



## Calling Foul on Laws Targeting Trans Athletes

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Across the nation and around the world, a sweeping movement to ban transgender athletes and prohibit trans-affirming health care has gained ground and planted a seed in the popular consciousness, allegedly in the name of “fairness,” “safety,” and “protecting girls and women.” If allowed to grow, this seed would ultimately undo the advances trans people have made in this century.

It is a lie. Every word of every anti-trans law enacted across nine states is based in fiction, if not outright malice.

But that fiction sure does sound convincing, almost good enough to be true—just like the lies of every propagandist, from antiquity through what some now call “the Trump Era.”

Here are the facts: Puberty blockers are safe, reversible, and have a 30-year track record of being effective. No trans person is demanding “special” rights. No trans athlete seeks to “destroy women’s sports.” No trans student-athlete has “taken away scholarships” from anyone else. It’s never happened.

And here’s another thing: Trans athletes are not new. They have been competing at almost all levels for decades. However, if any qualify to compete in this summer’s Olympic Games, that will be a historic moment, because no out trans athlete has reached that level of their sport. New Zealand weightlifter Laurel Hubbard could be that barrier-breaker.

While Hubbard’s story would typically be a milestone to celebrate, it’s instead become a lightning rod for transphobia, hatred, and derision around the world, even amid the plentiful rainbows of Pride Month, and the pink, white, and blue flags representing the truly tiny transgender community. This is a particularly dark time to be trans.

Every legislative session, a predictable cohort of conservative lawmakers introduce bills targeting the rights of trans people. But this year, the volume and success of those bills is unparalleled.

Since January, Alabama, Arkansas, Mississippi, Montana, South Dakota, Tennessee, and West Virginia have followed the lead of Idaho. A 2020 state law there, banning trans girls from competing with cisgender girls—those whose gender identity corresponds to their sex assigned at birth—is on hold, while a federal appeals court deliberates as to whether it's constitutional. Texas narrowly missed becoming the tenth state of hate.

Proponents of these anti-trans bills often point to Connecticut, where two Black transgender teens competed on their high schools' girls track teams beginning in 2017. Terry Miller and Andraya Yearwood, then both teenagers, attracted the attention of local parents, news media, and anti-transgender forces such as the Alliance Defending Freedom, a self-proclaimed Christian legal group with deep pockets and a history of arguing against LGBT rights at the Supreme Court.

As the two trans teens racked up wins in track and field, parents of cis student-athletes booed them just for showing up, Miller and Yearwood told me. In February 2020, the ADF filed a lawsuit on behalf of four cis girls—three of them White and one mixed-race—calling Miller and Yearwood “boys” and “males” throughout their brief, while claiming the state's athletic league was trying to “abolish girls-only sports.” A federal judge tossed ADF's lawsuit in April; the cis girls filed an appeal in May.

I've spoken with the mother of one plaintiff, who said she had no problem with the trans girls living their truth, up to a point. “Athletics should be different,” said Bianca Stanescu. I told her that I'm a Connecticut mom, too, and explained that I've raised my three children to understand that sports, like life, doesn't always seem fair.

But to Stanescu, Connecticut's policy allowing every trans athlete to compete according to their gender identity, without the need for medical intervention such as puberty blockers or hormones to lower testosterone levels, is especially unfair. “Girls have the right of participation, but not the right to succeed,” Stanescu claimed about Connecticut's current policy. “And that should not be the case. Girls should have the chance to succeed, not just boys.”

However, Yearwood and Miller are not boys, and they don't always win. “We lose sometimes, too,” Miller told me when I interviewed she and Yearwood in 2019.

“Yeah, exactly!” exclaimed Yearwood. “We don't come first in every race, but some people make it seem like we do.”

In fact, one plaintiff defeated Miller twice within eight days of filing that lawsuit. Chelsea Mitchell went on to win a full-ride track scholarship, despite claiming trans athletes were “unbeatable” and denying her opportunities.

As for Stanescu's daughter, Selina Soule, she isn't pursuing sports after graduating from high school. Neither are Yearwood or Miller; they just want to be who they are, something they discussed with other trans athletes in the new Hulu documentary, Changing the Game.

CeCé Telfer is another targeted Black trans athlete I've come to know through my work as a journalist. She's an Olympic hopeful, and was the first out trans All-American in track and field, winning the NCAA women's Division II 400 meter race in 2019. Her achievement also earned her boos and an attack by no less than Donald Trump Jr.

“There are people who say I have the benefit of testosterone,” Telfer told me in 2019, describing what she called her disadvantages: The hurdles she must jump are far closer than they are for male runners, and she counts her height of over 6 feet as a disadvantage, too: “How tall I am, is a disadvantage, because the wind is hitting us so hard and the taller you are, the harder you fall, basically,” she said.

And then there’s being on hormone replacement therapy, which generally reduces trans women’s testosterone levels below that of cis women. The International Olympic Committee has requirements for testosterone levels in women athletes. Paralympian trans runner Valentina Petrillo of Italy recently shared with the BBC that her testosterone levels are not only below the IOC’s threshold for trans women, but also well below the threshold for cis women.

With all these hurdles in front of them, and cultural and scientific gatekeepers eager to deny them opportunities, trans athletes often have to muster incredible courage just to take the field. So what keeps them fighting for the right to play?

“Running with a team gave me confidence, made me feel good, and also helped me forget about my sadness and internal struggles,” trans runner Lindsay Hecox, the plaintiff in Idaho’s lawsuit, told me.

That’s what sports is all about: building up individuals to be their best selves. All trans athletes want is to compete without having to hide who they are.

So how will they win “the debate” over inclusion? By knocking down three tentpoles holding up the liars’ circus tent.

First: Many inclusion opponents will say it’s clear from just looking at Telfer or Hubbard that trans women athletes have an unfair advantage. Apparently, they never saw 6’5” Elena Delle Donne play in the WNBA. She is living proof women can be tall. We come in a variety of sizes, actually.

Second: Science is not on the side of banning trans athletes. Dr. Eric Vilain, a pediatrician and geneticist, told NPR that anti-trans laws have no basis in science. Dr. Jack Turban, a fellow in child and adolescent psychiatry at the Stanford University School of Medicine, researches the mental health of transgender youth, and authored an article in Scientific American titled “Trans Girls Belong on Girls’ Sports Teams.” At best, the science is “pretty shaky” and inconclusive about any genetic advantage trans athletes have over cis athletes, says trans runner and researcher Joanna Harper.

Third: We have learned nothing, apparently, from Prohibition laws enacted starting in 1920. This invented crusade against the so-called dangers of drinking alcohol was eventually rejected in 1933. According to the Cato Institute, Prohibition was a colossal failure. It didn’t end alcohol consumption, it merely spawned bootlegging, the black market, and speakeasies, until a constitutional amendment finally ended Prohibition 13 years later.

Trans bans may fade away even faster than those boondoggle laws of a century ago. What will our children’s children learn about the backward 21<sup>st</sup>-century politicians who once tried to outlaw our existence? They will learn how people armed with the truth finally helped our society move past our differences and embrace diversity. Unfortunately, truth is in short supply, for now.