



# OPPOSE LB 89: Discrimination Against Trans Nebraskans HURTS US ALL

We **ALL** have the opportunity and responsibility to create safe and affirming spaces for **ALL** people, including students.

Trans individuals **BELONG IN NEBRASKA**—in our schools, on our sports teams and in our communities.

And yet, attacks on trans youth by policymakers through bills such as LB 89 continues, this time being framed as “protecting women and girls.” We know better and directly call out this harmful legislation for what it is—a **discriminatory attempt to target an already marginalized group** rather than promote equity and safety in schools and sports for all. **We cannot allow lawmakers to use women and a faux concern for equality to oppress others.**

Sports bans are enforced by defining women through reductive definitions limited to chromosomes, hormones and reproductive anatomy. These types of laws open the door to intrusive physical examinations into the bodies of all athletes in women’s sports<sup>1</sup> and do nothing to rectify the real inequities caused by sex discrimination in athletics.

Let’s address the **REAL INEQUITIES** in women’s sports.

If the Legislature wanted to truly focus on equality in women's sports, they would turn their attention to:

- Funding women's sports at the same level as men's sports.
- Policies to provide equal training spaces and facilities and promote women into athletic leadership positions.
- Additional strategies to reach equity in sports such as increased promotion of women's sports at all times (not just to advance discriminatory legislation).
- Work with media to give women's sports equal headlines and programming space.
- Support women's sports with ticket purchases and attendance.

While women athletes continue to receive substandard treatment<sup>3</sup> when it comes to facilities<sup>4</sup>, funding<sup>5</sup> and marketing<sup>6</sup>, lawmakers are attempting to co-opt “women’s rights” and “fair treatment” to further discriminate against trans, intersex and gender non-confirming Nebraskans—all while ignoring the proven ways to change systems, prevent gender-based violence and truly advance gender equity.



## Excluding women and girls who are trans **HURTS ALL** women and girls.

When reductive biological definitions are put in statute, increased surveillance of everyone's bodies becomes an inevitability. This puts all women—transgender or not—at increased risk for harassment, exclusion and even violence. Cisgender women athletes have been accused of being transgender because they were too good at their sport or because they did not look feminine “enough”. This has happened to young students<sup>7</sup> all the way to Olympic<sup>8</sup> athletes. **Putting into law bills like LB 89 opens every woman up to gender policing and discrimination through the regulation of their bodies.**

LB 89 goes even further to exclude all trans people from certain spaces and government buildings. It must be said clearly, **transgender individuals are not a threat to safety in our communities.** In actuality, sexual violence impacts the LGBTQ community at significantly high rates. LGBTQ youth are seven times more likely to experience sexual violence<sup>9</sup> and almost half of transgender individuals have been sexually assaulted<sup>10</sup> during their lives.

We know who perpetuates gender-based violence in our communities, and we can clearly see who and what systems are impeding our progress toward creating communities that are free from sexual violence.



**No one is safer or more free when the law is used to discriminate against historically marginalized communities.**

The issue LB 89 purports to solve is nonexistent. This isn't about sports. This is about who gets to belong in our communities. LB 89 does nothing to protect women or provide any material improvement in women's lives. **LB 89 must receive the fiercest opposition from allies and advocates alike if we want to create a state where everyone is free to live, work and play.**

<sup>1</sup> Zoellner, Danielle. “Florida’s new transgender sports ban permits schools to require genital inspections of children.” Yahoo News. April 2021. <https://www.yahoo.com/news/florida-transgender-sports-ban-permits-170331670.html>.

<sup>2</sup> Center for American Progress. “Fair Play: The Importance of Sports Participation for Transgender Youth.” February 2021. <https://www.americanprogress.org/article/fair-play/>.

<sup>3</sup> Fierce United. “The Persistent Inequality in Women’s Sports.” May 2023. <https://www.fierceunited.com/post/inequality-in-womens-sports#:~:text=Inequality%20in%20Training%20Facilities%20and,hinder%20their%20development%20and%20performance>.

<sup>4</sup> Yucel, Emine. “Men’s and Women’s NCAA March Madness Facilities, Separate and Unequal, Spark Uproar.” NPR, March 2021. <https://www.npr.org/2021/03/19/979395795/mens-and-womens-ncaa-march-madness-facilities-separate-and-unequal-spark-uproar>.

<sup>5</sup> NCAA. “Title IX 50th Anniversary: The State of Women in College Sports.” Pg. 13 [https://s3.amazonaws.com/ncaaorg/inclusion/titleix/2022\\_State\\_of\\_Women\\_in\\_College\\_Sports\\_Report.pdf](https://s3.amazonaws.com/ncaaorg/inclusion/titleix/2022_State_of_Women_in_College_Sports_Report.pdf).

<sup>6</sup> Cooky, Cheryl. “One and Done: The Long Eclipse of Women’s Televised Sports, 1989-2019.” <https://journals.sagepub.com/doi/10.1177/21674795211003524>.

<sup>7</sup> Schoenbaum, Hannah. “Utah governor says school board member who questioned a student’s gender ‘embarrassed the state.’” AP News, February 2024. <https://apnews.com/article/transgender-athlete-utah-school-board-member-governor-0aefa9baeb3cb5787687c8db02bf6241>.

<sup>8</sup> Brangham, William. “False accusations surrounding Olympic boxer highlight debate around gender and sports.” PBS News Hour, August 2024. <https://www.pbs.org/newshour/show/false-accusations-surrounding-olympic-boxer-highlight-debate-around-gender-and-sports>.

<sup>9</sup> The Trevor Project. “Sexual Violence and Suicide Risk among LGBTQ+ Young People.” March 2024. <https://www.thetrevorproject.org/research-briefs/sexual-violence-and-suicide-risk-among-lgbtq-young-people/>.

<sup>10</sup> James, S. E., Herman, J. L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). The Report of the 2015 U.S. Transgender Survey. Washington, DC: National Center for Transgender Equality. <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.