

Transgender Texans, like all Texans, need to use public restrooms and other gender-segregated spaces without fear for their safety or security. SB 6 undermines that need by nullifying present ordinances and forbidding future ordinances that provide transgender nondiscrimination protections in bathrooms; forbidding schools to allow transgender students to use multi-stall restrooms if the facilities don't match their birth certificates; forcing state agencies to develop anti-transgender bathroom policies for buildings in their possession; and penalizing schools that don't comply with the bill, forcing them to cough up thousands of dollars in fines. It additionally mandates that all crimes committed in bathrooms or changing facilities be raised by one degree, moving the focus from the severity of a crime to the location of it. This legislation is a discriminatory attack on transgender Texans and those that would support them, under the guise of "protecting women."

**Facts:**

- 85% of transgender Texans have experienced harassment because of their gender identity or expression, 46% have experienced physical assault<sup>1</sup>.
- 47% of transgender Texans have been verbally harassed or disrespected in a place of public accommodation<sup>2</sup>.
- In the past year, 69% of transgender Texans avoided using a public restroom because they were afraid of confrontations or other problems they might experience. 36% limited the amount that they ate or drank to avoid using the restroom.<sup>3</sup>
- 19 states and more than 200 cities across the U.S. have passed and successfully implemented public accommodation laws, none have experienced an increase in public safety incidents<sup>4</sup>.
- San Antonio (2013), Dallas (2002), Austin (2004), Fort Worth (2009), El Paso (2011), and Plano (2014) all have ordinances that allow everyone to use the restroom appropriate to their gender<sup>5</sup>. All with no increase in public safety incidents.
- HB2, similar to SB6, is wreaking havoc on North Carolina's economy. The NCAA has threatened to deny North Carolina the chance to host any of 133 NCAA events over the next 6 years if the legislature does not repeal HB2.<sup>6</sup>

**How to talk about this**

**Safety/Discrimination Perspective:**

- The proposed legislation is not actually about public safety; it discriminates against transgender people and would inhibit their participation in public life.
- When schools only make accommodations for transgender students using single-stall restrooms (such as the nurse's office), it often forces these students to "hold it" while the bathroom is sought out, creating unnecessary and humiliating situations for these children. This can also lead to health problems such as bladder or kidney infections.
- Forcing transgender men, who live their lives as men to use the women's room and transgender women, who live their lives as women, to use the men's room creates a public safety hazard that puts those people at risk. It is incomprehensible why anyone would want to force men to use the women's room.
- Transgender Texans would face the impossible choice of breaking the law or putting themselves at risk by using a restroom where they stand out as the wrong gender. Many would be forced to avoid public spaces altogether.
- Every parent worries about the safety of their child, and thank goodness for that (it's the only reason we've survived a species). 19 states and more than 200 cities across the US have laws that protect the ability of *everyone* to use the appropriate restroom and none of them have experienced an increase in public safety incidents. There are many things that threaten our children, but transgender people using the restroom in peace isn't one of them.
- All of our communities are strengthened when we all practice fairness and inclusion. We will not let the Lt. Governor criminalize our teenagers or set them up for failure. We believe in motivating, educating, and empowering all of our young men and women. Self-respect is universal.
- We trust our teachers and principals who know our kids to make the appropriate accommodations for their students and keep them safe. A blanket law that prohibits student accommodations wrongly takes those decisions out of our teachers' hands.
- Although introduced as a "public safety" measure, outlawing transgender people from using the bathroom of the gender with which they identify doesn't make anyone safer. Transgender Texans have been using bathrooms for years with no reports of them doing anything inappropriate in those spaces. This bill is a "solution" in search of a problem.

<sup>1</sup> Movement Advancement Project, and Equality Federation Institute. "An Ally's Guide to Terminology: Talking About LGBT People & Equality." *GLAAD*. N.p., 30 Aug. 2011. Web. 23 Feb. 2015.

<sup>2</sup> *ibid*

<sup>3</sup> National Center for Transgender Equality. *2015 U.S. Transgender Survey: Texas State Report*. Print. 26 Jan. 2017.

<sup>4</sup> "State Public Accommodation Laws". *Ncsl.org*. N.p., 13 July 2016. Web. 18 Jan. 2017.

<sup>5</sup> Ura, Alexa, Edgar Walters and Jolie McCullough. "Comparing Nondiscrimination Ordinances in Texas Cities | The Texas Tribune." *The Texas Tribune*. 9 June 2016. Web. 18 Jan. 2017. < <https://www.texastribune.org/2016/06/09/comparing-nondiscrimination-ordinances-texas/>>.

