

# 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. Gargasz, 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

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ANALYSIS

This bill prohibits discrimination based on gender identity. The bill also defines gender identity.

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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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 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

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

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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.

# Committee Minutes



**Senate Judiciary Committee**  
*Jennifer Horgan 271-3092*

**HB 1319**, prohibiting discrimination based on gender identity.

**Hearing Date:** April 16, 2018

**Time Opened:** 1:30 p.m.

**Time Closed:** 6:51 p.m.

**Members of the Committee Present:** Senators Carson, French and Gannon

**Members of the Committee Absent :** Senators Lasky and Hennessey

**Bill Analysis:** This bill prohibits discrimination based on gender identity. The bill also defines gender identity.

**Sponsors:**

Rep. Butler

Rep. Hennessey

Rep. Gargas

Sen. Bradley

Sen. Woodburn

Rep. Stone

Rep. Crawford

Rep. McMahon

Sen. Innis

Sen. Fuller Clark

Rep. Fothergill

Rep. Bean

Rep. Darrow

Sen. Reagan

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**Who supports the bill:** Please see the Sign-In Sheet

**Who opposes the bill:** Please see the Sign-In Sheet

**Who is neutral on the bill:** Please see the Sign-In Sheet

**Summary of testimony presented in support:**

**Representative Butler** (provided written testimony)

- This is necessary and will be good for our communities and State.
- The transgender community deserves and needs the explicit protections that are provided in this bill.
- This will extend protections already provided to most Granite Staters in Chapter 354-A on the Human Rights Commission.
- Such discrimination threatens the rights of all inhabitants.
- This bill will update the statute to be inclusive of transgender residents.
- Nothing in this bill will change the fact that it is already illegal to assault a woman or a man in a public bathroom or locker room.
- 18 states and dozens of municipalities have prohibited discrimination against transgender people and some of those protections have been on the books for decades.
- None of the jurisdictions where these protections exist have experienced increases in harassment, violence, or any other public safety issues in public restroom or locker rooms.
- Prohibiting discrimination does not weaken laws against assault nor compromise

their enforcement.

- This legislation will say to our transgender citizens that it is not okay for them to be fired from their job simply because of who they are, or be prevented from accessing housing or losing their housing simply because of who they are.
- Senator Gannon raised concerns about the privacy of junior high and high school age children in terms of the locker rooms.
  - Understands the concern and needing to feel like the bill will not endanger children. There are schools that already have policies in place that are protective of transgender students and all students. There are ways this is dealt with that protect both. Transgender children desire safety and protection and concerned about exposure as all children. The schools have found ways to achieve that protection. This will only mandate that schools provide ways to find safety for both groups.
- Senator Gannon stated that Timberlane has a separate bathroom for changing. Asked if that will that be illegal under this.
  - Does not have the answer to that, but other people here will.
- Senator French asked what 'improper purpose' means.
  - Someone who is not transgender and decides they are male one day and female the other. Being a transgender is a process and takes time to transition to.
- Senator French asked what kind of time it takes to make that determination.
  - Would leave that to others to answer.
- Senator Carson asked where the definition came from.
  - It has been used in other states and others here can testify to that further.

**Representative Messmer (provided written testimony)**

- Provided the Committee with graphics in relation to what other states have done on this.
- NH is an island amongst New England states in terms of not offering these protections.
- There is no evidence that this kind of legislation has led to attacks in in bathrooms by people abusing this law.
- 27,000 transgender people were surveyed and 60% of them said they avoid public restrooms for fear of confrontation, assault, or harassment.
- That survey also showed that 40% of those surveyed have attempted suicide in their lifetime, compared to 5% in the general population.
- The NH Chiefs of Police, the BIA and the NH Women's Association strongly addressed this bill.
- Has had discussions with her sons about this and young people today are much more open about this and embrace it.

**Victoria Horrock (NH Legal Assistance) (provided written testimony)**

- This will impact housing and domestic violence.
- NH Legal Assistance has limited options for assisting those facing discrimination due to their gender identity.
- Federal regulations prohibit discrimination based on gender identity in federally subsidized housing, but there is no state or federal protections for those who face that kind of discrimination in private housing.
- This does not confer special privileges, but simply expands protections to include

the transgender community.

- In 2017, Suffolk University did a survey of the greater Boston rental market and found that transgender individuals experience housing discrimination 61% of the time.
- Many in the transgender community have experienced homelessness.
- It is estimated that between 31%-50% of transgender individuals encounter intimate partner violence during their lifetimes, compared to 27% of women and 11% of men overall.
- NH Legal Assistance runs a broad domestic violence advocacy program, but currently they have no transgender clients.
- Believes that because there are not protections these people, they are afraid to come forward to access those services.
- Senator French asked how many complaints of housing discrimination they get from transgender individuals.
  - That is hard to answer because it is not a protected class. It is not presently illegal to discriminate against them and therefore they do not know to come to Legal Assistance.
- Senator French asked why this is not covered under the protections for sex.
  - The few complaints the organization has had are under that category. Would make that argument on behalf of anyone who came to make a complaint. It is an issue as to how obvious that protection is. If NH guaranteed this protection, these individuals would know they are protected and could file complaints before the Commission for Human Rights.
- Senator French asked if they have received any complaints for housing discrimination based on gender identity.
  - Does not track that so they do not know. Does not know of any.

**Vivian Murphy** (provided written testimony)

- Still works as a male in order to keep her job.
- Her boss has said things about other minority groups that have led her to believe that he would not be happy to find out she is transgender.
- It is very difficult to live in constant fear.
- Unless there is something specifically in the law that protects against discrimination then individuals are not protected.
- Transgender individuals are judged by presentation, not who they are.
- Senator French asked if she has ever been fired from a job for her gender identity.
  - No job ever knew that she was transgender at the time of employment.
- Senator French asked if she is under the impression that she would be fired from her current job if they knew she was transgender.
  - Cannot say for certain, but thinks it is likely.
- Senator Gannon asked if it would be offensive to amend the bill to limit the accommodations for high school or middle school children.
  - Transgender individuals are just as nervous about those situations as cis-people. Whenever a transgender individual uses the restroom or changing room they do not want to embarrass or harm anyone. It is scary for the transgender community as well. Would let someone else answer as to whether or not that would be offensive.
- Senator French asked how much time it takes to establish someone's gender

identity.

- Can only speak for herself. In her earliest memories she always felt she was a girl and could not understand why the adults did not believe that she was a girl. Learned early on that she had to hide that identity.

**Lisa Bunker** (provided written testimony)

- Anxiety has a way of blowing fears out of proportion.
- Some people feel threatened by the mere existence of transgender people.
- There is no real danger and these awful scenarios of danger are not based in reality or fact.
- Transgenderism is real and normal, but these individuals face real danger.
- When beginning her transition she had started the use of hormones, but had not had surgery yet. She began to feel increasingly unsafe using the men's locker room. In the women's locker room there were private changing stalls and showers with curtains. When starting to use the women's locker room she did everything she could to keep from being seen or noticed. No one noticed her and no one has looked at her twice.
- Separate facilities for transgender individuals stigmatize and ostracize, and incur an extra expense for businesses.
- Trans people are already using the facilities that align with their gender identities. This happens every day and there is never a problem.

**Janson Wu** (GLAD) (provided written testimony)

- Non-discrimination laws are not special rights.
- When dealing with protected categories, like race, it applies equally to all people..
- There is federal law that protects people based on sex and some courts have included transgender people under that protection, but not all courts and not the US Supreme Court.
- Sex discrimination laws do not protect transgender people across the country.
- In the 1980s there was a district court opinion on this, but that does not have any binding precedence on the other courts.
- When something is put explicitly in the law, it informs and educates people that they are protected against discrimination.
- This would also inform small businesses regarding what they can and cannot do and what will or will not cause liability.
- Businesses are asking for clarity.
- The first protections for gender identity under state law were passed in Minnesota in 1993.
- There have been improvements to the definition, including language regarding improper purpose.
- The core of the definition has been in place for over 20 years.
- Courts that have been able to apply this definition.
- In terms of those who have discomfort over sharing space with transgender individuals, it is that pervasive discomfort which is why there is a need for anti-discrimination laws.
- History has shown that the law is a powerful tool in changing that discomfort, allowing people to become more comfortable with marginalized populations.
- Senator French asked what any improper purpose means.
  - If someone was not actually transgender they would not have protections

under this law. For example, if someone are trying to use this law to shield criminal activity.

- Senator French asked if there have been any NH Supreme Court decisions on gender identity discrimination cases.
  - No.
- Senator French asked if that is because no one has brought one forward under sex discrimination.
  - Discrimination against transgender people is pervasive across NH and the country. Research has shown that 20% of transgender people face discrimination in employment. It is not because a lack of instances, but because transgender people do not know they have protections. GLAD has been litigating transgender cases for over 10 years, including in NH. Without these specific laws on the books it is that much harder to advance a case. The ultimate goal of this legislation is to prevent this discrimination in the first place.
- Senator French asked how those cases turned out.
  - Some were thrown out and some were settled.
- Senator French asked on what grounds were they thrown out.
  - Because the decision maker said there were no explicit laws in NH to protect transgender people.
- Senator French asked about pursuing it under sex discrimination laws.
  - That case that was thrown out was under sex discrimination and they chose not to appeal it, because they did not want the possibility of losing at the Supreme Court level.
- Senator French asked if they had the opportunity to take it to the Supreme Court.
  - That case was settled. For anyone of the people in the room today who have experienced discrimination, they should not have to spend thousands of dollars in legal fees to go all the way to the Supreme Court in order to be protected in their jobs. It should be clear in the law.
- Senator French asked if this bill passed would the lawsuits stop or would a suit go to the Supreme Court.
  - Cannot predict the future, but when the law is clear employers, landlords, and transgender people educate themselves and avoid conflict. When there is a clear common understanding that is how we create a more harmonious society.
- Senator Carson shared some new stories of a transgender man coming into a women's facility. The people in the facility could not even question that person without being sued for questioning their identity. In terms of the section of the bill regarding 'evidence may be shown', if people are not even allowed to ask the question how can they even get to that section?
  - Has never read a court decision where someone has not been allowed to ask when there has been a request for access to a sex segregated space. Most transgender people want to work with whatever facility it is to avoid problems. Planet Fitness is a good example because they allow transgender individuals to use the restroom that best matches their gender identity in a way that respects privacy and recognizes that some people are not comfortable. They provide other types of private spaces for people to use. These conversations are not prohibited.

- Senator Carson asked if a transgender person is being treated unfairly because they would have to provide that evidence.
  - It depends on how it is applied. If an employer is asking in order to avoid a legal obligation or to out a person that could be discriminatory. If an employer is working with an employee on a transition plan and the employer is looking to make sure that they are consistent with the law, would not see any legal difficulties with that.
- Senator Carson asked if a provision should be added to allow a transgender person to have the right to refuse to produce that information.
  - Does not think it is necessary as the definition is a guideline and there is nothing mandatory in it. The best ways for this law to be implemented is through human resources policies and regulations by the Commission for Human Rights. It does not need to be the legislature's job to determine every single detail in how the law is applied. In the Americans with Disabilities Act, the reasonable accommodations aspect has been filled in by case law and regulations.
- Senator Carson asked if people will they have to sign away their privacy rights when it comes to their medical records and suggested adding language outlining the circumstances for which those records would be given.
  - No transgender person would have to sign away any medical privacy rights. If a transgender person comes before an employer to say someone is treating them differently due to their gender identity, it should be sufficient just for that person to say that they are transgender. If someone needed time off for a transition related surgery, just as someone undergoing chemo, the employer would request documents to support their need for medical leave. Each employer already has policies in place to protect that information.
- Senator Gannon asked if a high school has separate locker rooms is that gender discrimination or a reasonable accommodation.
  - Nothing in this bill explicitly includes schools. There is Title IX that has been interpreted to protect transgender people. Requiring a transgender person to use a separate bathroom from the restroom that best matches their gender identity would be discrimination. Schools are figuring this out on a local level, by creating separate shower and changing facilities for all young people that feel uncomfortable with their bodies. There are ways to contextualize this in order to not single out the transgender individual.
- Senator Gannon asked if this takes away local control.
  - The bill does not explicitly include schools, but even if it did, regulations and local policies can fill in the details. MA did pass a law to protect transgender individuals and then the Department of Education issued a policy on transgender students. Local school districts are trying different methods.

#### **Lauren Irwin**

- Has represented NH citizens in court who have faced job discrimination based on their gender identities.
- They are denied the opportunity to be productive members of NH's workforce due to their transgender status.
- Would argue that this type of discrimination is covered under sex.
- It was ruled to be covered based on disability discrimination by one superior court.
- The Commission for Human Rights does accept complaints from transgender

people, but it is not binding on the NH courts.

- When one superior court is going one way and another is going another way it needs to clear for employers and employees.
- Federal Courts also disagree on this.
- During the Brown v Board of Education case there were a lot of people that argued that black boys were going to scare white girls, but they had to do what is right to protect people from discrimination.

**Paul Phillips** (provided written testimony)

- Former chair of the Commission for Human Rights.
- This will give transgender people in NH a much needed and long overdue legal remedy for when they face discrimination in employment, housing, and public accommodations.
- The Commission for Human Rights is a statutory agency that exercises the power the legislature gives to it, which includes employment, housing, and public accommodations.
- They only cover commercial relationships.
- The Commission's jurisdiction does not cover schools or universities.
- There are currently three separate religious exemptions in the statute.
- Under current law, the Commission accepts charges of discrimination based on gender identity through a 1988 superior court decision.
- That decision has never been enough, as it was the decision of one county court and other courts might reach a separate decision.
- Practitioners before the Commission advance cases based on a variety of legal theories.
- The consequence of having this important issue left to the interpretation of the court has created an inconsistent jurisprudence across the courts.
- By passing this bill. This will establish statutory authority that is clear and direct.
- Transgender people have a legal right to be protected from discrimination, but unlike every other protected class they face inconsistent, confusing, and unnecessary legal obstacles.

**Sarah Dustin** (NH Women's Foundation) (provided written testimony)

- 1 in 2 transgender people will be sexually assaulted in their lifetime.
- Forcing individuals out of the public accommodation consistent with their identity makes them far more vulnerable to assault.
- Safety is not a zero sum game and this bill is an opportunity to make one group of people safer without making anyone else less safe.

**Dave Juvet** (BIA)

- The BIA is solidly supportive of this bill.
- It was brought to the BIA staff by member companies as a way of supporting their transgender employees.
- The members feel that these individuals are already a valuable part of their business operations and that in this period where NH is hurting for workers that this is a perfect way to demonstrate to the rest of the country that NH is an open and inclusive place.
- Senator French asked if there have been instances of people getting fired because of gender identity within their members.
  - Is not aware of any, but that is probably not something they would hear about

unless it was highly publicized.

**Dr. JJ Smith** (NH Public Health Association)

- These young people have no desire to exhibit themselves any more than anyone else.
- A trans girl is not going to have developed and will look very much like the other children.
- Is more concerned about trans women being assaulted when they are forced to go to a men's room, then with people abusing the law.
- Forcing people into a separate, gender neutral bathroom does not make sense especially in schools where it would be stigmatizing.
- Urges people to think of the person who has had to hide themselves and is no longer able to.
- Senator French asked when she started questioning her identity.
  - Was told to stop wearing her sister's clothes at 3 or 4.

**Sage Leonard**

- Is not out at work, but is medically transitioning.
- The excitement of finally being comfortable is tempered by concern over how the employer will handle the transition, because there are no legal protections.
- Senator French asked if any of his friends have been fired because of gender identity.
  - Doesn't know of any, but most of them are college age.

**Elaine Thomas** (provided written testimony)

- Shared the story of her grandson and the experience of his transitioning.
- Fighting against him being discriminated against.
- He does not want to have to move to another state.

**Shana Aisenberg** (provided written testimony)

- Has transitioned and de-transitioned because of discrimination for more than two decades.
- Shared her experience with job discrimination. Worked at a summer camp for ten years and told them beforehand that she was transitioning. After transitioning, worked one summer, but then the following year was not asked back. During that time they asked if she could revert back to male presentation during school hours.
- Wants to stay in NH, but wants to be protected.
- Schools are not covered under this and they will make their own decisions.

**Stephanie Cawley** (provided written testimony)

- Shared her personal story of transitioning and concern over being fired for being transgender.
- Is a nurse and sought out employment in Maine due to the protections there.
- NH is losing talent to the rest of New England.
- The millennial generation wants an inclusive society, so this is an economic issue.
- There is not a lot of data regarding transgender individuals.
- In 2014, the federal Department of Education issued guidelines on transgender students and suggested the use of privacy stalls. Understands in the open locker rooms it could be an issue, but the recommendation was to allow all students to have partitions as requested.
- Knows of several friends who have been discriminated against. Has one friend who is now homeless because she was not allowed to express who she is and therefore



- lost her job.
- Senator French asked if that friend could not find another job.
  - Eventually she did find other work, but last knew heard that she was living in a tent.
- Senator French asked what gender identity is.
  - Gender identity is how a person perceives themselves to be regardless of the gender they were assigned at birth.
- Senator French asked what transgender means.
  - It is not dependent on an operation. It is someone who is not comfortable with the gender assigned to them at birth.
- Senator French asked if once a male has an operation, are they considered female
  - Yes and before that. Carries on her phone a copy of a letter from her endocrinologist that says she has successfully transitioned to female and should be considered that for legal purposes. She needed that in order to change her driver's license.
- Senator Carson asked what cis means
  - Cis means on the same side. A cis gender person is a non-transgender person.

#### **Patricia Hughes**

- Her son narrowly avoided assault in a restroom when he tried to comply with the law and used the women's bathroom.
- Shared other experiences where her son was discriminated against.
- People should not be forced to conform in order to be safe.

#### **Mason Pasch (provided written testimony)**

- Shared the discrimination he has experienced in the workplace.
- Was harassed by co-workers for using the bathroom even though he attempt to act in deference to them.
- Wanted to stay at his job and did everything he could to help his company keep him.
- The head of HR said they had no recourse.
- In terms of locker rooms, has been a 13 year old boy unable to escape the women's bathroom.
- Senator French asked what in this bill would protect him from personal biases.
  - It will give clarity. If adults are confused about the law, they can't say what the rules are. In his HR department, they were actively confused about this issue because there was no precedence.
- Senator French asked what the action would be taken against an employee that is harassing someone.
  - That would be a matter for HR and would hope they would try to get to the truth of the matter without a knee jerk reaction.

