



Carolinas' multimedia LGBT news source

## The bathroom issue...again?

T-Notes

by [Robbi Cohn](#) | February 7th, 2009

Well, here we are again — back to the nitty gritty, the foundation and rock of transphobia, that issue which continually insists upon rearing its ugly head, or more accurately, having its ugly head reared, by the ever vitriolic religious right. We are, of course, talking about the bathroom issue. Last year it was the controversy in Montgomery County, Md., where, in time, the courts dismissed a trumped up attempt to get the county's anti-discrimination law on the ballot. Discrimination based on gender identity or expression remains illegal in the county. That hasn't stopped the Citizens for Responsible Government (CRG) from trying to reintroduce another ballot measure or having the court decision overturned. The measures to which hate and fear mongers resort are signs of extreme paranoia and transphobia. In its attempt to get the ballot measure approved, CRG staged an episode at a local health club with a fake trans woman who entered the women's locker room and created an alleged "disturbance." Unfortunately, histrionics like this make for convincing theatre given the right audience.

In November, the city of Hamtrank, Mich., reversed its discrimination policy by public vote. In the past two weeks, Kalamazoo followed suit, although their decision was made by the city council reversing its ordinance due to outside pressures. Evidently, Michigan is caving in to zealots who continue to wage a campaign of fear by averring that protection from discrimination based on gender identity and expression will invariably result in the raping and pillaging of women and female children in public bathrooms, locker rooms and dressing rooms by an army of crossdressing sex perverts. The bathroom issue is almost always the core pseudo-defense that undermines trans friendly legislation — just like gay/trans panic is generally the core defense for hate crime perpetrators.

We have seen fights like this in other states, Colorado and Massachusetts for example. Small but vocal neo-Christian groups have elevated their campaign of fear to a fine art. Perhaps the nastiest war is being waged in Gainesville, Fla., where Citizens for Good Public Policy (CFGPP) have released a video designed to scare the bejeebers out of Gainesville citizens. The city had enacted trans-friendly ordinances in 2008 and the Good Public Policy folks managed to get the issue on the impending ballot.

The fence sitters are the target audience in a general election. Generally, those who have either never been confronted with gender issues or who merely have no opinion, are most vulnerable to the what-if scenarios groups like CFGPP spawn. These scenarios have no basis in fact or reality; they are arguments posited as possible, but so unlikely as to be ludicrous. No evidence exists to back up their assertions. Yet, fence sitters can be easily persuaded by how these distortions are framed.

The 30 second video, run on local Gainesville television, depicts a young girl, maybe six years old, entering a public restroom in what appears to be a local park. Ten seconds later, a suspicious looking man — ball cap and beard — enters the restroom, as he checks out his back. The caption reads: "On Jan. 28, 2008, your City Commission made this legal." Of course, we are expected to surmise that preventing discrimination based on gender identity and expression also

means that predation is now legal. Following the logical course of reasoning, it's obvious that what the CFGPP intends to convey is that trans individuals are perverts and that the women and children of Gainesville will no longer be safe if the protections City Council voted for and approved remain in place. There is nothing in the spot that even remotely conveys any truth about being trans. Only innuendo and smear.

You can watch the TV spot at [www.youtube.com/watch?v=10vo0jaGjisc](http://www.youtube.com/watch?v=10vo0jaGjisc).

But none of this is new. Columbus, Ohio, recently enacted similar protections and the entire state is working towards inclusion. North Dakota and Utah are two of the newer jurisdictions looking into enacting comprehensive anti-discrimination laws. Change has been steady and marked.

**Statistics on the NCTE (National Center for Transgender Equality) website, from the National Gay and Lesbian Task Force, indicate 13 states, the District of Columbia and 91 local jurisdictions had enacted trans-inclusive anti-discrimination protections as of July 2007.** The list has grown since then. At the time, essentially 35 percent of the total national population of trans-identified individuals were included.

There are, to my knowledge, no incidents of sexual predation by trans-identified individuals in public bathrooms, locker rooms and dressing rooms as a result of the aforementioned protections.

It seems like almost every state, and many local jurisdictions, has its movement for trans-inclusive legislation for work, health, housing, hate crimes and public accommodations.

Unfortunately, as quickly as states, cities, towns and counties enact these protections, local "family-oriented" groups are organizing their fear and smear strategies. In these same states, cities, towns and counties, hate mongering transphobes depict fear provoking scenarios, bolstered by fallacious suppositions which they purport to be reality. These bullies need to be faced down, publicly. Each seeming success for them — Hamtranck and Kalamazoo, for example — fuels the engine by which right wing, neo-Christian groups advance their insidious agenda. We need to vocally make the case that our success stories overwhelm their agenda of hate and fear. This is the case not only with respect to the ongoing passage of legislation, but in the knowledge that their dire predictions never reach fruition. Eventually, those seeds of hate and fear will fall on fallow ground.