial status, physical
 31 or mental disability, religion or national origin. In addition, no person shall be denied the benefit of
 32 the rights afforded by this paragraph on account of that person's sexual orientation.

33 III. To make, print or publish, or cause to be made, printed or published, any notice,
 34 statement or advertisement, with respect to the sale or rental of a dwelling or commercial structure
 35 that indicates any preference, limitation, or discrimination based on age, sex, *gender identity*,
 36 race, color, marital status, familial status, physical or mental disability, religion or national origin,
 37 or an intention to make any such preference, limitation or discrimination. In addition, no person
 38 shall be denied the benefit of the rights afforded by this paragraph on account of that person's

1 sexual orientation.

2 IV. To represent to any person because of age, sex, *gender identity*, race, color, marital
3 status, familial status, physical or mental disability, religion or national origin that any dwelling or
4 commercial structure is not available for inspection, sale, or rental when such dwelling is in fact so
5 available. In addition, no person shall be denied the benefit of the rights afforded by this paragraph
6 on account of that person's sexual orientation.

7 V. For profit, to induce or attempt to induce any person to sell or rent any dwelling by
8 representations regarding the entry or prospective entry into the neighborhood of a person or
9 persons of a particular age, sex, *gender identity*, race, color, marital status, familial status,
10 physical or mental disability, religion or national origin. In addition, no person shall be denied the
11 benefit of the rights afforded by this paragraph on account of that person's sexual orientation.

12 VI. To evict a tenant solely on the grounds that the person has acquired immune deficiency
13 syndrome (AIDS) or is regarded to have acquired immune deficiency syndrome.

14 VII. For any person or other entity whose business includes engaging in residential real
15 estate-related transactions to discriminate against any person in making available such a
16 transaction, or in the terms or conditions of such a transaction, because of age, race, color, religion,
17 sex, *gender identity*, disability, familial status, marital status, or national origin. In addition, no
18 person shall be denied the benefit of the rights afforded by this paragraph on account of that
19 person's sexual orientation.

20 VIII. To deny any person access to, or membership or participation in, any multiple-listing
21 service, real estate brokers' organization or other service, organization, or facility relating to the
22 business of selling or renting dwellings, or to discriminate against that person in the terms or
23 conditions of such access, membership, or participation, on account of age, familial status, sex,
24 *gender identity*, race, color, creed, disability, national origin, marital status, or sexual orientation.

25 8 Equal Access to Public Accommodations a Civil Right; Gender Identity. Amend RSA 354-A:16
26 to read as follows:

27 354-A:16 Equal Access to Public Accommodations a Civil Right. The opportunity for every
28 individual to have equal access to places of public accommodation without discrimination because of
29 age, sex, *gender identity*, race, creed, color, marital status, physical or mental disability or
30 national origin is hereby recognized and declared to be a civil right. In addition, no person shall be
31 denied the benefit of the rights afforded by this section on account of that person's sexual
32 orientation.

33 9 Unlawful Discriminatory Practices in Public Accommodations; Gender Identity. Amend
34 RSA 354-A:17 to read as follows:

35 354-A:17 Unlawful Discriminatory Practices in Public Accommodations. It shall be an unlawful
36 discriminatory practice for any person, being the owner, lessee, proprietor, manager,
37 superintendent, agent or employee of any place of public accommodation, because of the age, sex,
38 *gender identity*, race, creed, color, marital status, physical or mental disability or national origin

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1 of any person, directly or indirectly, to refuse, withhold from or deny to such person any of the
2 accommodations, advantages, facilities or privileges thereof; or, directly or indirectly, to publish,
3 circulate, issue, display, post or mail any written or printed communication, notice or advertisement
4 to the effect that any of the accommodations, advantages, facilities and privileges of any such place
5 shall be refused, withheld from or denied to any person on account of age, sex, race, creed, color,
6 marital status, physical or mental disability or national origin; or that the patronage or custom
7 thereat of any person belonging to or purporting to be of any particular age, sex, race, creed, color,
8 marital status, physical or mental disability or national origin is unwelcome, objectionable or
9 acceptable, desired or solicited. In addition, no person shall be denied the benefit of the rights
10 afforded by this section on account of that person's sexual orientation.

11 10 Construction; Gender Identity. Amend RSA 354-A:25 to read as follows:

12 354-A:25 Construction. No provision of this chapter shall be deemed to supersede any other
13 provision of law for the protection of minors or for the regulation of the employment of minors. The
14 provisions of this chapter shall be construed liberally for the accomplishment of the purposes
15 thereof. Nothing contained in this chapter shall be deemed to repeal any of the provisions of the
16 civil rights law or any other law of this state relating to discrimination because of age, sex, *gender*
17 *identity*, race, creed, color, marital status, physical or mental disability or national origin; but, as to
18 acts declared unlawful by this chapter the procedure provided in this chapter shall, while pending,
19 be exclusive and the final determination therein shall exclude any other action, civil or criminal,
20 based on the same grievance of the individual concerned. If such individual institutes any action
21 based on such grievance without resorting to the procedure provided in this chapter, such person
22 may not subsequently resort to the procedure in this chapter, provided, however, that nothing in
23 this section shall prevent any individual from applying for or receiving unemployment
24 compensation while the procedure provided for in this chapter is pending or after the procedure
25 provided in this chapter has been concluded. This section shall not prevent the commission for
26 human rights from investigating and acting upon a complaint of discrimination when the
27 complainant has also filed a claim for unemployment compensation in which the issue of illegal
28 discrimination is raised.

29 11 Effective Date. This act shall take effect 30 days after its passage.