#### **Gerri Cannon (provided written testimony)**

- Was fired from her position at a large company in NH.
- Was elected to the School Board this past fall. During the campaign, discriminatory comments were made against her, including that people like her should not exist on this planet.
- Has to be on guard when going out in public.
- Has spoken to numerous people who have lost their jobs, but they felt that they didn't have the financial capacity to go to court.

- In terms of jail, there are transgender women in the male prisons that have been attacked and had a very hard time. This bill does not impact jails.
- She is a Christian and her church, the United Church of Christ, supports open and affirming churches so that any person can come into their church and feel safe.
- As a school board member, was recently asked to review a formal policy for the Somersworth schools. The school already has transgender students and they are already working with those students.
- There is a formal policy from the NH Board of Education modeled after GLISTEN and the National Center for Transgender Equality that provides a way to support all students safely.

**Mikayla Bourouc** (State Employees Association) (provided written testimony)

- In 2016, then Governor Hassan signed an executive order to protect transgender state employees and included reasonable accommodations in state buildings.
- People have lost their jobs because of being transgender.
- A lot of times individual's applications will look great, but when they are brought in for an interview they are told they are not right for the position.
- Has been asked to leave a restaurant because she made the other customers uncomfortable.
- Transitioned on the job and was lucky to have support from her HR department, but not everyone has that same support.
- When that executive order was passed in 2016, there were not riots in the streets or a mass influx of transgender state employees.
- Senator French shared how his friends who are transgender have never expressed concerns over employment due to their gender identity.
  - Some companies will say it is a dress code issue or all the sudden a problem materializes overnight. Has seen that once someone loses their job, many exhaust their benefits while trying to find another job.
- Senator Gannon asked if it would be a good victory if everything in this bill passed except for the public accommodations.
  - To her, it would not matter because her passport and driver's license says female. She already uses the women's bathroom and does not carry her medical records or birth certificate. With the concept of how do you tell children, it is the same as how do you talk to your child about a child that has one arm or is in a wheelchair, it might not be a comfortable conversation, but you still have that conversation.
- Senator Gannon asked about a rest stop bathroom where someone is looking for their privacy.
  - In most bathrooms the stalls have doors. The point is that it is a choice and a person is not being forced.
- Senator Gannon asked why it is not in the news that employers are discriminating.
  - Confidentiality of employment and employers.

**August George and Diana George**

- Shared his personal experience of discrimination in school and in driver's ed classes.
- In school the teacher continually put his birth name up on the board and his classmates harassed him. Went to administration and was told the teacher had been spoken to, but went to the class again and it happened again.

- In driver's ed class they told the instructor that he was transgender, who said it was fine, but then the instructor mis-gendered him for the whole class and gossiped to other students about him.
- Has tried to take legal action against that driver's ed instructor, but it has been difficult.
- Senator French asked why his gender even came up.
  - On legal documentation it still says his birth name and the gender he was assigned at birth. So told the instructor in private what he goes by.
- Senator Gannon asked if there is systematic issue in the school of being unaccepting.
  - It is trying to be accepting, but there is still a lot of discrimination. Being transgender can be dangerous, which is why some people do not report.

**Liam Maya** (provided written testimony)

- Shared his experience of transitioning and the discrimination he faces.
- Was discriminated against while working at Five Guys. The managers did not respect his identity and only used his birth name on the computer and on receipts.
- Co-workers would realize he was transgender because they continued to use his birth name and subsequently would start harassing him.
- Looked into whether there legal ground to stand up against the discrimination, but found that there was none.

**Rory McCloud and Barbara McCloud**

- His sister is transgender and asks that they support this law
- The brain is part of biology and you are doing a disservice to science when you deny that this is real because people in science believe that being transgender is real.
- Senator French asked how old his sister is.
  - 15.

**Elsa Worth** (provided written testimony)

- Shared her daughter's story, who began to plan her transition, but then she took her own life.
- There is an enormous amount of stigma around being transgender.
- People who are transgender are fearful of the stigma and therefore don't want to speak out.
- Rejects the claims that religion does not support transgender individuals.
- Just because someone is afraid does not mean they are not safe.
- Senator Gannon raised the concern of it being a privacy issue.
  - Has not been in a locker room in at least a decade that does not have booths. That solves those privacy concerns.

**Marcia Garber** (provided written testimony)

- Shared the story of her son that was assigned female at birth.
- The discrimination her son experienced from name calling to physical abuse to difficulty finding employment, etc was extensive.

**Jillian Leigh** (provided written testimony)

- Shared her personal experience of being transgender.
- Knows of many who lost their jobs after transitioning, and many of them are still looking to work.
- Being transgender feels like being treated as a second class citizen.
- There has never been a documented case of an adult or child that is transgender

assaulting or harassing someone in the bathroom or locker room.

- However, transgender individuals are harassed and assaulted in the bathrooms.
- Senator French asked why is it important that other people see you as you as you see yourself.
  - People need to be who they are. Asked how the Senator would feel if he was forced to be considered as a woman and forced to use a woman's bathroom? Lived almost her entire life as a man and it always felt like something was really wrong. It really makes all the difference.

#### **Raymond Wright**

- Shared his experience of being discriminated at his job in MA.
- MA has the Commission Against Discrimination. He went to HR and they said not to worry about it. His options were to either go to the state and complain or find a new job.
- Found a new job in NH and is now worried that without this law in place they could discriminated against him.
- In the House hearing, one of the chiefs of police said the bathroom issue is non-existent.
- Senator French asked if these protections were in place at his job in MA.
  - Yes and they are stronger there than anywhere in New England.
- Senator French asked if that statute did not protect him
  - It would have if he has pursued it, but his personal situation with his brother prohibited him from doing so.

#### **Grace Alden (provided written testimony)**

- Is a retired police officer and believes she is the only female trans officer that continued to serve as a tactical operator after transitioning.
- When she did transition the City Manager decided it was necessary to do legal research to determine if they had legal standing to fight for her job if anyone had an issue with it. The cost of that research was born by the city and tax payers.
- During her decades of services she never saw any complaints of transgender individuals causing any problems in a locker room or bathroom.
- Did hear slurs against her from members of the community and some of her fellow officers avoided her to the extent they could which compromised police services.
- Why should trans people have to bear the burden of the unexamined fear of others?
- Spoke to Abby Tassel who runs the WISE women's shelter and asked her if they were housing trans women and if there were any problems. She said they did and that they have not had any problems.
- In the NH Prison System, her understanding is that trans women are housed in the men's special housing unit.
- Has a transgender friend who lost her job after transitioning, another friend who could not get a job as a dish washer, and another friend who is a nurse and could not get a job after transitioning.
- Another officer in NH transitioned and was sexually assaulted by a fellow officer.
- Some preliminary biological studies are starting to suggest that there is some biological basis for being transgender.
- A few years ago attended a multi-day training, where they shared bathrooms and showers. Those locker rooms had curtains with runners attached to the ceiling, which was an inexpensive and practical solution to privacy.

- Senator French asked what makes her say that the concerns of gender identify stems only from fears.
  - People have told her they have fears. Some of her fellow officers had no framework or reference and therefore they built up all these fears of what could happen in the field. When none of those problems materialized, those fears dissipated.
- Senator French asked if its actually misunderstandings and not a fear of something different.
  - People have used that word with her and would not want to contradict their experience.

**Jessica MacFadzen (provided written testimony)**

- It took her six months to find a place to live because landlords told her they did not want to rent to people like her.
- Has been denied access to public accommodations including going to the grocery store, taking her cat to the vet, finding a gym, eating at a restaurant, etc.
- Every time something like that happens, it leaves her feeling less than.

**Karen Young (Harvard Pilgrim Healthcare) (provided written testimony)**

- Chief Inclusion Officer at Harvard Pilgrim Healthcare
- The 2015 Transgender Survey found that transgender people are often reluctant to seek healthcare due to discrimination.
- Believes it is necessary to speak out against discrimination.
- Trying to address health equity and urge support.
- Public accommodations and discrimination protections will go a long way.
- Senator French asked if they cover sex reassignment surgery
  - Yes. First covered behavioral health and hormone therapy in 2009.
- Senator French asked what standards have to be met prior to approval.
  - There are procedures in place with support from the primary care doctor and specific conditions have to be met.
- Senator French asked for those conditions.
  - Will send them to the Committee.

**Kenneth Norton (NAMI) (provided written testimony)**

- Regarding the study out of Sweden, the author of that study feels that she has been misquoted so many times that she released the following statement: the study does not show that medical transition results in suicide or suicidal ideation
- A 2017 study from the Williams Institute out of the University of California Los Angeles where they site increased risk factors for suicide in transgender being gender discrimination.
- A 2018 study from University of Texas which said that using people's chosen names reduces depression and anxiety.
- Senator Gannon asked about the suicide rate after sex reassignment surgery.
  - There has really only been that one study. The testimony today talked about how these individuals' journeys are very difficult whether they have transitioned or have not transitioned.

**Linds Jakows (provided written testimony)**

- Is a non-binary transgender person, who prefers to be referred to with non-gender pronouns.
- A survey was done in NH in 2015 found that more than 1 in 5 transgender

respondents reported being fired, denied a promotion, or experienced some other form of mistreatment in the previous year.

- 1 in 10 respondents experienced homelessness and more than 1 in 5 reported being denied equal treatment, verbally harassed or physically attacked in a public space.
- In terms of privacy in facilities, children don't have that kind of fear unless they have been taught that fear by adults.
- Transgender women can fear for their lives in using those facilities.
- People use the restrooms they feel safest at in the place they are at.
- Cares about safety and privacy in bathrooms; however criminal laws will still remain in place regardless of this law passing.
- Transgender people do not invade the privacy of non-transgender people any more than those who are sexually attracted to others in the bathroom.
- The bill passed the House 195-129 with no amendments.
- The American Academy of Pediatrics is a fringe group, which has been specifically formed to oppose transgender rights.
- Senator Gannon asked which bathroom Linds utilizes.
  - Goes to the women's bathroom because that is where they feel most comfortable. It is the individual person who determines what is the safest for them.
- Senator Carson raised the concern of someone who is not aware that another person wants to be referred to in a certain way and that person could bring a complaint to the Commission for Human Rights.
  - Has never heard of a non-binary person suing an employer about the use of improper pronouns. There is nothing in this bill that would require a fine for the misuse of pronouns. Any kind of legitimate case of discrimination against a non-binary transgender person would have to be a very pervasive case of intentional mis-gendering. Just like any other protected class, there is a process where not every case that goes before the Commission for Human Rights is considered to be a valid.

**Laura Morrison (provided written testimony)**

- Shared the story of her daughter who is a trans woman.
- Isn't NH trying to get young individuals to move back to NH?
- Does not understand why people want to put up fences against these individuals.
- A lot of people struggle for a long time before they come out.
- Before her daughter came out she was protected against discrimination, but since she came out, she no longer is.

**Ashley Shaun Parcels**

- Is in the process of transitioning and it has been very difficult.
- Shared her story of hiding being a trans woman and the challenges she faced.
- Society is now far more open than it was in the 70s and 80s.
- When you are out in society and you need to use the bathroom, you do worry about offending someone.
- A simple law that says you have the right to be somewhere helps to defer that anxiety.
- A predator might use this law for their advantage, but there are those that will use the lack of a law to their advantage.

## **Summary of testimony presented in opposition:**

### **Representative Baldasaro**

- Nobody in the state believes in discrimination.
- NH already has equal protection laws to prohibit discrimination.
- Line 23 of Page 2 states that 'Gender-related identity may be shown by providing evidence' meaning that no one is required to prove that they are not abusing the law.
- Children today play sports and have open showers in locker rooms.
- Where does this bill protect the rights of children in a shower with a transgender individual?
- This has to be about a parent's right to protect their children.
- Military members are being discriminated against because of their experience at war; why are they not offered the same protections?
- This allows those who were born male to play female sports.
- This should not be forced on children.
- Questioned what 'state of mind' means.
- Could someone put a dress on and go into the women's locker room?
- This needs to protect everyone and not just a few.
- Would suggest this be put to study to determine how the state can protect everyone

### **Representative Pearson**

- Many in the faith community are opposed to this.
- When trying to help some people, we may inadvertently harm others.
- Is pleased with the protections on employment and housing, but is concerned about the public accommodations.
- Most studies assert that 1 in 4 or even 1 in 3 women have been the victims of sexual aggression to one degree or another.
- The presence of individuals in lavatories or locker rooms would trigger undesirable memories.
- Advocates have stated that biological males that identify as female will not enter a women's shower room for the purpose of bringing harm.
- Agrees that they will not enter to bring physical harm or harassment, but they may bring great emotional harm.
- Should this bill pass some people have said they will no longer enter a women's restroom because they have not emotionally worked having been raped.
- Shared a story about the Hope Center in Anchorage, which provides shelter for women. At night the sleeping mats are placed side by side in one large room. One night a male who had been expelled from another shelter showed up and said he identified as female. Nothing was said of how long he identified as female and he demanded to be admitted under Alaskan transgender laws. His presence next to women who have been trafficked or sexually abused would have been disastrous. The case is now before the Anchorage Equal Rights Commission.
- Would encourage the public accommodations be tempered in this bill.

### **Beth Scaer (provided written testimony)**

- Spoke to her experience growing up and the limitations placed on her in terms of opportunities because she was a woman.
- Sees the respect for women being stripped away.
- MA passed a law that allows men to go into the women's restroom just by putting on

- a scarf, nail polish, and claim that he is a woman.
- Has to be afraid that a man will be in the restroom.
- A man could sue a business or organization if they told him that he could not use the women's bathroom if he claims a female identity.
- Currently if a man enters a women's bathroom, a woman could ask management to have him removed immediately without fear of a lawsuit.
- Has a friend who was sexually assaulted at 15 in a public bathroom. That friend says she will never use a public restroom again if this law passes.
- Shared a multi-stall bathroom with a transgender person and was completely comfortable with it because she assessed that that person was sincere in their gender identity.
- Women should be allowed to use their judgment as to who is safe to share private spaces with.

#### **Joel Burdette**

- Fears there would be negative consequences to this bill.
- This will include pre-k-12 schools.
- This would also apply to overnight lodging for school field trips and team events.
- Is concerned about his wife, mother, and children's privacy rights.
- Bathrooms are a place of privacy.
- Elizabeth Leahy of the Attorney General's office stated that the Office has not taken any position on that question. Because the term school is not included in the definition of public accommodation they would have to review the legislative history and conduct research. Ultimately it would be a matter for the Supreme Court. The legislature could amend the definition to clarify its intent in relation to schools.
- Would ask that this bill be clarified to not include schools.
- The employer aspect is also concerning because it provides privileges of employment, which includes chaperoning of school trips.
- This policy infringes on the right to privacy for the majority of NH residents.

#### **Walter Stapleton**

- This bill is not well written or completely thought out.
- It implies that there is a much larger problem of discrimination than there actually is.
- This is trying to overcome a social acceptability issue with the law.
- There are years of accepted protocols that are working.
- Everyone speaks of the specter of a trans individual coming into a women's facility, but no one is talking about a female who identifies as male coming into the men's room, which has to be a scary thing.
- The religious exemption is inadequate.
- The rules and safeguards that a religious organization may prescribe only applies to people of that particular denomination.
- Religion is an open, inviting enterprise and so what do they do about guests, visitors, vendors, etc. There is a hole in the law in regards to that.
- Senator French asked how this might affect the incarceration of individuals in jails.
  - Has not looked into that.
- Senator Gannon asked about comparing race discrimination and transgender discrimination.
  - Would agree that sometimes the law has to be informative if not mandatory. Sometimes resolutions can be made to encourage a particular idea as



opposed to penalizing the violation of that idea. It took the nation a long time to move out of slavery as an important component of economic prosperity. Race discrimination is still taking place. We are not going to cure all of these problems with legislation, and when we do legislate we should be very careful and take into consideration the sensibilities of the majority when they are valid. We feel they are valid here in regard to accessibility of facilities. This needs adequate thought and preparation.

**Joe Mandola** (provided written testimony)

- Believes this bill will affect lavatories in a school.
- Students have enough stress and they do not need to have a student of the opposite sex enter a locker room.
- What parent wants their child, who is secure in their gender identity, to have to worry about other genders coming into the bathroom?
- Would ask that the medical information be changed from 'may' to 'shall'.
- School administrators are stretched to the limit already.
- There could be a unisex bathroom or students could use the teacher's bathroom.
- If this bill passes, local control is gone.
- It is not inclusive when 99.8% of the population is excluded.
- Requests that K-12 be taken out of the bill.
- Shared an article where state regulators in other states forced schools to abide by this.

**Tina Landel**

- When you say you are inclusive to a certain group you end up being exclusive to a different group.
- There is certain biology that dictates reality.
- If you want people to live in a reality, you have to acknowledge biology.
- If you say that boys who identify as female can play on girls sports teams, you are excluding females.
- Male biology is different than female biology.
- When you violate the laws of nature, you are doing society an injustice.
- These people are welcome in society, but to pass a law like this is to violate the laws of nature and there are consequences to that.
- Our laws come from God; they do not come from government.
- When someone violates this law, are the governing officials willing to bring the full force of the law down to harm them?
- This is allowing a group of individuals who feel discriminated against to discriminate against those who disagree.

**Louis Sing**

- The bible is clear that God created male and female
- No one gets to pick and choose if they are male or female.
- People who dealt with racism did not kill themselves.
- People in the transgender community are killing themselves because they are going against nature.
- After people transition the rate for suicide goes up.
- Is it discrimination to tell him that he cannot tell his sons that homosexuality and being transgender are wrong?
- You are going to destroy the next generation if you keep moving issues like this

forward.

**William Lero** (provided written testimony)

- Is a pediatrician
- From a medical perspective, identical twin studies clearly demonstrate that there are significant psychosocial factors that are important in terms of transgender people. There is not 100% concordance in identical twins. The figures vary between 28%-50%
- There is no specific set of genes or biological markers that have been identified for transgender people.
- There have been some MRI studies that may be suggestive that there may be differences in sizes in parts of the brain, but those studies are highly questionable because they involve small numbers of patients and because they did not take neuroplasticity into account.
- Neuroplasticity refers to the fact that behavior can actually impact the micro structure of brain tissue.
- One is not a male born with a female brain.
- Every nucleated cell in the body has 'xx' or 'xy' gene including neurons in the brain.
- This is too highly subjective and variable to be on the same level as race.
- In a large study that came out of Sweden, people that went through a gender transition had the same level of suicide and depression as prior to transitioning.
- This is going to cause social chaos.
- The way this bill is written, will cause mass chaos with sports on every level and the playing field is just not going to be fair.
- In March 2016, the American Academy of Pediatrics reported that there were .005%-.014% male to female transgender individuals, .002%-.03% female to male transgender individuals in the American population.
- Senator Carson asked if the American Academy of Pediatrics has taken a position on treatment for children who claim they are transgender.
  - They have. The American Academy of Endocrinology is very affirming in their approach. Does not believe that stance is evidence based, but is rather due to societal pressures.

