

Good morning to the members of the Assembly Committee on Judiciary. I am Abigail Swetz, my pronouns are she/her, and I am the executive director of Fair Wisconsin, Wisconsin's only statewide LGBTQ+ civil rights and political advocacy organization. Thank you for the opportunity to provide testimony in opposition to Assembly Bill 311.

Living as a transgender person in America right now means living in a toxic, fundamentally unsafe environment. Today, this committee - by scheduling this hearing on these bills - is making it more toxic and more unsafe.

Being trans in America right now means living in a country where candidates running for every level of office from city council to school board to this legislature to Congress to the Presidency of the United States ran campaign ads in the most recent elections intent on using your identity (and even something as innocent as a kid's joy in playing a game on a team) as a weapon to fearmonger people into voting for them.

Being trans in America right now means living in a country where some of those candidates were elected (although not because of those disgusting political attack ads - I have the polling receipts to prove that) and they now run many aspects of your government, means living in a country where the most powerful leader in the world is telling lies about you and your Commander in Chief has deemed you unfit to serve, and means living in a country where federal government agencies are attacking your ability to travel with a passport and your medically-necessary health care and the hospitals that provide it.

And being trans in Wisconsin right now means being forced into the position of listening to the validity of your identity and your right to live a public life being debated over and over in hearing after hearing about bill after bill: bills attacking your name and pronouns in school, attacking your access to medically-necessary health care and attacking the medical professionals who provide it, attacking your belonging on a team at every level of sports... and now, attacking your ability to have an accurate birth certificate. And that is an attack on belonging and safety, and it is an invitation to discrimination.

Identity documents are foundational to how we live; they are the key to being able to participate and belong in our communities and access a public life. A ban on updates to birth certificates has an outsize effect because of how birth certificates impact other identification documents. If AB 311 were to become law, more trans people would have inconsistent IDs - IDs on which their name and photo accurately represent who they are while their gender marker does not. That mismatch can and does lead to humiliation, harassment, and discrimination. At least 25% of trans people in Wisconsin reported they "were verbally harassed, denied benefits or services, asked to leave, or assaulted" after showing an ID with a name or gender that did not match their gender presentation. That data is from over a decade ago. Considering the current toxicity and the lack of nondiscrimination protections in Wisconsin, I would infer that number is far worse today.



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AB 311 also specifically attempts to define “biological sex” as a rigid binary and ignores the existence of intersex people. However, a person’s sex is made up of many components and cannot be reduced to or defined by any single factor, including chromosomes, and a meaningful proportion of Wisconsinites have sex trait variations and their bodies do not align with a strict binary. This bill would threaten safety and belonging of intersex people in addition to erasing the reality of intersex Wisconsinites - some of whom have submitted powerful written testimony on this bill, testimony which I urge you to read and to heed.

Trans people are our friends, neighbors, family, and co-workers, whether or not you realize it. I know that it can be difficult to understand what it means to be transgender, especially if you think you’ve never met a trans person. But I don’t need to understand every nuance of someone’s identity in order to believe them when they tell me who they are, and you also don’t have to agree with me on much to still agree that we need to treat other people with respect, dignity, and kindness.

AB 311 traffics in fear and lies, and it would make this state even more unsafe within our already toxic national landscape. In fact, even just having this hearing adds to the ugliness - I think you’ve heard that today - although thank goodness so many incredible people have also chosen to show up and submit testimony sharing their vociferous support for trans people and even their own beauty, all despite knowing they would be met with disdain and denial (at best) by the authors and supporters of this bill. Because the reality is that living as a trans person in this state and in this country also means so much joy and community and solidarity and beauty.

I am so sorry these hearings force our amazing community to perpetually defend our own ability to live public lives, and I am so proud and thankful we show up. But it does not have to be this way. You can be a part of ensuring safety instead of trying to turn threat and discrimination into law.

Vote *no* on Assembly Bill 311. Thank you.