<sup>6</sup> McGaughy, Lauren. "NCAA May Pull Top Events From North Carolina Over Transgender Bathroom Law; Could Texas Be Next? | LGBT | Dallas News". *Dallasnews.com*. N.p., 2017. Web. 7 Feb. 2017.

- The bill is overbroad. If it's intended to target bathroom predators, there is no need to also legislate against transgender Texans. Although improper conduct is already illegal in Texas, any enhancements of those law must be focused on criminals rather than transgender people who just need to use the restroom.

## **Education Faculty Perspective**

- *SB6 is not only unsafe but jeopardizes billions in federal financial aid money coming to colleges and universities in Texas. The bill is in direct conflict with protections provided to college students under Title IX. This law only exacerbates the issue causing harm to vulnerable LGBTQ young people and will result in legal challenges due to unfair conditions for transgender students who are entitled under Title IX to safe, equitable education services.*
- *Because our local teachers and administrators know our kids and are familiar with their needs, they are best equipped to tailor accommodations for individual students. Students should be able to request a personal accommodation at school without the threat of statewide attention or interference.*
- *We cannot meet our students' distinct needs with broad board policies or politically charged statewide legislation. We strongly urge all of our elected officials to avoid playing politics with our children.*
- *Research shows that there is a real and substantial danger of emotional and physical harm when a transgender child is marginalized by a school or peers, attributed in large part to preventable issues such as a lack of support, social isolation, and loneliness. Risks of depression, suicide, and self-harm are significantly reduced when a child's gender identity is affirmed, supported, and accepted.*

## **Religious Perspective**

- Whether you think about it as the golden rule, or loving thy neighbor as thy self, that idea of treating others as you'd want to be treated is central to how faith moves people to support LGBTQ community members. Loving thy neighbor as thy self means making sure transgender people have the same access to bathrooms that all others do.
- As religious Texans, we are called to uphold issues of justice and equality. We're all called to spread God's love, to everyone regardless of whether they have the same belief systems or not. As religious leaders, it's our duty to not only preach that, but model it and embody it wherever we go.
- Many people talk about family in Texas, and we believe nondiscrimination policies and ordinances protect families and give stability for families to live out their God-given rights; transgender people and their families should not be treated differently.

## **Anti-Violence Perspective**

- Bathroom bills, like HB2 in North Carolina and SB6, do nothing to ensure safety in public spaces or prevent incidences of sexual violence. These bills leverage existing myths and fears that, in the end, further marginalize the transgender and non-conforming communities, and will increase the likelihood of additional violence targeted at these communities – including sexual violence.
- Evidence-based measures to protect children from sexual abuse would focus on the highest-risk venues—private homes, not public restrooms—and the highest-risk perpetrators—heterosexual males, not transgender and gender-nonconforming people. 70% of sexual assaults are committed by perpetrators known to the victim—not transgender strangers.

## **Business Perspective**

- As we have witnessed with HB2 in North Carolina, SB6 will damage the Texas economy and brand by putting the state at risk of losing thousands of jobs and contracts. The NCAA has threatened to deny North Carolina the chance to host any of 133 NCAA events over the next 6 years if the legislature does not repeal HB2. Businesses across the nation have taken action against similarly discriminatory bills in Indiana and North Carolina, costing those states millions of dollars in lost contracts from the likes of the NCAA, Salesforce, PayPal, and more.
- Texas can avoid major competitive risks and win investment, business, and talent, by sending a clear and consistent signal that the LGBTQ community is fully welcome here. This message matters to large and small businesses, to tourism and travel bookers, and to talented workers. Treating LGBTQ people fairly and welcoming them warmly costs nothing and would change our state's brand for the better, while creating quantifiable, long-term economic benefits.

## **Law Enforcement Perspective**

- For police to believe that this bill improves public safety, they would have to believe somehow that officers on vice or some other special units aren't doing their work. They don't believe that changing the punishment is going to change the way officers enforce the law now.
- Texas has been governing illegal behavior in bathrooms and ALL locations. The problem is the crime, not the location.
- Transgender Texans have been using bathrooms for years without an increase in public safety incidents. This bill is a "solution" in search of a problem.
- Officers want to focus on improving police safety and other more pressing issues than bathroom use.