**Shannon McGinley** (Cornerstone Action)

- One can be compassionate without abandoning biology.
- Raised concerns about being able to repeal public funding for gender reassignment surgeries, including for minors, if this passes.
- Has begun to question the influence pornography plays in development and what impact that has on the increase of those who question their gender identity.
- Questioned if all of the advances women have made in terms of Title IX, will be eroded if this passes.
- Would college students be required to room with someone of the opposite sex?
- Concerned that this will make it harder to identify predators that are using this as a shield to go into dressing rooms.
- In 2016, there was a man in the Bedford Target filming women and girls.
- This is taking away the social norm of 'if we see something, say something'.
- There is precedent that this will affect the schools as it did in ME, WA, CO, and MA.
- The penalties under this bill can be as high as \$50,000.
- A lack of clarity in the bill, will bring this to an administrative procedure, not the right

to a trial with due process protections.

- When these kinds of laws are enshrined, then it questions the role of the parents.
- In Ohio, a child was emancipated from the parents because the parents would not go along with the child wanting to transition.
- Where is the line going to be drawn in a parent being able to make this decision?
- Shared that a child had rapid onset gender dysmorphia after a speaker came to his school to discuss transgender issues.

#### **Ted Marvin**

- The founding fathers enshrined the first amendment for freedom of religion.
- Believes this is going to be make traditional Christians second hand citizens.
- The tide has changed and now there is active opposition to the Christian faith.
- Even if there is a religious exemption or the public accommodations are taken out, a liberal judge is going to apply this to schools, gyms, etc.
- This strips the rights of the majority for the minority.
- Believes that if this passes the Christian faith will be criminalized in NH.

#### **Neil Hubacker (provided written testimony)**

- Concerned about how subjective the definitions are.
- Recently, at a Boston Women's Shelter there was a transgender woman whose presence was troubling enough that the individual running the shelter called the police. The Massachusetts' Commission on Discrimination is now looking into it.
- How long is it before we understand what those improper uses are here in NH?
- The only related religious exemptions are in RSA 354-A:13. The weakness of those exemptions would potentially put religious institutions in a difficult spot.
- Catholic universities are allowed to only allow those of catholic faith in their dorms, but if this passes they would not be able to discriminate based on gender identity, forcing the university to allow a catholic male to stay in the women's dorm.
- Would also have that same concern with faith based hospitals.
- Does not think a more robust religious exemption will be sufficient.
- All schools, community sports leagues, childcare centers, fitness centers, including women's only fitness centers will be forced to comply with this.
- This bill needs an exemption that allows businesses and organizations to keep separate bathrooms, locker rooms, changing rooms, overnight accommodations, and all places where modesty and privacy is expected on the basis of biological sex, as it is in Title IX
- Wants to be committed to the spirit of the bill, but thinks we can balance the non-transgender persons' reasonable expectations of privacy in places where such modesty matters.

#### **Brian Abasciano**

- This is a biological issue and sex is binary.
- That can be seen from the design and the goal of reproducing the species.
- It is only recently that biological sex is one of the main definitions of gender.
- Bad men will try to take advantage of the law by simply claiming they are transgender.
- There are a number of examples of that happening.
- 80-90% of adolescents have gender dysmorphia and by the time they reach late adolescence those issues resolve, but if they are given puberty blocking hormones 100% of them remain transgender.

- A bill like this changes people's perception and this would help shepherd children into transgenderism where there is a high suicide rate and high rates of mental illness.
- The hormones given to these children cause infertility.
- It is not societal approval or disapproval that is causing the suicide rate, but the transgenderism itself.
- Does not think there is a parallel between this and racial discrimination laws.
- In terms of race there was a determination that they were equal and did not need to be separated.

#### **Tony Fallon**

- Concerned that the State is going to try to get people to accept this and sell something to people that God speaks against.
- Wants to be able to share God's word with people.
- The problem is not those individuals who are sensitive to others, but that it is setting up something for a bad person to use.

#### **Neutral Information Presented:**

##### **Anna Brown (Citizens Count NH) (provided written testimony)**

- Citizens Count NH is a non-partisan, non-profit dedicated to making it easier for citizens to interact with elected officials.
- Polled their online Facebook community regarding this bill.
- This is a snapshot of citizens that were not able to attend the hearing.
- 268 people from NH participated: 181 opposed the bill, 64 supported the bill and 23 had broader comments.
- Senator Gannon asked if her organization is more representative of a conservative view.
  - No, because the polls do not fall consistently into one bucket or another. Asked a similar question last year and it was a more of an even split. Have a broad Facebook reach to around 200,000 people. The people who are the most fired-up about an issue at that time are going to be the ones who comment.

**Future Action: Pending**

# Speakers

# Senate Judiciary Committee SIGN-IN SHEET

①      ②

Date: 04/16/2018      Time: 1:30 p.m.

HB1319      AN ACT prohibiting discrimination based on gender identity.

Name/Representing *(please print neatly)*

Name/Representing	Support	Oppose	Speaking?	Yes	No
Senator Fuller Clark SD#21	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. Timothy Horrya Stratford	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Rep. AL Baldasaro Rock-DIST 5	<input type="checkbox"/>	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Victoria Horrocks NH Legal Assistance	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Anna Brown - Citizens Court NH	<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Paul Phillips	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
J. J. Smith, MD, MPH NH Public Health Assn.	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lauren IRW, N	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Heather Burns	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sarah Mattson, Dustin NH Women's Foundation	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dave Jurek BIA	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rebecca Leonard (Please introduce as Sage)	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
John Dawson	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Doug Marino	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Boyd Hegarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Elaine Thomas	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Shana Aisenberg	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Stephanie Cawley	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Patricia Hughes	<input checked="" type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

## Senate Judiciary Committee SIGN-IN SHEET

Date: 04/16/2018 Time: 1:30 p.m.

HB1319 AN ACT prohibiting discrimination based on gender identity.

Name/Representing (please print neatly)

	Support	Oppose	Speaking?	Yes	No
Sylvia Gale - Human Rights Comm	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dee R. Morgan	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Deborah Fraser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Martin Christensen	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mason Pasch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ame Fountain	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mark Hampton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Ann O'Sullivan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Helmut Koch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ARNIE ALPERT / AFSL	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
GERI CANNON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
LISA BUTABO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
David Holt	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mikayla Bourke SEA/ SEIU 1984	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kali Fyre	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Liz-Anne Platt (Concord) self	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
Augustus George	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Annette Tuttle	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
CYNTHIA MAIHOT	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

# Senate Judiciary Committee SIGN-IN SHEET

Date: 04/16/2018 Time: 1:30 p.m.

HB1319 AN ACT prohibiting discrimination based on gender identity.

Name/Representing (please print neatly)

Name/Representing	Support	Oppose	Speaking?	Yes	No
Scott Spierwale	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Mathie O'Leary	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Niz Swenson	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Molly Cowan	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
Elizabeth Canada	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
Douglas Wyman	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Rory MacLeod	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liam Maya	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Elsa Worth	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Marcia Garber	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
JILLIAN LEIGHT	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Raymond Wright	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathryn Staub	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Karen Young Harvard/Pilgrim	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
Grace Alden - self	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Laurie Alden - self	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Amy Simoneau - self	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JESSICA MACFAZAN	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>



4

# Senate Judiciary Committee SIGN-IN SHEET

Date: 04/16/2018 Time: 1:30 p.m.

HB1319 AN ACT prohibiting discrimination based on gender identity.

Name/Representing (please print neatly)

Name/Representing	Support	Oppose	Speaking?	Yes	No
<del>XXXX</del> Lindsay (Linds) Jakows - Freedom New Hampshire	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
Peter Collins Peter R. Collins @ Outlook	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gwen Murray	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXX</del> Rep. Mark Pearson Rock. 34	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>XXXX</del> Rep. St Butler Carroll	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>XXXX</del> GLENN BRACKETT NH AFL-CIO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXX</del> Virivan Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kevin BANNON	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXX</del> Beth Scaer	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>XXXX</del> Joel Burdette	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kathleen Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
<del>XXXX</del> Christine Marcroft	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXX</del> LAURA MORRISON	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>XXXX</del> LISA BUNKER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Rebecca Whitley CBHC	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXX</del> JANSON WU - GLAD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Alan Raff (self)	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Constance O. PeBlome	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>XXXX</del> Walter A. Stapleton	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>



(6)

# Senate Judiciary Committee SIGN-IN SHEET

Date: 04/16/2018 Time: 1:30 p.m.

HB1319 AN ACT prohibiting discrimination based on gender identity.

Name/Representing (please print neatly)

Name/Representing	Support	Oppose	Speaking?	Yes	No
JULIE LEDOX	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
MO BAXLEY	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Alvin See (sdA) Loudon, NH	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jenna Pedone Manchester	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Maura Willing Concord	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
MELISSA HINEBAUCH CONCORD	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Isaac Grimm, Dover	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
JOE MENDOLA	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kelly Richards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
MARIS Richards	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
Kerry Cook RAD-NH	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
William Lero, MD	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
Ashley Sean Parcells	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jillian Shillaber Deerfield	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Luis Singh	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>







# Senate Judiciary Committee SIGN-IN SHEET

Date: 04/16/2018 Time: 1:00 p.m.

1319  
HB 1313

*An Act prohibiting discrimination based*  
~~AN ACT relative to prohibitions on carrying a loaded firearm on an~~  
~~OHRV or snowmobile.~~  
*on gender Identity*

Name/Representing (please print neatly)

	Support	Oppose	Speaking?	Yes	No
Deborah A Fraser	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Helmut Koch	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Diana George	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Wes Hampton	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Al Butler</del> Carroll	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<del>Scott Spentak</del>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Vivian Murphy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Josie Pinto	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>Patricia...</del>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<del>...</del>	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	Speaking?	<input type="checkbox"/>	<input type="checkbox"/>

# Testimony



*Thank you members of the Senate Judiciary committee for hearing my story today.*

My name is Shana Aisenberg. I live in the village of Freedom NH, in Carroll County. I moved to NH in the fall of 1996, and have lived in the towns of Ashland, Water Village (Ossipee), North Wolfeboro, and now Freedom. I've lived in Carroll County for 20 years, and love living here, surrounded by the natural beauty of the Lakes Region and nearby White Mountains.

I work as a musician, playing various types of freelance musical engagements. I teach music at The Community School in Tamworth NH, working with 6-12 graders, at Mountain Top Music Center in Conway NH, where I teach group music classes, and private lessons. I teach students of all ages, from 5 to 90. I'm currently Music Director, Choir Director and pianist at Unitarian Universalist Fellowship of the Eastern Slopes (UUFES), in Tamworth NH, I've held this position for two and a half years. All of my employers value the high quality of my work, and my level of commitment.

I'm a transgender woman. I transitioned from male to female in 1993, while living in rural Virginia. Because of employment discrimination and its related stresses, I de-transitioned in 1994, returning to male presentation and name. This wasn't because my feelings of my gender had changed. It was so that I could continue to work in my chosen field of music. I finally transitioned again in 2012.

I've experienced many instances of employment discrimination, especially during my earlier transition, but also during more recently. Musicians with whom I'd played for years suddenly stopped calling to hire me for gigs. Students, or parents of students, decided to discontinue their music lessons with me. A summer music camp where I'd taught for 10 years, with rave reviews for all of my classes, didn't hire me back for a summer season due to my gender identity and expression. The following year, after they heard I'd de-transitioned, they hired me back again.

The impact of discrimination has been considerable to my quality of life. It was a significant factor in my de-transitioning. I essentially lost two decades of living in the truth of who I know myself to be. I dealt with depression issues for many years, the stresses of de-transition were a large factor. When I finally resumed my transition in 2012, the constant depression lifted. My life is so much richer now that I am able to live as myself, fully accepted in my community.

I am connected with many people in the trans community. Most transgender people I know have experienced discrimination in some way. Employees should be judged based on how well they do their jobs, not their gender identity. I don't wish to see anyone experience the kinds of discrimination that I've experienced. I especially want a better world for transgender and gender non-conforming kids to grow up in, to feel safe to be themselves, to be valued citizens of NH. I hope that you will vote Ought to Pass for HB 1319, for New Hampshire to be a state where all can thrive.

Sincerely,

Shana Aisenberg - PO Box 182 - Freedom NH 03836

My Name is Mikayla Bourque I have been a state worker for 26 years. I am also the chairperson for the Lavender Caucus Committee for SEA/ SEIU 1984 labor union, we are tasked to be the liaison between LGBT community and Labor union and vice versa. It has been asked why is NH Largest labor union standing in favor for HB1319. Labor unions have always fought for the right and dignity of all workers and as a labor union we cannot afford to leave a group of people who have been forgotten and left to fend for themselves. We have always supported all- inclusiveness.

I have been fortunate to work for the state of NH as an employee for over 26 years working for NH Employment Security. As an employer, the state of NH has recognized the need to protect their transgender state workers in 2016 when Governor Hassan signed the executive order protecting transgender in state service, transgender granite staters request state assistance and even contractors who bids on contract with the state. This was followed by the governor then forming a roundtable to form the first state policy on transgender in state services.

Do you know what happen when this was passed? Was there an increase in state workers wanting to become a transgender no, were there riots in the streets? no was the capital pillaged and burned down? no absolutely nothing happened when this passed life was normal for most state workers but for a few state employees that happen to be transgender they achieved some peace of mind.

This bill will expand the protection that state workers currently have to other employers in the state. If the state of NH could recognize the need for this protection then I am hoping that the state of NH as legislatures could also see the need. We do not need NH residents losing their jobs simply for being true to themselves; we do not need to have our residents kicked out of eating establishments simply because they want to be themselves.

Now more than ever we NEED NH to rise up and join the rest of New England and shout we will not discriminate. Since the federal government has by their actions ignored and tried to erase us from existence from department of education stating that they will no longer listen to transgender students when it comes to discrimination, when HUD wants to prevent transgender from emergency shelters, when the department of justice wants to say we are not protected under title 9 and title 7 and go against several appeal circuit courts , when cdc are told they cannot use the word transgender, and finally when a President of the United States have tried several times to ban transgender from joining and serving our country in the military .

The fight is real and we as NH residents, as voters, and as fellow neighbors need your voice to stem the tide of hate and protect us because that is what we are really asking here PROTECT US and allow us to continue to be a productive part of society and live our lifes.

I have heard that we are already protected under the bill of rights but I ask you if that was true why then is there a federal nondiscrimination law to begin with? Why does NH already have a nondiscrimination law that at the very least mirror federal laws but in several cases go above the federal law to include sexual orientation and marital status? We found that these clases were not being covered as well as we wished and that is the case here too. Although in NH one would assume that employers would treat every workers with respect, although we assume that every landlord in NH would never discriminate

and that business in NH would welcome all residents in NH that is simply not the case. I actually heard testimony during the house that without the bill those businesses are not compelled to provide equal treatment to everyone. I heard cases and can also tell you of my own experience of being refused services in a restaurant simply because I was eating a hamburger. I can tell you of the battle I faced going to Planet Fitness to work out and the many times I have defended my right to use the proper locker room but I will not waste your time listening to it instead I will keep this brief

Therefore in conclusion I want to leave you with this NH motto Live Free or Die actually had a second verse that many do not know it was live free or die death is the lesser of evils when General Stark penned that motto taken from the French during the French revolution the intent on the second verse is there are some things in life worst then death tyranny and being discriminated and treated as if you have no value to society is far worst then death. Being marginalized and trying to be erased from the history books are worst then death.

Thank you for your consideration.

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 is 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

transwoman. He was being very disrespectful, saying things like “they’re all men in dresses” and “they just choose to be like that” and “they’re just pretending cause they think they’re special.” Other boys joined in, poking fun at trans people, and it was clear that they were intentionally speaking loud so that I could hear the hurtful things they were saying. These boys were different. They didn’t target me directly but instead used hate speech and slurs while talking about my community in order to make me feel unsafe and unwanted. I left the class room sobbing and went to hide alone somewhere in the school. A girl in the class later told me that right as I left one of the boys called out “why does *she* get to leave the class?” To which she responded, “August is a boy and you need to shut the f\*\*\* up.” I called my mother sobbing. I explained to her what had happened saying, “Mom it’s happening again. The kids are making fun of me again.” She got to the school as fast as she could and we had a long talk with the principal and the dean of students, all while I was in tears. They agreed that the students would be given a week suspension and if the bullying continued they would be expelled. The administrators also said the teacher in that class would be told that if any more problems arose he was to deal with them immediately. This made the bullies stop saying things to my face in class but outside of class they would continue to try to intimidate me. My girlfriend overheard one of the boys, the ring leader who first started the taunting, say, “if that tranny bitch goes to Mr. Bartsch [the administrator] again I’m going to kill her.” At this point there was not much else the school could do other than have an administrative assistant sit in on the classes where I felt unsafe and watch the bullies closely.

The most traumatic instance of discrimination that I’m going to share with you today took place last spring when I started drivers ed. It began when my mother and I attended the sign-up night at a drivers ed company in Jaffrey. At the end of the class my mother and I waited to be the very last to register so that we could explain to the instructor my situation which was that I am transgender and that I had not had my name legally changed yet. She seemed uncomfortable and acted a bit strange, but she did tell us that she was fine with it and would call me August in class. So, we gave her the paperwork and the \$600 sign-up fee and I was enrolled in the class. The first incident occurred on the first day of class when the instructor addressed me as my birth name and with she/her pronouns. Every time I attempted to correct her she ignored me. She continued to do this in every class. She would make a point to use my birth name and would address the class as “ladies.” There were only two other students in the class, a girl who is one of my classmates from my high school and a girl from another town. The things the instructor did to me would have been far less detrimental to my mental health and wellbeing if they had been in front of strangers I would never have to see again after the class was over. But one of the girls was in my life. I had to see her every day at school, I had to walk past her in the hallway and be in class with her. Up until this point, she had only known me as August. She had no recollection of my past identity until this woman took my secret, things that only the closest people in my life knew, and shared them with the world. This girl now held in her hands the power to out me and reveal my old identity to the school. Luckily, she did not do this and instead did her best to not

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 my 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

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. In fact, I have a tattoo of NH with the word "home." This is my home.

I am a transgender man, meaning that 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 caused me 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 was 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 did respect 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. After a few days of working with new employees who only knew me as Liam, they would eventually connect the dots between the female name on the schedule and the fact that there was no one named Liam on the list. The harassment would begin after that realization was made.

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. It felt intentional.

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 calling me my birth name all morning, I was at a breaking point. I went to the back of the

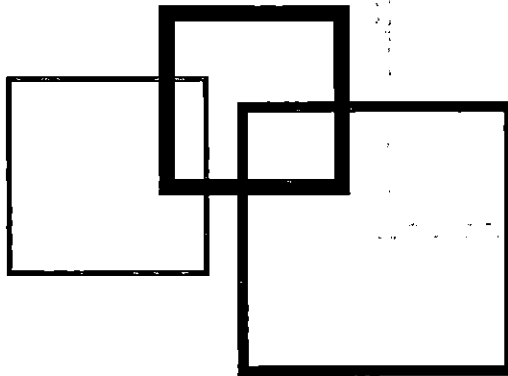


kitchen for a cup of water when he scolded me for not using a straw. I turned to him and said, "Is there anything else I'm doing wrong today? I can't catch a break." He replied while laughing, "I guess we'll just have to call you Kayla until you stop messing everything up." That was the day I began searching for a new job.

Two years later, I am still shaken by the harassment, mistreatment, and invalidation of my very existence I experienced by the employees and management at Five Guys. There was nothing that I could say or do that would get management to support me in any way. The discrimination was so harmful to my mental health – I had feelings of depression and was anxious to go to work everyday – that I had to leave in order to feel safe. While I was in the midst of the daily harassment, I researched what I could do legally. That was when I found out that there was no protection for me in that situation. There was no legal ground for me to stand on. I simply had to endure the discrimination until I could find a new job.

And even though my new job respects my gender identity, I am still at risk of being harassed at work – or fired – because of who I am. I support HB 1319 because it provides protection for transgender people who are discriminated on the job like I was. Everyone deserves the right to be protected from discrimination in the workplace, and to be able to live as who they are freely and without fear.

Thank you.



THE REPORT OF THE

**2015**

**U.S.**

**TRANSGENDER**

**SURVEY**

# **EXECUTIVE SUMMARY**

December 2016

# USTS Executive Summary

**T**he 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.

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**O**verall, 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.

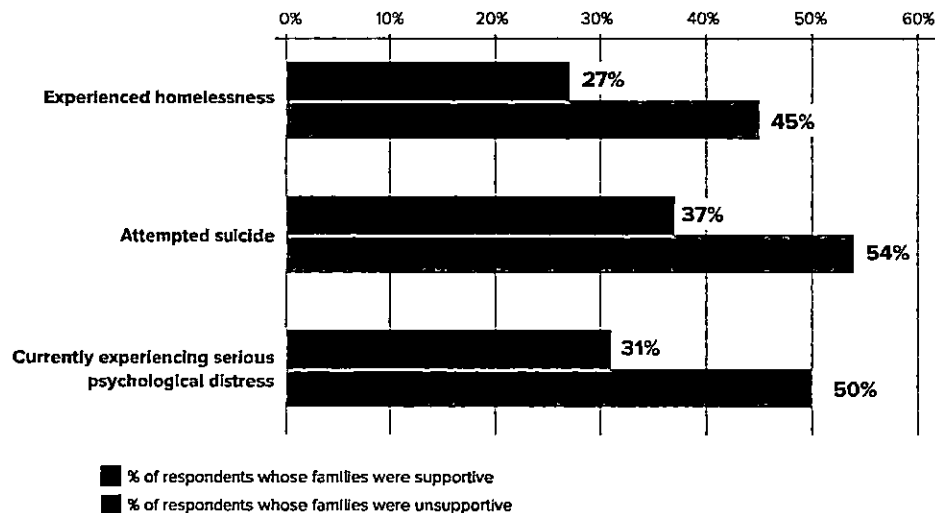
# Overview of Key Findings

## 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.



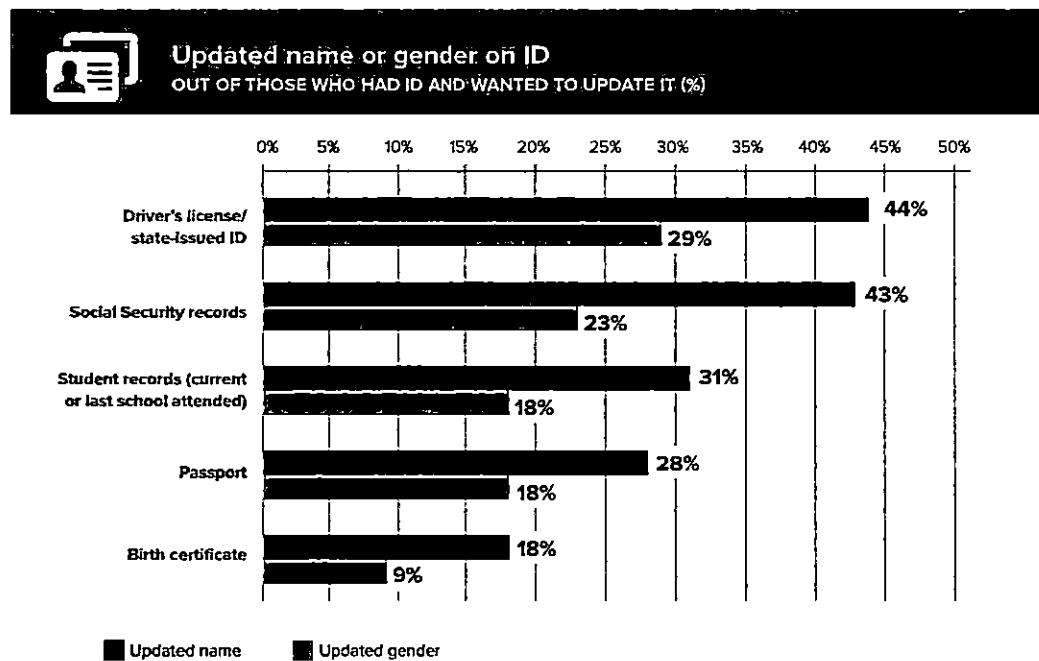
### Negative experiences among those with supportive and unsupportive families



- 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.**



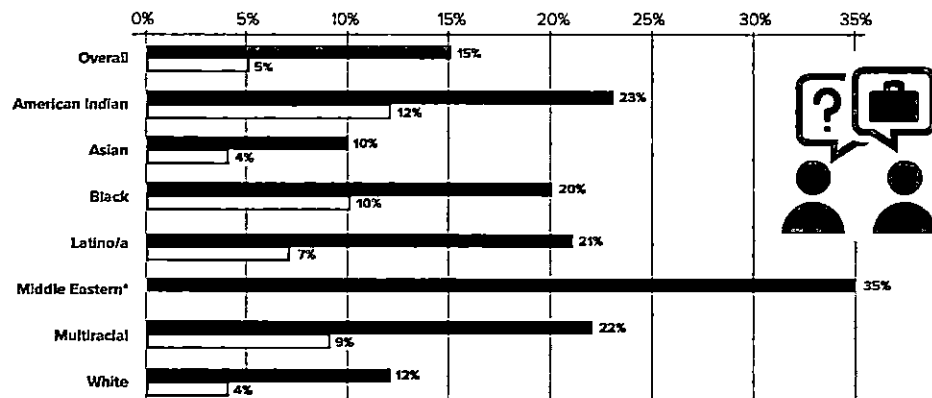
Experiences of people who were out as transgender in K–12 or believed classmates, teachers, or school staff thought they were transgender

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%
<b>One or more experiences listed</b>	<b>77%</b>

## 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 (%)



■ % in STS (supplemental survey weight applied) □ % in U.S. population (CPS)

\* U.S. population data for Middle Eastern people alone is unavailable in the CPS.

- 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,

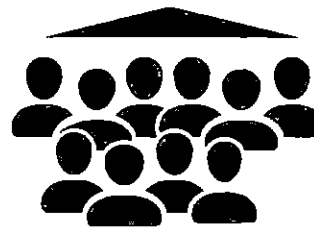
such as being forced to use a restroom that did not match their gender identity, being told to present in the wrong gender in order to keep their job, or having a boss or coworker share private information about their transgender status without their permission.

- **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%).**

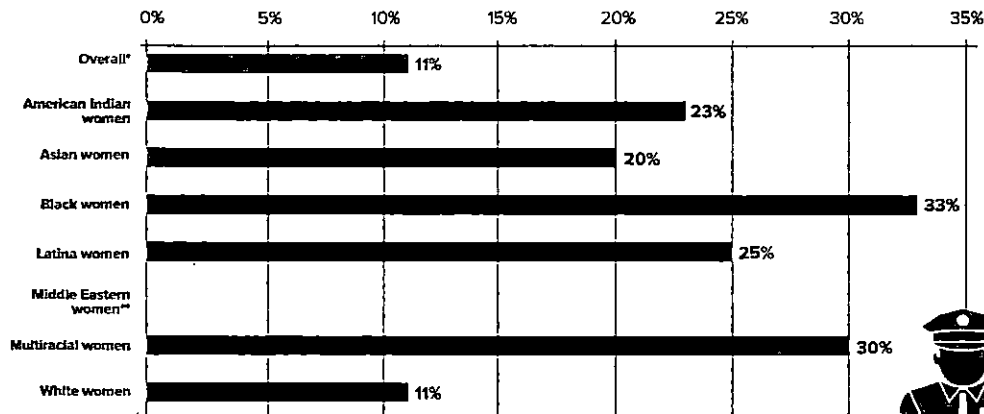
## Sex Work and Other Underground Economy Work

- 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.

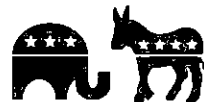


## Civic Participation and Party Affiliation

- **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 USYS	% IN U.S. POPULATION (GALLUP)
Democrat	50%	27%
Independent	48%	43%
Republican	2%	27%





## About the National Center for Transgender Equality

The National Center for Transgender Equality (NCTE) is the nation's leading social justice policy advocacy organization devoted to ending discrimination and violence against transgender people. NCTE was founded in 2003 by transgender activists who recognized the urgent need for policy change to advance transgender equality. NCTE now has an extensive record winning life-saving changes for transgender people. NCTE works by educating the public and by influencing local, state, and federal policymakers to change policies and laws to improve the lives of transgender people. By empowering transgender people and our allies, NCTE creates a strong and clear voice for transgender equality in our nation's capital and around the country.

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The Report of the  
**2015 U.S. Transgender Survey: Executive Summary**

by:

Sandy E. James, Jody L. Herman, Susan Rankin, Mara Keisling, Lisa Mottet, and Ma'ayan Anafi  
**December 2016**

### RECOMMENDED CITATION

James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *Executive Summary of the Report of the 2015 U.S. Transgender Survey*. Washington, DC: National Center for Transgender Equality.

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The full report of the 2015 U.S. Transgender Survey is available at [www.USTransSurvey.org](http://www.USTransSurvey.org).

Updated December 2017

THE REPORT OF THE



To Senator Sharon Carson and members of the Senate Judiciary Committee:

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 1319. 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. Just over a month ago, the NH State House passed HB 1319 by a margin of 195-129, with the support of nearly 50 Republicans. 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. The time for passage is now.

I would like to submit their additional written testimony 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.



Dear Chairwoman Senator Carson and members of the 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.

*Karen R. Young*

Sincerely,  
Karen Young

Neil Hubacker

8A Washington St.  
Seabrook, NH 03874  
Phone: 617.319.6291  
E-Mail: hubacker.neil@gmail.com

To: Judiciary Committee, New Hampshire Senate  
From: Neil Hubacker  
CC: Hon. Sharon Carson, Chair  
Date: 16 April 2018  
Re: HB 1319 - ITL

## Memo

Madam Chairwoman & Honorable Committee Members,

Thank you for your continued service to the people of the granite state. My name is Neil Hubacker, I live in Seabrook, I'm representing myself, and I oppose HB 1319.

I want to thank all of the transgendered persons for sharing their stories; I had the privilege of hearing many of them during the House hearings, and have heard more today. Your stories are compelling: I am empathetic with many of your struggles, and I deeply regret the pain that many of you have experienced because of the thoughtlessness of others. Thank you for letting us into your journeys.

However, I still believe that HB1319 is problematic, creating more problems than it solves.

First, in lines 25-27 of page 1, the bill states that gender identity may be shown "by any other evidence that the gender-related identity is sincerely held as a part of that person's core identity." I find this definition to be entirely too "squishy." I'm imagining my 6-year old daughter in a public restroom, normally a place where there is an expectation of privacy based upon biological sex, and a biological male being there simply because he has a "sincerely held core identity." This has already happened at women's shelters in both Boston and Alaska, to name two that I know of—places where women are expecting safety and privacy based upon their biological sex and not upon gender identity. And in the case of Boston, the transgendered woman's (or biological male's) presence was troubling enough to the shelter supervisors that they called the Boston Police.

As if anticipating this objection, the bill goes on to say that gender "identity shall not be asserted for any improper purpose." This too is entirely too "squishy," as the Boston women's shelter story illustrates. The women's shelter supervisors thought it was an improper purpose, as did the Boston Police, but the Mass. Commission Against Discrimination disagreed. I wonder how safe the women at that shelter, both guests and employees, feel now. And who knows how many people or organizations will be dragged through a N.H. Human Rights Commission adjudication, and potentially a subsequent Superior Court trial, before we understand what those "improper purposes" are here in N.H.?

Secondly, the only related religious exemption, that of NH RSA 354-A:13 in regards to housing, could

potentially put religious institutions in a difficult spot. A Catholic college, for example, is allowed to limit occupancy of its dormitories to students of the Catholic faith, but it cannot otherwise discriminate based on other protected classifications, including gender identity. So if a Catholic 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, even though a core tenet of that faith is the belief that the creation of males and females is a primary way that the Creator creates them in His image.

But a more robust religious exemption alone will not fix this bill, because not only religious institutions should be concerned. Even when Title IX was signed into federal law in 1972, banning discrimination based on sex at all colleges and universities in the country, the authors of that law provided provisions for the maintenance of separate living, toilet, locker room, and shower facilities based upon sex because there was a common-sense expectation of modesty and privacy based upon biological sex.

Lines 1 and 2 of page 5 of this bill, the public accommodations section, would do away with that common sense. Not just religious schools, but all schools, as well as community sports leagues, child care centers, and fitness centers, including women's only fitness centers, are forced to comply. What is really needed is an exemption that allows businesses and organizations to maintain separate bathrooms, locker rooms, changing rooms, overnight accommodations, or other places where modesty and privacy is expected, on the basis of biological sex, and not gender identity.

I believe we can be committed to the spirit of the bill—that no persons, including transgendered persons, should be treated as second class citizens—while balancing a non-transgendered person's reasonable expectation of privacy in places where such modesty matters. This bill does not achieve that. For that reason I ask you to vote NO to HB 1319.

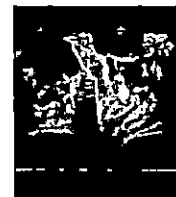
Good afternoon, my name is Jessica MacFadzen, I am a transgender woman and I am here today to voice my support for HB1319 the transgender non-discrimination bill. I was born and raised here in NH and except for my time in the military I have always lived here and I have been a state employee for more 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.



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.



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.



### 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  $2/10^{\text{th}}$  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



**Statement by Janson Wu, Esq.,  
Executive Director, GLBTQ Legal Advocates & Defenders (GLAD),  
before the Senate Judiciary Committee,  
in support of House Bill 1319,  
An Act Prohibiting Discrimination on the Basis of Gender Identity**

Dear Honorable Chairperson Carson 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, which passed the House with strong bipartisan support and without amendment.** 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. Opponents employ the scare tactic that HB 1319 will endanger women's safety. Instead, 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. Opponents falsely argue that HB 1319 will force businesses and employers to have to construct new restrooms. The truth is that 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. Opponents wrongly claim that HB 1319 will trample on religious freedom. In fact, 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. Opponents argue that HB 1319 will prevent colleges and universities from providing women-specific scholarships, or maintain women-only sports teams. Yet they 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. Opponents urge that New Hampshire should enshrine protections for transgender people through the state's constitution and not through its statutes. However, constitutional protections are not sufficient to protect transgender people from discrimination in all spheres of public life.** 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. Opponents mislead when they claim that HB 1319 will force the state to pay for transition-related health care. Instead, 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. Finally, opponents argue that HB 1319's definition of gender identity is too vague and will encourage a flood of litigation. In fact, 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 without amendment.

Submitted by:

April 16, 2018



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**Beth Scaer**

**Senate Judiciary Committee testimony on HB1319**

In first grade, as a girl, I wasn't allowed to wear pants to school. In junior high, I wasn't allowed to take shop class, I had to take home ec instead. But then, as a freshman in high school, I took a computer programming class and I went on to get bachelor's and master's degree in computer science. I always felt welcomed and encouraged in my career even though I am usually the only woman working on a project. For a long time, I have felt like there is not a better place in the world to be a woman than the US because we have the freedom to work in the careers we wish and we are respected as people. But now I see that respect for women being stripped away.

In Massachusetts, they passed a law which allows men to enter women's restrooms and locker rooms, and changing rooms merely on the assertion that they have a female gender identity. A man can put on a scarf and some nail polish and claim he is a woman. The Massachusetts legislators refused to even ban men who have been convicted as level 2 and 3 sex offenders from women's safe spaces. Now, when I go into a multi-stall restroom or a locker room in Massachusetts, I know that the sign on the door indicating that it is a women's room is a lie. I know a man could walk in at any time and, if he were asked to leave by the staff, he could claim a female gender identity and sue that business or organization for everything they are worth. I know that I should always be ready to find a man already in the women's restroom or locker room or that a man could enter after me, and I could be alone in a windowless room with a closed door and no one to protect me from attack by a much bigger and stronger person and it would be no comfort that such an assault would be illegal. This terrifies me and should terrify all women and all men that care about women's safety.

I would much rather be in New Hampshire where I know that if a man enters a women's restroom or locker room, that I or another woman could ask management to remove him immediately without fear of a lawsuit. My friend Mary, who was sexually assaulted in a bathroom when she was 15, says that if this law is passed that she will never use a public restroom in New Hampshire again, and she means it. However, she and I have shared a multi-stall restroom with a transgender person and we were completely comfortable with it because we assessed this person was sincere in her gender identity and was not a threat. Women should be allowed to use their judgment as who is safe to share our safe spaces with. We should not be forced to accommodate men merely on their assertion of a female gender identity.

**Please vote ITL on HB1319. Thank you.**

# It's Cruel To Put Men In Women's Shelters

*'The success of any nation can be predicted by the way it treats its women,' President Obama has said. Do tell.*

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"It's the nicest thing I've ever owned," Jenny says, her trembling hands holding the necklace up to the light. "Isn't it gorgeous?" she beams.

She looks at me expectantly, a smile creeping over her worn, pretty face. She instinctively raises her hand to hide the indignity of her missing bottom teeth. Now in her mid-50s, her sad, dark eyes suggest she's been around much longer.

"It's really so lovely, Jenny," I manage to say, looking at the string of purple and blue oversized rhinestones, hot-glued into plated brass. Several prongs are bent out of position, and the metallic paint is chipping off on one side. It reminds me of a purchase I might make at the dollar store to reward my young daughter's good behavior. And it's Jenny's prized possession.

I have no words. Technically, I'm supposed to be the one teaching lessons as the small group facilitator at this women's shelter, but each week I leave convinced I'm actually the pupil. This week proves no different.

"Jenny," I say, "I'd be honored to hear your story. I could tell something was bothering you in group today. Can you tell me what it was?"

"It doesn't really matter," she says. "There's nothing I can do about it. You probably wouldn't believe me anyway." She fidgets with the curtains, avoiding eye contact—anything to shift focus off the weight of the words she is about to utter. Her face wrinkles up, but the tears don't fall; that well ran dry a long time ago. Then she begins.

## When Men Take What They Want

She tells me how her mother sold her, age eight, into prostitution for drug money. Her first "clients" were the sweaty old men across the street. They reeked of cigarettes, body odor, and whiskey. They ripped her favorite green plaid jumper from her tiny body and

taunted her as she tried to escape. Her voice shakes, remembering her mother's cold irritation at her sobs.

"It's just part of being a woman," her mom said. "You're gonna have to be a big girl and get used to it."

Jenny got used to it. It cost her everything. Fifty years later, she still sleeps with one eye open, reciting childhood prayers and old Native American chants through the wee hours of the night until she can see the sun creeping up over the horizon and the terror, for a while, subsides.

The venomous narrative that sinks its fangs into the psyche of thousands of girls like Jenny every day is that they are somehow not worth protecting, that men can take what they want by force, and that how society treats them reflects their real value. Jenny's story is not the exception. By the time our group concludes, every woman in it has shared her own story of sexual trauma.

So it hits me a little harder, a few months later, to read about Christopher Hambrook, a man who took advantage of a law that allowed him inside two separate women's shelters in Toronto simply by claiming he identifies as a woman named "Jessica." My face flushes with anger as I read how he sexually violated vulnerable women in each of these shelters.

"Her tights had been pulled down past her bottom, and her bathing suit had been pulled to the side," read the court documents. "She yelled at the accused, demanding to know what he was doing. He simply covered his face with his hands, said 'Oops!' and started giggling."

I immediately picture the agonized expression on Jenny's face. These victims were women like her, with so little left to give and nowhere left to turn. Now, thanks to yet another mandate from our Commander in Chief, not even shelters offer safety.

## Be a Big Girl and Get Over Your Trauma

Just a few years ago, I listened in hopeful agreement as President Obama addressed the nation about the national epidemic of sexual assault and rape culture. "The success of any nation," he declared "can be predicted by the way it treats its women." He continued,

“Perhaps most important, we need to keep saying to anyone out there who has ever been assaulted, ‘You are not alone. We have your back. I’ve got your back.’”

But as the president prepares to approve new rules requiring federally funded women’s shelters to open their doors to men, the only thing women like Jenny can feel at their backs is the familiar sting of betrayal. As gender-identity-based legislation sweeps the nation, the mainstream media is sounding more and more like Jenny’s mother, telling women who oppose these laws to “be a big girl and get used to it.” I read a recent column that urged us to exercise “moral imagination” and find empathy for transgender individuals whose experiences we don’t understand.

I want to be seen as compassionate, and I genuinely care for the dignity of all human life. But this rush to embrace gender-identity-based legislation too often ignores the real harm that some—under these new laws’ protections—are doing to people who are already hurting. Must we be the only ones expected to exercise moral imagination?

Where’s the empathy for rape survivors now forced to share locker room showers with anyone who declares himself female, even just for the day; for women who open their fitness magazines to find the new ideal female body type apparently includes a penis; for the young track star who sees her hard-earned place at the state track meet awarded to an anatomical male; for women like Jenny, reciting childhood prayers to make it through the night?

## So Is Apologizing for Rape Okay Now?

In Lewis Carroll’s “Alice in Wonderland,” the Cheshire Cat poignantly declares, “Imagination is the only weapon in the war against reality.” It’s a fairly concise summary of our current state of affairs. But the more frantically I try to claw my way out of the proverbial rabbit hole, the more aggressively I’m met with the dystopian chorus of “Bigot! Off with her head!” Who needs a head when hearts and feelings trump all?

The problem is not an absence of moral imagination; it’s an absence of objective reality. When gender identity wins, girls and women always lose. Biology matters, and not just in the imagination. There’s an undeniable power differential between the sexes, and it rarely ends in the favor of team XX. How many Christopher Hambrooks will there have to be before people are willing to name the problem? These aren’t hard questions; they just require hard answers.

No amount of imagining will change what's scientifically true. While some are busy demanding validation at any cost, Jenny sits polishing rhinestones in her room at a homeless shelter. I'm defensive of her dignity (and my own). I'm not willing to let men take it by force. It may not be worth that much to you. But it's the nicest thing I've ever owned.

*Kaeley Triller Haver studied English at Northwest University and puts her education to use as the communications director of a local nonprofit organization. Of all the titles she's ever held, Kaeley considers "mom" the most significant.*

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## Testimony on HB1319 from NH resident Vivian Murphy 4/16/18

As a transgender woman, I can attest to the un-necessary suffering we as a group have endured at the hands of the fearful.

I was born in 1951, before there were even words to describe how I felt. From my earliest memories I knew that I was different, that my body was not who I was. It was evident even then, at 5 years old, that to survive I had to deny my truth and adopt a false persona in order to live in a society that was oblivious to my reality. I was forced by peer and adult pressure to wear the "right" clothing, get the "right" haircut, to walk and talk the "right" way. I NEVER changed my identity, I hid it. Like Eleanor Rigby, I kept a face in a jar by the door to keep me safe from both physical and emotional harm.

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 present not for who I am.

We here in NH take great pride in our motto "Live free or die." I was unable to live free. I was forced to spend 50+ years living a lie so others would feel more comfortable, and so I would feel safe. I complied. My first day of a new job I sat alone at lunch while listening to the talk around me, I was indirectly discriminated against as somehow the word transgender came up in the conversation and a fellow employee said "Those f\*\*\*ing things should be killed." I squirmed in my seat, 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 or denied housing or service at a restaurant or hospital just because of what we are..... 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: 43 Chamberlain St. Rochester, NH 03867 - 603 335 1385 vivianjeanne@aol.com



# NEW HAMPSHIRE LEGAL ASSISTANCE

Working for Equal Justice Since 1971

April 16, 2018

www.nhla.org

Senator Sharon Carson, Chairman  
Judiciary Committee  
New Hampshire State Senate  
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 Carson 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.<sup>1</sup> 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

<sup>1</sup> 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.<sup>2</sup> 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.<sup>3</sup> Approximately 30 percent of transgender individuals have experienced homelessness in their lifetimes.<sup>4</sup>

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.<sup>5</sup> 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.<sup>6</sup> 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

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

<sup>3</sup> 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).

<sup>4</sup> *Id.*

<sup>5</sup> 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).

<sup>6</sup> *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.<sup>7</sup> 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.<sup>8</sup> 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 Horrocks  
Fair Housing Project Co-Director

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<sup>7</sup> 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).

<sup>8</sup> 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).

Representative Ed Butler, Prime Sponsor, HB1319

I am pleased to bring this bill before you today. It is a bill that will have a powerful impact on thousands of our granite state citizens.

The co-sponsors & I know that this bill is needed. But it is the many people who will testify, from the NH transgender community, their families, the BIA & other business leaders, doctors, housing advocates, the enforcement community and the faith community, who will do the work of detailing to you why this bill is needed and why it will be good for our communities and our state.

The message will be clear. Discrimination is never good and the transgender community in New Hampshire deserves and needs the explicit protections which will be provided by this bill. It will extend protections already provided to most granite staters in Chapter 354A, the chapter which defines the work of the State Commission on Human Rights. In the >purpose= statement to that chapter it says: AThe general court hereby finds and declares that practices of discrimination against any of its inhabitants because of age, sex, sexual orientation, race, creed, color, marital status, familial status, physical or mental disability or national origin are a matter of state concern B that such discrimination not only threatens the rights and proper privileges of its inhabitants but menaces the institutions and foundation of a free democratic state and threatens the peace, order, health, safety and general welfare of the state and its inhabitants.@ HB1319 will update this statute to make it inclusive of our transgender citizens.

And what about that elephant in the room --- bathrooms?

Nothing in HB 1319 would change the fact that it is already illegal to assault a woman (or a man) in a public bathroom or locker room. Eighteen states and dozens of municipalities have prohibited discrimination against transgender people. Some of those anti-discrimination provisions have been on the books for decades. None of the jurisdictions where these protections exist have experienced increases in harassment, violence, or any other public safety issues in public restrooms or locker rooms. Let me repeat that -- **None of the jurisdictions where these protections exist have 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.

As a gay man, I understand how important this legislation will be to provide needed protections but also to say to our transgender citizens, by the legislative body of this state, in a very unambiguous way, you deserve to be seen, recognized, protected and supported for who you are.

My being gay isn't as much of a challenge as it once was. Generally, I am treated as an equal deserving of acknowledgment and respect. But that equality has been hard fought and hard won - over many decades. And that equality for the lesbian and gay community started, in real measure, with the work to achieve inclusion in nondiscrimination statutes like the one before you today.

This legislation, when passed, will say to our transgender citizens, that it is not OK for you to be fired from your job simply because of who you are; it will not be OK to be prevented from accessing housing or to lose your housing simply because of who you are; our transgender citizens will be protected from discrimination in public services, like at my inn .... or when receiving health care.

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Thank you for taking the whole afternoon to hear the testimony for this bill. There are many people who want you to know why this legislation is needed. As you will hear, there is much support for this bill, and much pent-up desire for the basics of simple respect and understanding from a community that has been too long forced to hide in the shadows.

Thank you.

No one wants any human being to be discriminated against. In fact, in New Hampshire, we should be proud that we have discrimination laws in place that already protect *everyone* in the state *equally*.

Trans people have been using existing laws for almost 2 decades to sue if they believe they've been discriminated against.

Unfortunately, an out-of-state organization has decided differently. They have come to NH to insist that legislators pass a shiny, new law under the guise that existing discrimination laws aren't enough.

Unfortunately, this new law, House Bill 1319, not only creates a special class of people with special rights but the ramifications to women and girls are *frightening*.

One of the biggest hits to women are the changes to the sex-based legal protections that women have worked hard to secure for years.

'Gender Identity' laws have been put into place in other states and countries and we've already seen the negative impacts these laws have had on women and girls.

And I'm not talking about bathrooms and locker rooms. I'm talking about rape centers, domestic abuse centers, women-only shelters, women's prisons and women's sports, to name a few.

And there is already evidence that these very 'gender identity' laws, which are an attempt to provide "protections for a few, while compromising the protections for the many." The many being women and girls.

In Vancouver, British Columbia, a transsexual woman who lived the majority of her life as a man, sued a rape center for not allowing her to become a rape counselor to women and girls seeking help. The rape center didn't feel she had the experience, as a woman, to be able to

actually counsel women since their model was that counselors could establish peer-based relationships with women and girls seeking help from the trauma of rape.

The woman sued and the highest court agreed with the rape center in this case but not after the rape center had to spend thousands of dollars in legal fees to keep their sex-based legal protections in place.

In Anchorage, Alaska, a biological man with a violent criminal record is suing a battered women's shelter for not allowing him access. His lawsuit claims he was discriminated against because he is transgendered. He filed the lawsuit under the name he uses as a trans woman, although no records can be found of his name being legally changed.

As part of HB 1319, trans people have to prove they are actually in transition, except there are no 'trans guards' at the doorways of women-only spaces. These proofs wouldn't come into play until after thousands of dollars are spent on lawsuits.

The question will be for businesses and organizations to make the decision if they want to protect women in their women-only spaces and risk a lawsuit or take the word of the person trying to gain access to women-only spaces.

A women-shelter in Canada (and one in Oregon as well) are now treating women as second-class citizens for daring to want privacy and protection from biologically intact males who claim to be women.

In Okanagan, women who fled abusive relationships with men were concerned because they were forced to room with an 'intact' trans woman. The shelter told them "sorry if a person identifies themselves with female, then we have to go with that."

It doesn't matter if women have been traumatized by men and are seeking protected spaces as a result. It doesn't matter if women specifically seek out services that have been legally protected for "**women only**" for years.

A predator in Toronto, who claimed to be transgender in order to gain access to women-only facilities, and was granted access because of gender identity laws, has been sentenced to prison indefinitely because he is considered such a dangerous offender. He not only sexually abused a 5-year-old little girl but went on to attack 4 vulnerable females who he gained access to in women-only shelters because he claimed he was transgender. It's still unclear if he is truly trans or not.

Women are essentially being told that they no longer matter because of 'gender identity' laws like HB 1319.

Women's and girls' sports are another issue when it comes to "gender identity" laws. Because of these laws, biological men are now competing in women-only sports, and winning. Biological boys are now competing as girls, and winning.

I can argue against Title IX for a variety of reasons but that's for a different day. Title IX was put into place to allow women and girls the same access to sports as men and boys. Unfortunately, that's now being destroyed thanks to gender identity laws like HB 1319. How soon before women and girls are totally shut out of competitive sports, including the Olympics, thanks to these types of laws?

I don't know what the solution is but when talking to some trans women about it, they don't want their own separate facilities or shelters, they demand inclusion as actual women. Women don't seem to matter.

What I do know is that the ramifications of this legislation to women and girls should be researched and studied before passing it into law. I've only touched upon some examples of the ramifications here, there are many more.

Women from across the political spectrum are fighting against "gender identity" laws for the reasons I mentioned above. Radical feminists, Christians, lesbians, and conservatives are all fighting "in solidarity" against this type of legislation. A quote from some of these fighting:

"When the law requires that any man who wishes (for whatever reason) to be treated **AS** a woman **IS** a woman then "woman" (and 'female') lose all meaning.

With the stroke of a pen, women's existence – shaped since time immemorial by their unique and immutable biology – has been eliminated by Orwellian fiat."

These gender identity laws not only erase sex-based legal protections for women but they erase the meaning of woman in law because, and I quote:

"Allowing anyone who *identifies* as a woman to be *regarded* as a woman in public policy erases the very meaning of womanhood in law."

Before you consider passing this legislation, please research the very real ramifications to women and girls that are already occurring in places where "gender identity" laws have been passed.

Once you pass this legislation, there's no turning back and the damage that can and will be done to women and girls will be irreversible.



HB1319 Testimony

April 16, 2018

Rep. Mindi Messmer, District 24

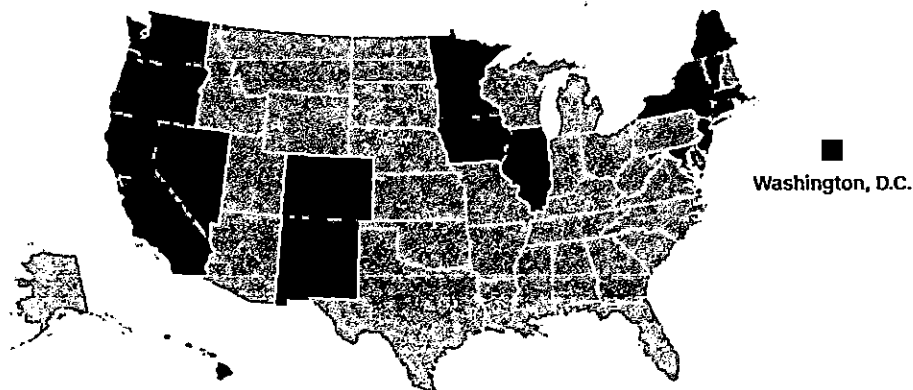
HB1319 would bar discrimination based on gender identity in housing, employment and public accommodations at places such as restaurants or movie theaters. Every other New England state, have similar legal protections. New Hampshire provides protections already based on race, religion, sexual orientation and several other factors but not gender identity. Protections for gender identity should be explicit in New Hampshire laws. 19 other states have anti-discrimination laws on the books already (see graphic below).

## Predators in bathrooms

- The claim:** Sexual predators will take advantage of public accommodations laws and policies covering transgender people to attack women and children in bathrooms.
- The facts:** Anti-discrimination protections covering gender identity have been around for years, and there is no evidence they lead to attacks in public facilities.
- Explained:** As of March 2017, 19 states, the District of Columbia and more than 200 municipalities have anti-discrimination laws and ordinances allowing transgender people to use public facilities that correspond to their gender identity.

## Transgender access to public accommodations

■ States with laws banning discrimination in public accommodations based on gender identity



Source: The National Center for Transgender Equality/CNN

Last session our committee heard heartbreaking testimony about discrimination based on gender identity. We also heard from people who did not feel comfortable using public restrooms that match their birth gender but not their gender identity. Almost 60 percent of the 27,715 transgender American respondents surveyed say they have avoided using public restrooms for fear of confrontation, and have been harassed and assaulted, according to the largest survey taken of transgender people in the United States.

The same survey found that 40 percent of transgender Americans have attempted suicide in their lifetimes compared with 5 percent for the U.S. population, and 7 seven percent attempted suicide in the previous year, nearly 12 times the rate for the U.S. population.

Fears relating to attacks in public restrooms are unfounded. There is no evidence that transgender non-discrimination laws result in sexual attacks in public restrooms.

The NH Chiefs of Police Association and women's advocates, like the NH Women's Foundation are strongly endorsing HB 1319. I ask this committee to also support this important legislation.

Testimony of Lisa Bunker to the Senate Judiciary Committee, Monday, April 16th, 2018, with reference to HB 1319.

Ms. Chair, 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 children's book writer. I am a transgender woman, and also the parent of a gender-variant child.

I want to speak briefly on two points today. The first is a quick recap of the key concept of an email I sent all of you a few weeks ago—a point about anxiety.

My partner, Dawn Huebner, is a clinical psychologist who specializes in treating anxiety, and 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—this is crucial—anxiety works the same whether the danger is real or not.

The debate around this bill includes input from people who, I gather, feel particularly threatened by the mere existence of trans folks. 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, so maybe their fear calls up fear in you too. At other hearings like this one I have felt the worry-beast in the room, doing what it does best, blowing things out of proportion, ringing peoples' 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 the like, 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.

The second point I want to make can be explained by quoting parts of an email I sent last week to my senator, Senator Bill Gannon, who serves on this committee. He had shared with me that he worried about the privacy of his wife and daughters in public restrooms and locker rooms. I would like to read some of my response now:

Dear Senator Gannon: I have children too, so I understand, respect, and honor your desire to keep your family safe. In this case, however, I respectfully submit that there is no real danger.

Some points to consider:

Trans people are, by definition, deeply uncomfortable with the bodies we were born with. Often we can hardly stand to look at them ourselves, let alone have anyone else see them.

We are also aware at all times that many people misunderstand us and are afraid of us. So even if we could stand for other people to see our bodies, we would still want to avoid attention in order to keep ourselves safe from frightened people causing scenes or making accusations.

When I went through my gender transition, I was working out regularly at the gym at USM in Portland, Maine, where I was employed at the time. I hadn't had surgery yet, but I had started hormones, so my body was changing. I was feeling increasingly unsafe in the men's locker room.

I talked to gym management. They were supportive. A female gym employee walked me through the women's locker room. I saw that there were private bathroom stalls and changing and shower areas with curtains. (All sorts of people are bashful about their bodies for all sorts of reasons, not just trans folks.)

On my first days in the new locker room I kept my eyes strictly to myself. I avoided talking - my voice still sometimes sounds male to some people. And, I changed my clothes in the handicap restroom stall with the door closed, waiting until I could hear no one was around and facing the wall as I did so. I did everything I could to remain invisible.

To my huge relief, no one noticed me. And in all my years since using public restrooms and locker rooms, no one has looked at me twice. That's exactly how I want it.

Separate facilities, I fear, are not a good answer. They stigmatize and ostracize. They also represent an undue burden of extra expense for those providing public accommodations.

And, they are completely unneeded. Trans folks are already using the facilities that align with their true gender identities, without anything bad happening. It's entirely possible that a trans girl is already changing her clothes with your daughters. And it's almost certain that your wife and daughters have already shared a public bathroom with a trans woman, probably many times. It happens every day, without incident.

You see, trans women really are women. We are bashful about our bodies, we don't want to trouble anyone, and we wish to avoid trouble ourselves. We are not like drag performers you may have seen in the media. They're doing outrageous gender theater. We're just trying to survive our lives. We want more than anything to blend in and be safe. We just want to go to the bathroom or change our clothes without getting noticed, and we want to do so knowing we are protected by law from discrimination, harassment, and prejudice, the same as many other vulnerable groups.

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 and worthy of your sympathy, the danger they fear is not always real. 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 my partner 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, without amendment. Thank you very much for your kind attention.



## **The Hon. Mark A. Pearson**

Rockingham County District 34  
representing Atkinson, Hampstead, Kingston, Plaistow

Testimony before the Judiciary Committee, April 16, 2018

Thank you for taking my testimony.

For the record I am Representative Mark Pearson, Rockingham County District 34, a flatorial covering Atkinson, Hampstead, Kingston and Plaistow. I serve in the House Health, Human Services and Elderly Affairs Committee, and, since April 2, as its clerk. I chair the Commission to study Environmentally-Triggered Chronic Illness.

I have been a clergyman for many years, having been ordained in the Episcopal Church in 1974. I presently am part-time Chief Executive Officer of New Creation Healing Center, an organization bringing together family practice medicine and counseling, based in Kingston.

I have been accused of being an extreme political moderate, to which I plead guilty.

Because of all of this I really do see various sides to an issue. This means I am watchful to see whether, in our attempting to do good, we inadvertently do some harm. It's with that attitude I approach this bill.

First, I think there is much in this bill to celebrate. No one should be discriminated against in employment or housing. But I am concerned about public accommodation.

My experience as a clergy member and what I know from our center tell me that we could be doing some harm to one or more groups while we seek to do good for another.

Over the last few years I have been listening to statements coming from college campuses, U.N.H. in particular, regarding safe spaces, trigger mechanisms and micro-aggressions. While I think some of what is being said goes too far, nevertheless, I find there is merit.

Most studies assert that one in four or even one in three women have been the victims of sexual aggression to one degree or another. The presence of individuals in what have hitherto been solely women's lavatories or women's shower rooms will likely trigger unpleasant memories in some who have been sexually assaulted.

Proponents of this legislation have said that persons of male biological origin now identifying as female would not enter women's lavatories or shower rooms for the purpose of bringing harm. I agree they would not enter to do this. However, their mere presence would in itself be an unintended micro-aggression. Painful memories would be triggered in some victimized women.

One young woman recently told me should this bill pass she could no longer enter a public women's rest room because she has not yet emotionally worked through having been raped.

Colleagues at my medical / counseling center tell me conversations with some of their patients and clients repeat such statements.

I've been reading about a recent episode in Alaska. The Hope Center of Anchorage is a faith-based, shoestring operation sheltering abused women. At night the sleeping mats are rolled out and women, some of whom are escaping human trafficking, find safe shelter, placed side by side in one large room. The Hope Center does not have various bedrooms – there's just one large room. It's not the Waldorf but it is a safe space.

That is, until an individual male who had been expelled from a shelter capable of housing men and women showed up. He asserted his identity as a transgender and demanded, citing a new Alaska law, to be admitted. His presence, sleeping right next to women, some having been sexually abused, would have been a disaster. My last look-up of this event said the issue is before the Anchorage Equal Rights Commission.

Please temper this bill, at the very least, in areas of public accommodation, so that in doing some people good, we do not do other people harm.



## **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.*

**CGNH** 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; mové 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 .

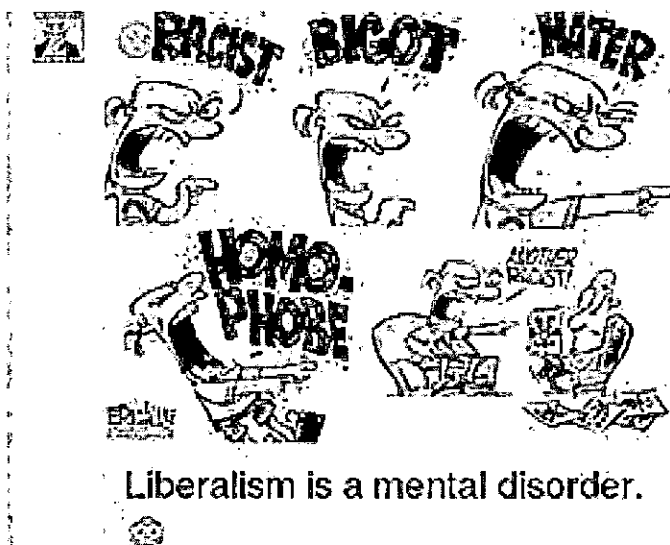
December 5, 2017 at 3:14pm



**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!



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.

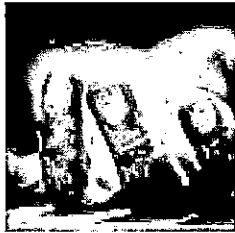
December 5, 2017 at 3:04pm



**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](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 or 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

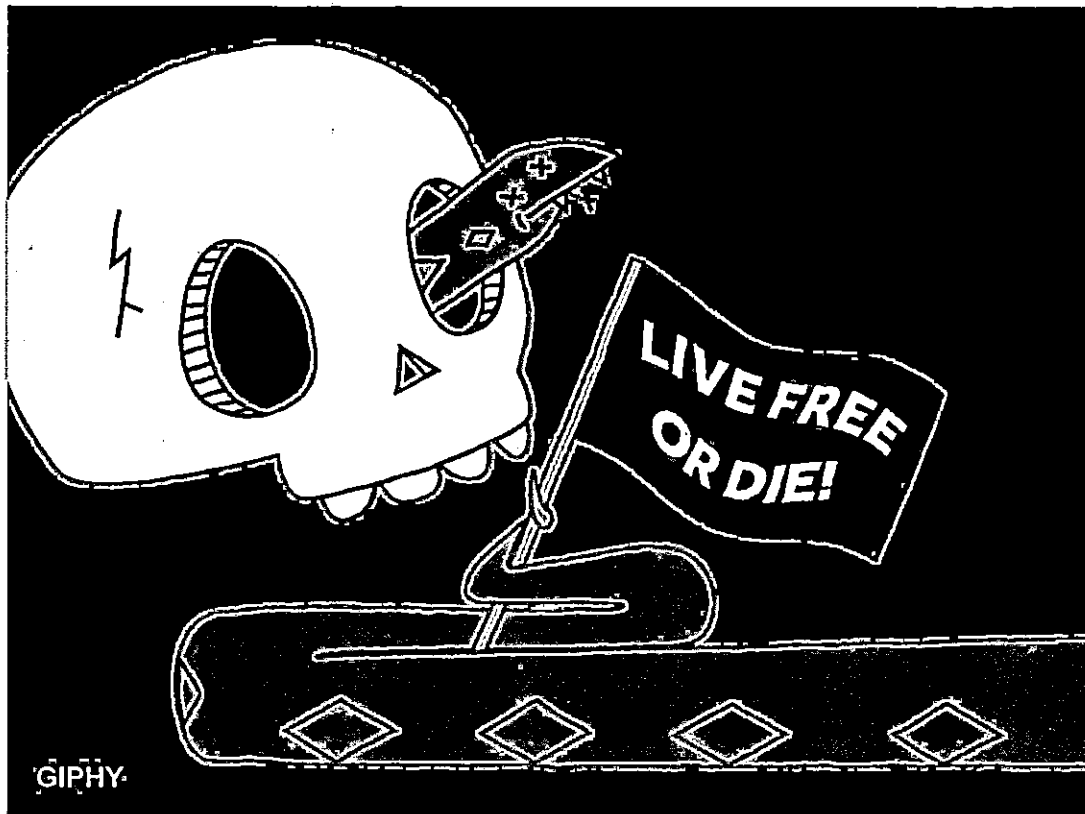


**Alex Drinkwater** Add people who think they're cuckoo clocks while you're at it.

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).

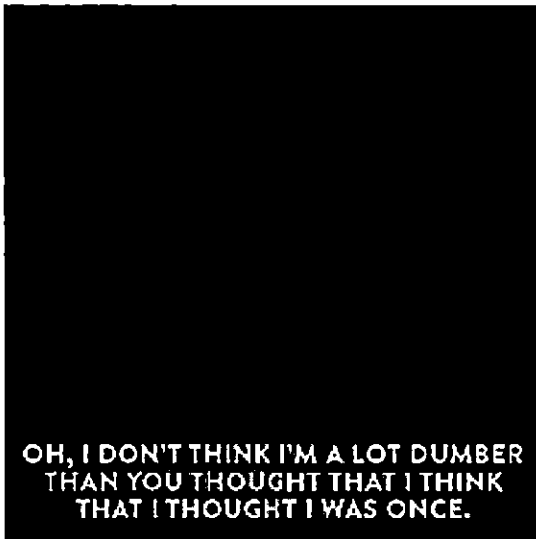
4 · December 5, 2017 at 2:31pm



**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

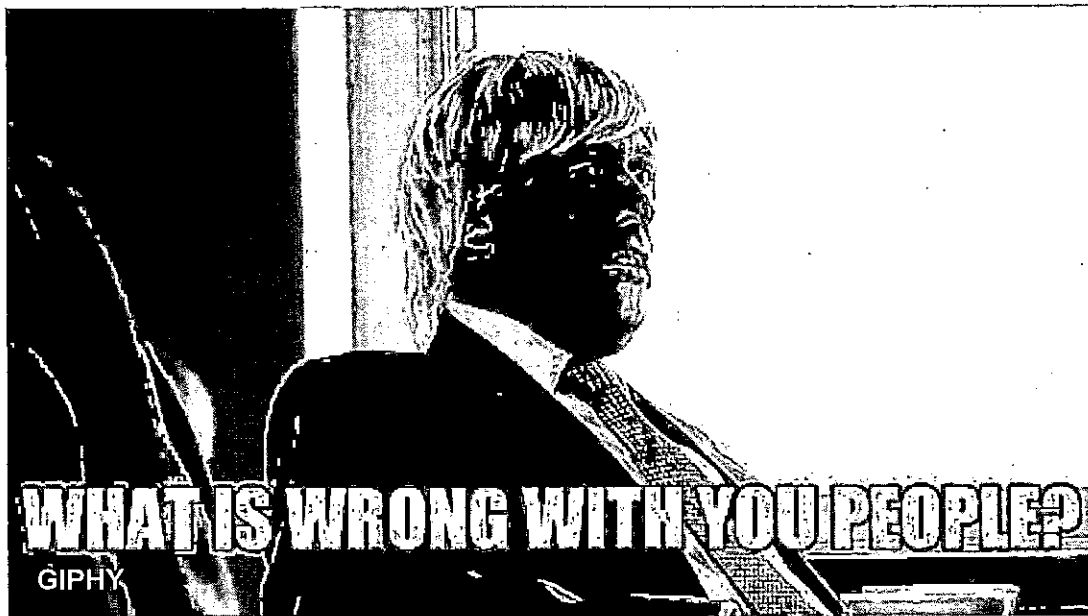


**Kathy Komar** #NO NH resident

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 psychos, 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.

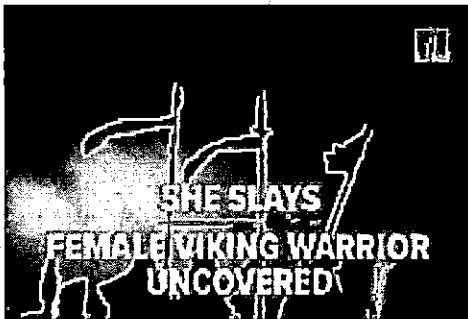
December 10, 2017 at 6:03am




**Kenny Scipione**

 **HuffPost**  
 Yesterday at 5:13 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 Bruedle** 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 Bruedle** 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 Bruedle** 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

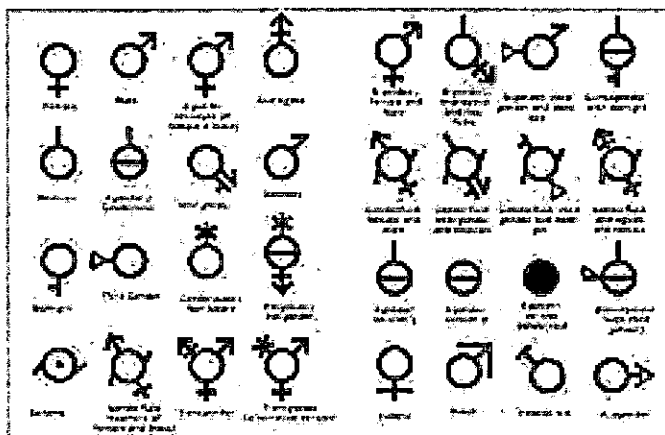


**Emily G Rose** #Yes #NHResident There should be zero discrimination.

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 Bruedle** 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 to 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't, 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; Deut 25:5-10 )

(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 propaganda. NO its not discrimination.

4 · December 5, 2017 at 7:24pm



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



nobody's business but ours.

1 · December 5, 2017 at 9:20pm



**Chris Thibeault** No.

2 · December 5, 2017 at 9:40pm



**Glen Mones** Well New Hampshire starting to become a real lib state

1 · December 5, 2017 at 10:38pm



**Laremy Villa** #yes

3 · December 5, 2017 at 11:04pm



**Laremy Villa** nh resident. i am a trans person and i would love to be able to be called my actual name and by my actual pronouns when i go to work without worrying about losing my job over it.

2 · December 5, 2017 at 11:05pm



**Adam Twist Mahoney** Yes and transphobes deserve a brick in the face.

1 · December 5, 2017 at 11:09pm



**Christine Erin** That right there proves why it should be #no

1 · December 6, 2017 at 2:56am



**Coty Ballou** #NO

2 · December 6, 2017 at 1:13am



**Richard Chamberlin** #No You're either Male, or Female. Not both. Not "I'm this gender, but I feel like I'm this gender. "

1 · December 6, 2017 at 1:53am



**Lynn Wyatt** #No. NH resident. We already have a discrimination law. Breaking it out into more factors and creating a special law is discrimination in itself.

December 6, 2017 at 1:55am



**Sofia Cunha-Vasconcelos** #yes . NH resident. Discrimination in any form is wrong. Why should gender identity be excluded?

2 · December 6, 2017 at 2:26am



**Alex Kish** Because the medical experts view it as a mental disorder. Neither you or I or Congress as a whole is more intelligent than those experts. In addition, as the article states, the Courts already tend to treat



those with gender dysphoria as as subset of "sexual orientation" - already a protected class.

December 6, 2017 at 6:52am



**Sofia Cunha-Vasconcelos** Alex Kish except of course that medical experts are now looking to remove it from the list of mental disorders, and tend to isn't good enough.

1 · December 6, 2017 at 7:20am



**Jennifer Richards** This. The only "experts" who regard it as a mental disorder are the remnants of a century of trying and failing to make sense of it that way. It fails every test of such a disorder, and the overwhelming majority of experts have moved on to what the evidence supports.

1 · December 8, 2017 at 8:40pm



**Jennifer Richards** And gender dysphoria is almost completely distinct from sexuality.

1 · December 8, 2017 at 8:42pm



**Charles Kreher** I'm just going to began to identify as both Mr and Mrs manbearpig. That way I can roll 2 genders and 3 species! Everything will be discrimination!

1 · December 6, 2017 at 2:40am



**Charles Kreher** You are just upset that you didn't think of it first.

December 6, 2017 at 5:26am



**James Mahoney** I agree Michelle. His ignorance IS astounding!!!!

1 · December 6, 2017 at 9:35am



**Christopher Knyght** No. It would legitimize mental illness. That's like saying that you can't discriminate against a guy that believes he's Ethel Merman....

2 · December 6, 2017 at 2:44am



**Christine Erin** #no

December 6, 2017 at 2:54am



**David A Blodgett** What laws Legislative rules are not law but rules of society enforced by the color of law to generate revenue.....<http://www.goldismoney2.com/.../statutes-acts-ordinances.../>

December 6, 2017 at 3:47am



**Anthony Robert Skarda** #no. It's already illegal to discriminate, but we should not pander to mental illness, and we should not set up certain classes of people to have "extra rights". There should be no prequalifiers for **\*\*equal\*\*** rights, there should be no favoritism

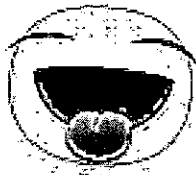
2 · December 6, 2017 at 3:55am



**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 counterfelts.**

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 targetting 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 O'Connor** 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](#).

**Testimony of Paul J. Phillips, Esq., of Plymouth, New Hampshire**

**In support of H.B. 1319  
(An act prohibiting discrimination based on gender identity)**

**Senate Judiciary Committee  
April 16, 2018**

Good afternoon, Madame Chair and members of the Committee. My name is Paul Phillips. I am a resident of Plymouth, New Hampshire. I am also an attorney in private practice and I had the great honor to serve for 3 years as the Chair of the New Hampshire Human Rights Commission, which is the agency that would enforce this bill if it becomes law.

I am here to express my strong support to HB1319 and to urge its passage. HB1319 will give transgender people in New Hampshire a much needed and long overdue legal remedy when they face discrimination in employment, housing and public accommodations. I say “when they face discrimination” and not “if they face discrimination” because discrimination against transgender people is occurring right now in New Hampshire. It is a real problem affecting real people, and this legislation is the best and most effective way of addressing it.

Under current law, the State Human Rights Commission accepts charges of discrimination based on gender identity under the legal authority of a 1988 Superior Court decision from Rockingham County.<sup>1</sup> While it’s important to have this legal authority, the Superior Court decision has never been enough. It is the decision on one county court. The Superior Courts in the other counties might reach a different conclusion, or they might reach the same conclusion but on a different legal theory or on a variety of different legal theories. Practitioners before the Human Rights Commission have themselves advanced a variety of legal theories that rely on caselaw from other states. The net result is an inconsistent jurisprudence across our state.

The inconsistency and confusion in our jurisprudence has an easy solution. Pass HB1319 and establish statutory authority that is clear and direct. We know one true thing from the 1988 Superior Court decision, and that is that transgender people have a right to be protected from discrimination here in New Hampshire. They have had that right for 30 years. But unlike every other protected class that falls within the jurisdiction of the Human Rights Commission, transgender people who experience unlawful discrimination face inconsistent, confusing, and totally unnecessary legal obstacles when they seek to protect their rights.

Why is this acceptable to anyone? Why, when the solution is so simple and so plain, would we continue to treat transgender people differently from every other protected class whom the law has already recognized? After 30 long years of inconsistency and confusion, the time is long overdue for this Legislature to establish a clear and direct protection in our statute. Pass HB1319. It is the right thing to do for our people and our State.

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<sup>1</sup> *Jane Doe v. Electro-Craft Corp.*, Docket No. 87-E-132, Order on Plaintiff’s Motion to Reverse (Rockingham Super. Ct., Apr. 8, 1988).



new hampshire  
**WOMEN'S FOUNDATION**

April 16, 2018

Senator Sharon Carson, Chair, Judiciary Committee  
New Hampshire Senate  
107 North Main Street  
Concord, NH 03301

RE: Testimony in Support of HB 1319

Dear Chair Carson and Honorable Members of the Committee:

The New Hampshire Women's Foundation invests in equality and opportunity for New Hampshire women and girls through research, education, advocacy, and grantmaking. 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



GODD AFTERNOON!  
MY NAME IS ELAINE THOMAS. I AM A LONG TIME RESIDENT OF NH,  
CURRENTLY LIVING IN NASHUA. I AM HERE TODAY IN SUPPORT OF  
SB1319.

HAVING HAD TWO SONS, I WAS THRILLED TO HAVE A  
GRANDDAUGHTER. WE BONDED EARLY ON AND HAVE DONE MANY  
THINGS TOGETHER INCLUDING HIKING IN THE WHITE MOUNTAINS AND  
STAYING IN THE AMC HUTS.

WHEN SHE REACHED TEENAGE SHE BECAME HE. YOU CAN IMAGINE  
HOW SHOCKED I WAS.-----THINK FOR A MOMENT ABOUT HOW YOU  
MIGHT HAVE REACTED. WOULD YOU HAVE DISOWNED THE CHILD?  
TRIED TO CHANGE HIS MIND? BLAMED HIS PARENTS?

HERE'S WHAT I DID. I IMMEDIATELY TOLD HIM THAT I LOVED HIM AND  
ALWAYS WOULD. THEN I ASKED HIM WHAT HE WANTED ME TO DO.  
HE ASKED ME TO CALL HIM BY HIS NEW NAME AND USE THE MALE  
PRONOUNS.. I HAVE MET THESE REQUESTS WITH OCCASSIONAL SLIPS --  
HE IS VERY FORGIVING.. AND TODAY, I STAND BEFORE YOU TO FIGHT  
FOR HIS RIGHT NOT BE DISCRIMINATED AGAINST IN PUBLIC PLACES,  
HOUSING AND JOBS.

HE IS AN AMAZING YOUNG MAN. AN A STUDENT, VERY ACTIVE IN THE  
YMCA LEADES PROGRAM WHERE HE SPENT HIS FEB. VACATION IN NEW  
ORLEANS PAINTING HOUSES, A PARTICIPANT IN TEEN NH, AND HAS  
RECENTLY BEEN CHOSEN AS THE REPRESENTATIVE FROM HIS  
SOPHOMORE CLASS AT NASHUA SOUTH IN THE NATION WIDE HUGH  
O'BRIAN AMERICAN LEADERS PROGRAM. HIS LONG TERM GOAL IS TO  
BECOME A PEDIATRIC NEUROLOGIST. IN BETWEEN HE MAKES SURE TO  
SPEND SOME TIME WITH ME!

HE WILL SOON BE A VOTER IN THIS STATE AND HOPES HE WILL NOT HAVE TO MOVE TO ANOTHER STATE WHICH WILL PROTECT HIS RIGHTS.

THANK YOU FOR YOUR TIME.

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## **Ambitious study on transgender kids gets big funding boost**

The National Science Foundation is doling out \$1 million to expand an ambitious nationwide study of transgender children. University of Washington psychologist Kristina Olson is leading the study — which launched in 2013 — and has recruited more than 300 kids between ages 3 and 12. Olson aims to follow the cohort over 20 years to track their health outcomes.

Preliminary data, published in *Pediatrics* in 2016, found that children in the study had the same rates of depression and anxiety as non-transgender children. The children in the study had solid family support and were able to publicly live as the gender they identified with, which Olson said might suggest family support is critical in preventing mental health issues that have previously been documented in some transgender kids.



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

I am a parent to 3 children, all in college and doing very well. 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 home owner, taxpayer and an avid outdoors enthusiast and I have lived in Center Conway NH for 31 years. I am also a proud Transgender woman.

Although I've been transgender all my life it was about 12 years ago after many years of torment, I finally went back to therapy to deal with my gender identity.

About 9 years ago I began my transition. At the time I was working as a nurse at Memorial Hospital and at Kennett High School in North Conway. I was concerned that I was about to begin my transition without any legal protections as an openly Transgender woman.

I also knew that Maine had strong explicit language in it's laws that protected 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 be fired just because I was Transgender and putting my kids future college plans at risk.

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.

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, the tired argument of protecting the rights of Trans people from discrimination in public accommodations will somehow put women and children at risk from sexual predators. There are laws already on the books which deal with this and HB 1319 will not negate those in any way. If our opponents were correct, where is their proof?

The states are often seen as the laboratories of democracy. I'm here to tell you that the test has been run and the results are clear. 18 states, The District of Columbia and over 200 communities across the US, have such protection in place and there has been no uptick in sexual assault or harassment.

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

# SOGI Laws Lead To Men Being Allowed Into Women's Restrooms

Proponents of adding sexual orientation and gender identity as new classifications under the law often minimize the fact that these laws result in unconstitutional invasions of bodily privacy because they allow biological men to use the same restrooms and locker rooms as young girls and women.

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## The Impact of SOGIs of Privacy

While a law that bans discrimination against a person based on his or her gender identity may not on its face require a man to be permitted to use a woman's restroom, time and time again, courts and state agencies have relied upon such laws to mandate that result.

- **Maine:** In January 2014, the state Supreme Court ruled that the Maine Human Rights Act (MHRA), which bans discrimination in public accommodations based on “a person’s actual or perceived gender identity or expression,” requires a biological male student to be permitted to use the girls’ restroom at school. *Doe v. Regional School Unit 26*, 86 A.3d 600 (Me. 2014). The court found that the student “was treated differently from other students solely because of her status as a transgender girl.” *Id.* at 606. “This type of discrimination is forbidden by the MHRA.” *Id.*
- **Washington:** Relying upon the state non-discrimination law which includes sexual orientation and gender identity, the state Human Rights Commission implemented a new regulation effective December 26, 2015, that required all public accommodations and public schools to allow individuals to use the facilities “that are consistent with that individual’s gender expression or identity.” WAC 162-32-060.
- **Colorado:** The Colorado Division of Civil Rights used its authority under the state Anti-Discrimination Act, which bans discrimination based on sexual orientation and gender identity, to issue a rule requiring that “all covered entities shall allow individuals the use of gender-segregated facilities that are consistent with their gender identity.” In June 2013, the Division enforced this against the Fountain-Fort Carson School District when the school district would not allow a biologically male kindergarten student to use the female restrooms. *Available at [www.transgenderlegal.org/media/uploads/doc\\_529.pdf](http://www.transgenderlegal.org/media/uploads/doc_529.pdf)*.
- **Massachusetts:** After Massachusetts amended its state non-discrimination law to include gender identity, the state Department of Elementary and Secondary Education issued guidance requiring schools to allow a “student [to] access the restroom, locker room, and changing facility that corresponds to the student’s gender identity.” *Available at [www.doe.mass.edu/sfs/lgbtq/GenderIdentity.docx](http://www.doe.mass.edu/sfs/lgbtq/GenderIdentity.docx)*.

These are just a few of the more prominent instances where state sexual orientation/gender identity laws have been used to require that men be allowed to use female restrooms and locker rooms—both in places of public accommodation and in public schools.

Right now, under New Hampshire law, there are no measures that explicitly protect transgender people from discrimination. Despite growing public awareness and support for the LGBTQ community, transgender people still face horrific discrimination, harassment and violence in all areas of life.

It breaks my heart that our society didn't feel like a safe place to Em, in large part due to the kind of discrimination she feared she would face.

I recently testified in front of the House Judiciary Committee in favor of HB 1319 to honor Em's memory. I was both shocked and pained to hear opponents talk about transgender people as if they are broken, damaged and a danger to children. I heard people claim that God does not want to see transgender people protected from discrimination. Some opponents even had the audacity to question my faith, and the faith of the other clergy present who were there in support of HB 1319.

I serve as the priest at St. James Episcopal Church in Keene and have been an ordained clergy person for 22 years. I regret that so many hurtful and stigmatizing claims about LGBTQ people have been asserted in the name of religion — and I reject such claims. In our church, we preach that no matter what our faith or creed, we should treat others the way we would want to be treated. Failing to protect others from discrimination goes against this value and it hurts us all. In our Episcopal baptismal covenant, we promise to seek and serve God in all persons, loving our neighbor as ourselves. We promise to strive for justice and peace among all people, and to respect the dignity of every human being.

It is because of these promises that I and so many people of faith advocate for legal equality for transgender people. It is because we know that all are created in God's image — in all our amazing and beautiful diversity — and that includes those who are transgender. My daughter was loved by her family and by God, and we wish we had more time with her to show her that love. So I believe it is now part of my calling to make sure every transgender person knows how truly beloved they are.

I have heard a great deal of fear expressed by the opponents of transgender equality. But love casts out fear, and this bill is grounded in compassion, fairness, equality and love. It assures our transgender citizens that New Hampshire intends to stand by them if they come up against life-damaging discrimination and provides them with more options than turning to desperate measures. Putting nondiscriminatory measures in place are a basic and important step in offering vulnerable teens like Emelia the hope, confidence and inner peace to keep going despite the significant pressure of bias and stigma they will face. I'm extremely grateful the House of Representatives voted resoundingly to support HB 1319, and I urge the Senate to do the same.

I pray that all those like my daughter Emelia feel our support and the peace of knowing they are valued and upheld as equal and protected members of our communities.

**4/16/2018** **NH Senate 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 and helped bring Digital Equipment Corporation to New Hampshire. Years later, I helped plan, design, market and deploy Digital's 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: to work as a Man or as a Woman. So, I made the decision 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. The comments were so intense and threatening that I have become a handgun owner.**

**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 people 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 and 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, who was working for a cleaning service, told me that after coming out to her supervisor, she received a text message the next morning from the office 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**

With gratitude, please share this link with anyone you believe might see value in this information. Thank you for your support and advocacy for our community. 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.

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## HB1319 Testimony

Hello, my name is Jillian Leigh. I live and work in Portsmouth, NH, 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 your born female, and the way 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. And for me, like so many others, the dysphoria that I felt never went away until I began to transition to my true gender identity.

Some people say that being transgender is a choice. And they may mean well, but with all due respect, they don't know what they're talking about. Because for many of us, the only choice, other than transitioning, is to live a life of misery, often with gender dysphoria so bad that suicide seems like a viable option.

Those of us who transition know that we risk everything – our marriages, our relationships with our kids, our families, our friends, our jobs and careers, financial stability, everything. But we do it anyway, because taking the risk is better than the alternative.

I didn't come here today looking for sympathy, or for any special treatment. I took this lovely spring day off to ask the Senate Judiciary Committee 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.

Just this weekend I learned that a close friend, who recently transitioned on the job, has been laid off, despite years of fine performance reviews. I've seen this happen over and over in NH to people I know, good people with good records who were let go shortly after they transitioned. This isn't fair, it isn't right, and we need to fix it now.

Today is Patriot's Day where I grew up, outside of Boston, and it's more than just the Marathon and a Monday off. Patriot's Day marks that April day in 1775 when American colonists finally stood up to the British and said, "enough is enough. We're tired of being treated like second-class people in our own country". Which is how I feel about being transgender today.

We can fix this, and no more children or adults have to die from suicide, or get beaten up or harassed in public places and school bathrooms. By adding "gender identify" to the existing law we can help ensure non-discrimination for all NH residents. So please, do the right thing.

Approve HB1319. Thank you!

My name is Grace Alden. I have lived in Plainfield, NH for almost 20 years. My wife and I raised our children there.

I am a retired police officer. I retired after 21 years of service to the State of New Hampshire, most of it in Lebanon, NH. During my career I worked as a field training officer, a firearms instructor, a use-of-force instructor, a patrol supervisor, a traffic accident Reconstructionist, and a tactical operator. As far as I know, I am the only female trans officer to continue to serve as a tactical operator after I transitioned, while serving, in 2012.

When I transitioned, the Lebanon City Manager found it necessary to pay a lawyer to do the legal research to determine whether, in fact, the City of Lebanon had a sound legal footing in the event that some wanted to make an issue of my continued employment. That cost was ultimately borne by the taxpayers of Lebanon. They would not have had to pay for that legal research if HB 1319 had been law at the time. This is the concrete practical effect of having clarity in the law.

During my decades of service, I investigated thousands of complaints and made many hundreds of arrests. Not one of them involved a trans or gender nonconforming person behaving criminally or even inappropriately in a bathroom or locker room. I did, however, hear slurs from members of the public because I was trans. I did have coworkers avoid me as much as they could, which complicated the provision of police services to the people of Lebanon.

That situation was tremendously stressful to me. It was a significant part of my decision to retire. The residents of Lebanon should not have had to lose a proven and experienced officer.

Trans and gender nonconforming people are not a threat to cis people. Those cis people who let themselves be governed by fear and ignorance, however, are demonstrably a threat to trans and gender nonconforming people.

We need HB 1319 to become law.

Thank you for your time and attention.

Grace Alden

# HANDS ACROSS THE AISLE

## Biology, Not Bigotry

### Gender Identity Harms Women

At Hands Across the Aisle, we are a politically diverse group of women who are choosing to stand together to reclaim the definition of sex as a binary concept that refers to one's biological status as male or female. We believe that equating sex with gender is harmful to women in particular, as it reduces women to stereotypes, erases women in the law and eliminates women-only spaces. We recognize and have compassion for individuals who suffer from gender dysphoria, and we believe that they should be treated with respect and dignity, but we reject that their suffering is being used to justify a movement that reduces women to nothing more than body parts.

Here we offer two perspectives on gender — one from a radical feminist perspective and the other from a Christian perspective — to explain why we believe that womanhood has to do with who we are, not what we do.

### **From a Radical Feminist perspective:**

Excerpted from Gender Critical Greens: "Gender is Not an Identity, It is a Tool of Patriarchy: A Feminist View of Gender-Identity Politics.

(<https://gendercriticalgreens.wordpress.com/2016/08/15/a-feminist-view-of-gender-identity-politics/>)"

Gender is what feminism has critiqued for decades, so the recent concept of gender identity as something to be chosen and celebrated is a strange one for feminists. The categories of non-binary, genderfluid, agender and a myriad of other identities seem to be expressions of dissatisfaction with "being a woman" or "being a man" in this society. Quite right too! Nobody wants to be limited by their biology, by what society imposes on us based on our biology, by socially-constructed gender roles. But to deny reality by trying to identify out of being male or female, not only won't work, as

sexism does not care how we might “identify”, but also unwittingly reinforces those gender roles. It’s like holding our hands up and saying “You win, a woman can’t be powerful in this society, a man can’t be gentle and caring, and as I want to be those things I’m clearly not a woman/man.” No, no, no! Let’s not swallow patriarchy’s lies, let’s keep asserting that the objective definition of us as a female or a male based on biological reality will never define our personality, our attitudes, our abilities, our desires, our behaviour, our place in the world.

It is also very dangerous to deny our biology. Humans can’t actually change sex. We can take hormones, and embark on surgical alterations to our bodies. These can change our appearance, voice, body hair, breasts, genitals, but we will always be biologically what we were born as, and have health needs based on that e.g. only men get prostate cancer, symptoms of heart disease are different for women.

**Excerpted from Rebecca Reilly-Cooper: (<https://sexandgenderintro.com/>)**

Women’s oppression has its historical roots and its ostensible justification in female biology and the exploitation of female reproductive labour. Altering the definition of the word “female” so that it now means “any person who believes themselves to be female” is not only conceptually incoherent (<https://www.youtube.com/watch?v=QPVNxYkawao>) . . . it also removes the possibility of analysing the structural oppression of female persons as a class (<http://notzerosumgame.blogspot.co.uk/2014/02/what-gender-is-and-what-gender-isnt.html>), by eradicating the terminology we use to describe the material conditions of their existence. . . . If we do not recognise the material reality of biological sex and its significance as an axis of oppression, women’s experience of oppression becomes literally unspeakable. We lose the terminology and tools of analysis – tools carefully developed by generations of feminists working before us—to make sense of female experience, and of the reality of negotiating a male-dominated world in a female body.

See also:

**Written evidence submitted by Sheila Jeffreys to the Transgender Equality Inquiry**  
**(<https://gendertrender.wordpress.com/2015/10/14/written-evidence-submitted-by-sheila-jeffreys-to-the-transgender-equality-inquiry/>)**

**Transgender Rights: The Elimination of the Human Rights of Women**  
**(<https://gendertrender.wordpress.com/2013/07/11/transgender-rights-the-elimination-of-the-human-rights-of-women/>)**

**From a Christian perspective:**

**Excerpted from The Gospel Coalition: (<https://www.thegospelcoalition.org/article/the-christian-response-to-gender-dysphoria>)**

God made men and women different ([Gen. 1:27](http://biblia.com/bible/esv/Gen.%201.27) (<http://biblia.com/bible/esv/Gen.%201.27>)). Contrary to mistaken interpretations (<https://www.washingtonpost.com/news/acts-of-faith/wp/2016/08/26/where-in-the-bible-does-it-say-you-cant-be-transgender-nowhere/>), sexual difference does not exist on a continuum where some men are more like women or vice versa. Men and women are different at the deepest levels of their being. Our chromosomes are different. Our brains are different. Our voices are different. Our body shapes are different. Our body strengths are different. Our reproductive systems are different. The design for what our bodies are structured and destined for are different, and these designs bear witness to differences that reflect God's creative will for humanity. Because men and women are different, it's philosophically impossible for a man to become a physical woman or a physical woman to become a man. Those who say otherwise are trafficking in fiction about human nature. In fact, there is no scientific proof to verify the claim that one is trapped inside the wrong body.

If God made men and women fundamentally and comprehensively different, then the idea that a man could ever become a woman (or vice versa) is simply impossible. The differences between men and women can't be overcome simply because one person feels they're a member of the opposite sex. Your psychology (feelings) cannot change your ontology (being).

Though it may bring new conversations and experiences many of us will not understand, ministry to those with gender dysphoria means walking with each precious soul through what could be years of psychological valleys ([Gal. 6:2](http://biblia.com/bible/esv/Gal.%206.2) (<http://biblia.com/bible/esv/Gal.%206.2>)). We need Christians who will walk alongside these individuals in every season, in victory and in defeat, encouraging each toward greater faith in the Lord Jesus ([Rom. 12:12](http://biblia.com/bible/esv/Rom.%2012.12) (<http://biblia.com/bible/esv/Rom.%2012.12>); [Jam. 1:12](http://biblia.com/bible/esv/James.%201.12) (<http://biblia.com/bible/esv/James.%201.12>)).

Only Christians humble enough to recognize their own brokenness will be capable of walking with people through struggles that seem very different from their own.

**Excerpted from the National Catholic Bioethics Center: (<http://www.ncbcenter.org/resources/information-topic/sex-and-gender-identity/>)**

Sexual identity is not a social construction but is an objective fact rooted in our nature as either female or male persons. The most obvious fact about us is that we are either male or female.

Of course there is an important distinction to make in this regard between sexual identity and gender. Sexual identity refers to the property of being male or female. It refers to the specific sex of the human person. Being male (or female) is an essential property of who we are as persons. For example, a man simply cannot as a male, bear or gestate children. Men do not have such a potency, but women do. Thus, being male (or female) is essential to what we are. Gender, on the other hand, refers to certain emotional dispositions or traits characteristic of femininity or masculinity. 'Femininity' and 'masculinity' are gender terms and refer to specific traits or dispositions. A male can have feminine-like characteristics; in fact, male psycho-therapists have many feminine characteristics such as

listening, nurturing and so forth, but remain sexually male. Female police officers or military personnel have many masculine-like characteristics but remain sexually female. So, while there is nothing intrinsically wrong with trying to acquire certain characteristics or traits available to any human person, it is wrong to mutilate one's body as one's sexual identity cannot be changed. Seeking such an operation manifests a dislike and disrespect for who one is fundamentally.

**Excerpted from Pope John Paul II, "Letter to Women":**  
**(<https://www.ewtn.com/library/papaldoc/jp2wom.htm>)**

Women's dignity has often been unacknowledged and their prerogatives misrepresented; they have often been relegated to the margins of society and even reduced to servitude. This has prevented women from truly being themselves, and it has resulted in a spiritual impoverishment of humanity... When it comes to setting women free from every kind of exploitation and domination, the Gospel contains an ever relevant message which goes back to the attitude of Jesus Christ himself. Transcending the established norms of his own culture, Jesus treated women with openness, respect, acceptance and tenderness. In this way he honored the dignity which women have always possessed according to God's plan and in his love.

*[A WordPress.com Website.](#)*

# HANDS ACROSS THE AISLE

## Biology, Not Bigotry

## Who We Are



For the first time, progressive and conservative women have come together to challenge the notion that gender is the same as sex. We are radical feminists, lesbians, Christians and conservatives that are tabling our ideological differences to stand in solidarity against gender identity legislation, which we have come to recognize as the erasure of our own hard-won civil rights. As the Hands Across the Aisle Coalition, we are committed to working together, rising above our differences, and leveraging our collective resources to oppose the transgender agenda.

*[A WordPress.com Website.](#)*

transgender. Sex and gender identity overlap in most of the population, and when they do not, individuals may categorize themselves as *transgender* or *transsexual*. In contrast, the term *cisgender* indicates gender identity congruent with natal sex, and the term *genderqueer* denotes an absence of identification with either the male or female binary and instead an incorporation of sex-typical traits of both. *Gender expression* is the communication of gender-specific behaviors and attitudes, which vary in different cultural and social contexts; this expression may not be consistent with the individual's sex or gender identity. The terms *gender variant* and *gender nonconforming* are broad constructs used to identify individuals whose gender expression does not fit with their natal sex (but does not necessarily denote a transgender orientation). *Sexual orientation* is independent of gender identity (1) and is characterized by attraction to members of the opposite sex (heterosexual), attraction to members of one's own sex (gay or lesbian), and attraction to both sexes (bisexual).

The diagnosis of gender identity disorder (GID) has been eliminated in the most recent *Diagnostic and Statistical Manual of Mental Disorders* (DSM-V), reflecting the evolving concept that transgender identity is not an independent pathology. However, feelings of discontent related to social stigmatization, isolation, and rejection in the context of the experience of a body or a natal sex-based assigned gender that are incongruent with gender identity may be defined by newer criteria as gender dysphoria (GD). (2) Table 2 lists the DSM-V diagnostic criteria for GD stratified by childhood or adolescence. The listed attitudes and behaviors must persist for at least 6 months and cause clinically significant impairment in function to meet the diagnosis.

## ETIOLOGY AND EPIDEMIOLOGY

Gender identity is likely influenced by a combination of biology, socialization, and culture, (3) although specific and robust evidence is lacking. There is some support for a biological component to transgender identity. A twin study indicates a significant genetic component (62%) and a smaller nonshared environmental component for transgender identity. (4) Observations in humans with inborn disorders of excessive testosterone production and/or exposure show that direct effects of testosterone on the fetal brain are important for the development of male gender identity. (3) The number of individuals who identify as transgender appears to be increasing dramatically, suggesting possible environmental effects, (5) although the increase also could be a consequence of more widespread awareness and increased societal acceptance.

Prevalence studies related to gender identity are complicated and may be misleading for several reasons: (5)

- The reported age at which individuals first identify themselves as transgender varies substantially
- Gender identity may not be simply binary
- Gender identity can be fluid for an individual across the lifespan

Most young children whose gender expression is not congruent with their natal sex do not, in fact, ultimately assume transgender identities in adulthood. (6) The rate of persistence versus change (desistence) has been documented as approximately 16%. (7) However, experts are considering that previous studies may have underestimated long-term persistence. A key issue is that criteria for GID from earlier versions of the DSM on which the studies were based included diagnoses on the basis of transgender behavior alone. Some have suggested that the proportion of persisters would likely be higher by applying current GD criteria (rather than previous GID criteria) and, for example, including individuals who continued to express a desire to be of the opposite sex or to believe that they were the opposite sex, regardless of transgender behaviors per se. A second methodologic criticism is that most of the youth studied had not actually been followed into adulthood, suggesting that with longer follow-up, the number of apparent desisters might be lower. It seems clear, however, that most children whose gender-variant identity persists into adolescence develop an adult transgender identity. In these cases, puberty and attainment of secondary sexual characteristics is often a source of significant distress. (6)

Prevalence estimates of transgenderism in adults in the United States vary from 0.005% to 0.014% for male-to-female (MTF) and 0.002% to 0.03% for female-to-male (FTM). In younger children, sex ratios of those referred to specialty clinics range from 2:1 to 4.5:1 for natal boys to girls; by adolescence, the natal sex ratio is close to equal. (2) Individuals who have GD have been reported in many cultures globally. Worldwide estimates range from 1:30,000 (0.003%) (6) for MTF to 6:100,000 (0.006%) to 1:33,800 (0.003%) for FTM. (7)

## MENTAL HEALTH AND SOCIAL COMORBIDITY

Psychiatric comorbidity is very common in transgender youth, with depression, anxiety, and suicidality being two to three times more frequent than among cisgender controls. (8) In a recent large national transgender survey, a staggering 41% of adult respondents reported attempting suicide (compared to 1.6% of the general population), which serves as strong impetus for reexamining current





National Alliance on Mental Illness

# New Hampshire

April 16, 2018

Honorable Chairwoman Sharon Carson  
Judiciary Committee  
State House – Room 100  
107 North Main Street  
Concord, NH 03301

Dear Chairwoman Carson 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 10-34 in NH (as well as nationally). It is the third leading cause of death ages 35-44, 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 or nurse, compared to their

### 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 10	Malignant Neoplasms --	Malignant Neoplasms 11	Unintentional Injury 252	Unintentional Injury 458	Unintentional Injury 281	Malignant Neoplasms 893	Malignant Neoplasms 2,572	Heart Disease 10,179	Malignant Neoplasms 12,425
2	Short Gestation 41	Congenital Anomalies --	Unintentional Injury --	Suicide --	Suicide 399	Suicide 143	Malignant Neoplasms 237	Heart Disease 670	Heart Disease 1,195	Malignant Neoplasms 8,561	Heart Disease 12,125
3	Special Pregnancy Comp 29	Heart Disease --	Homicide --	Unintentional Injury --	Malignant Neoplasms 23	Malignant Neoplasms 70	Suicide 158	Unintentional Injury 435	Unintentional Injury 555	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 23	Heart Disease 119	Suicide 281	Chronic Low Respiratory Disease 229	Cerebrovascular 2,082	Unintentional Injury 3,275
5	SIDS 11	Influenza & Pneumonia --	Congenital Anomalies --	Congenital Anomalies --	Homicide 14	Congenital Anomalies 14	Liver Disease 37	Liver Disease 165	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 243	Unintentional Injury 1,345	Alzheimer's Disease 1,800
7	Respiratory Diseases --	Benign Neoplasms --	Suicide --	Homicide --	Chronic Low Respiratory Disease --	Diabetes Mellitus --	Homicide 17	Chronic Low Respiratory Disease 85	Suicide 203	Diabetes Mellitus 1,633	Diabetes Mellitus 1,473
8	Heart/Stroke/Embolisms --				Benign Neoplasms --	Chronic Low Respiratory Disease --	Cerebrovascular 13	Cerebrovascular 64	Cerebrovascular 144	Cerebrovascular 1,022	Influenza & Pneumonia 1,119
9	Neonatal Hemorrhage --				Congenital Anomalies --	Liver Disease --	Chronic Low Respiratory Disease 13	Viral Hepatitis 27	Sepsis 73	Nephritis 782	Suicide 1,066
10	Unintentional Injury --				Diabetes Mellitus --	Complicated Pregnancy --	Two Tied --	Influenza & Pneumonia 24	Viral Hepatitis 69	Parkinson's Disease 562	Nephritis 863

Terms for Causes of Death

Printer-Friendly Version

Find Help, Find Hope

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

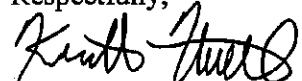
straight peers. Data has been much more difficult to obtain specific to transgender youth, but all current evidence points to their being at much higher risk. There is an emerging body of research showing that trans people are eight times more likely to attempt suicide than their peers in the general 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,

  
Kenneth Norton, LICSW  
Executive Director

**Could the state take a child away from a parent who does not want that child to receive cross-sex hormones and amputation of healthy body parts?**

An Ohio court has told us the answer: **yes**.

When transgender identity is treated as a non-elective medical procedure or enshrined as normative in state law, that's where the child welfare and legal systems inevitably lead.

From [CNN.com](http://CNN.com), February 16, 2018, "Judge gives grandparents custody of Ohio transgender teen": allowing them to make medical decisions regarding the adolescent youth's transition.

*The parents were fighting for parental rights relating to their own child rationally argued that he was not "even close to being able to make such a life-altering decision at this time."*

*But the judge denied the parents rights and while encouraging the parents to work toward a "reintegration" of the child into the extended family."...*

Reintegration, that is, **if** parents drop their beliefs, which are grounded in both religion and biology, **if** they drop their belief that their child doesn't need to be surgically and chemically altered – and if they drop their belief that their child could be *harmed* by such interventions.

The Ohio judge also has advice for lawmakers.

From the CNN report:

*"She also encouraged Ohio lawmakers to create legislation giving judges a framework in which they can evaluate a patient's right to gender therapy.*

*But a patient's "right to gender therapy" isn't exactly what's at stake here.*

No, the “right” the judge is talking about – and the right that the therapy ban promoters here in NH are talking about right now, and the right that Health and Human services bureaucrats pushed through in NH without public hearing– is the right for children and adolescents to have “gender reassignment,” **even if that means publicly-funded surgery and hormonal treatment *given against the will of the parents.***

Do we really want to go there?

We’re already going there. Every time legislation like passes, which enshrines the subjective and changeable nature of “gender identity and sexual orientation” (which activists themselves claim are on a subjective “fluid” scale),

every time elected official treats “gender reassignment” as essential medical care, and every time officials silence the free speech rights of professional mental health clinicians with talk therapy bands,

and every time a Governor is silent when a state bureaucrat uses your money to pay for sex changes, we’re normalizing hormonal manipulation and the amputation of healthy body parts for children.

**And let’s be clear,** cross sex hormones and the **amputation** of genitalia render human beings **sterile!**

**Let’s be clear,** Cross sex hormones create major complex medical issues over time. My transgender friend is going blind because of long term cross sex hormone treatment.

**Let’s be clear** genital amputation and reconstruction literally **destroy the natural sexual pleasure centers of the body** rendering human beings unalterably damaged. This is barbarism.

And because of laws like HB 1319 that are being enacted around the country parents who dare to resist this barbarism as the best course of care for their children are now facing the loss of their own custody rights.

Laws like HB 1319 pave the way for judges just like the one in Ohio.

**Vote NO on HB 1319**



## Contact Us

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## Pediatric & Adolescent Transgender Care

The transgender program at Dartmouth-Hitchcock focuses on helping children and teens with issues surrounding Gender Dysphoria (when an individual does not identify with the gender they were assigned at birth.)

Our team consists of clinicians from endocrinology, social services and nursing, who work together to provide comprehensive healthcare for children and teens in need of transgender health services.

## Clinical Services

The transgender program's services include:

- Initial consultation with endocrinologist (referral from primary care provider required)
- Initiation and monitoring of "puberty blockers" and/or hormonal therapy by a board certified endocrinologist.
- Individual nursing support.
- Referrals for surgical care including mastectomies and genital surgery for older adolescents.
- Support group for patients to meet other transgender individuals, facilitated by nurse and social worker.
- Group for parents and guardians of transgender children and teens to educate and support each other.
- Social services to provide emotional support, education on transgender issues, and community resources to assist in transgender care.



**Gender Dysphoria is frequently associated with mental health diagnoses of depression, anxiety, and suicidality. Social services will assist in providing referrals to therapists specializing in working with transgender youth. Evaluation by a therapist and ongoing therapy is a requirement for participation in this program.**

## Manchester Team

**Nancy Charest, MD**  
Section Chief, Pediatric Endocrinology

**Stephanie Ackerson, BSN, RN**

**Julie Ebel, MSW**

## Lebanon Team

**Nancy Charest, MD**  
Section Chief, Pediatric Endocrinology

**Benjamin Boh, DO, MS**  
Endocrinology, Diabetes and Metabolism

**Alice Berliner, MSW**

My name is Laura Morrison and I live in Concord Ward 7. I am the mother of a 30 year old trans woman living in Barrington, NH and I stand in strong support of the transgender non-discrimination bill HB1319.

We have lived in Concord for over 20 years. Our children attended the public schools and my daughter and her wife are high school sweethearts. They met at Concord High and they both attended UNH. After graduation, they left the state and moved to New York City to pursue their careers. Soon after, they got married. After seven years in New York City, city life was beginning to wear on them and they decided to move back to the state they love the most...New Hampshire! They just bought a country house in Barrington. New Hampshire is where they want to settle down, work, and raise a family.

Isn't this the demographic we are hoping to attract to New Hampshire? Young adults moving back to the state? If so, then we should be opening doors instead of putting up fences to show the world that New Hampshire does not support discrimination in any form.

My story is more typical than you might think. I had no idea that my daughter was trans until two years ago when she came out to her family at age 28. When she told my husband and I, we were very surprised. However, we immediately embraced and supported her because we love her so much! We couldn't imagine turning away from our child. It's been a joy to see her living her most authentic life. We are so happy she has moved close to home.

As I am beginning to understand, many trans people secretly struggle with their identity for a very long time before gaining the courage to reveal their true selves. I've met many trans people who waited until later in life to come out. They are established in careers they love and working hard to support, not only themselves, but families as well. As the law stands now, they can be simply be fired for being transgender. It doesn't matter how talented they are, how well they do their jobs, how hard they work, or how many people they support. They can be fired for just being trans and no other explanation is needed.

I want my daughter to be legally protected from discrimination in this state. Before she came out, she was protected. Now she is not! She is a good and kind person who deeply loves her wife and her family. She is a talented musician and producer who supports herself with her music. She has many friends in the state who love her. She deserves all of the protections that everyone else enjoys in the state of New Hampshire.

Thank you for listening and I urge you to vote OUGHT TO PASS on this bill.

Respectfully submitted,

Laura Morrison  
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# Committee Report



STATE OF NEW HAMPSHIRE

SENATE

REPORT OF THE COMMITTEE

Tuesday, April 24, 2018

THE COMMITTEE ON Judiciary

to which was referred **HB 1319**

**AN ACT** prohibiting discrimination based on gender identity.

Having considered the same, the committee recommends that the Bill

**BE REFERRED TO INTERIM STUDY**

**BY A VOTE OF: 3-2**

Senator Harold French  
For the Committee

Jennifer Horgan 271-3092

**JUDICIARY**

**HB 1319, prohibiting discrimination based on gender identity.**

**Interim Study, Vote 3-2.**

**Senator Harold French for the committee.**