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October 3, 2023

The Hon. Clint P. Moses
Chair
Assembly Committee on Health, Aging, and Long Term Care
Room 12 West
State Capitol
P.O. Box 8953
Madison, WI 53708

Re: Opposition to A.B. 465

Dear Chair Moses and Members of the Assembly Committee on Health, Aging, and Long Term Care:

My name is Kat Grant, Equal Justice Works Fellow with the FFRF Action Fund. FFRF AF is an affiliate of the Freedom From Religion Foundation, a national nonprofit based here in Madison, with more than 1,700 members in Wisconsin. We work to ensure that our laws remain secular in order to protect the constitutional separation between state and church. My fellowship project focuses specifically on the intersection between the separation of church and state and LGBTQIA+ Rights.

I am here today to strongly urge you to not advance A.B. 465 out of committee. A.B. 465 is an attempt to perpetuate unscientific, religiously based views about “biological sex,” and removes the right of parents and doctors to do what they think is best for children. Rather than respecting patient autonomy and physician expertise, this bill relies on sweeping and incorrect generalizations to forbid an entire area of medical practice.

Rather than relying on the increasing body of scientific evidence that suggests that the benefits of gender affirming care significantly outweigh the risks, this bill is clearly motivated by an animus against transgender people.

The text of A.B. 465 reads almost identically to the many other gender affirming care bans that have been introduced throughout the country in recent years. It is well documented that this legislation is being drafted and pushed by Christian nationalist organizations, such as the Alliance Defending Freedom and

Liberty Counsel.¹ In Arkansas, an extremely similar law to A.B. 465 was struck down in June of this year. The state's expert witnesses in that case, who were recruited by the Alliance Defending Freedom, were almost all totally discredited on the basis that they "were testifying more from a religious doctrinal standpoint rather than that required of experts."²

This law is completely contrary to the standard of care outlined by the American Medical Association,³ the American Psychological Association,⁴ the American Psychiatric Association,⁵ the American Academy of Pediatrics,⁶ the Endocrine Society,⁷ and many other reputable medical associations. These recommendations are the result of decades of scientific research that show that gender-affirming care for both youth and adults is life-saving medical care. Lack of gender affirmation and the resulting gender dysphoria can lead to depression, anxiety, suicidality, substance use disorders, and increased risk of sexually transmitted disease.⁸ There is also emerging evidence that suggests that the introduction of anti-transgender legislation may be linked to an increase in suicidal thoughts and actions amongst a state's transgender residents.⁹ The odds that this bill will lead to the deaths of some transgender youth in Wisconsin are incredibly high.

¹ Madison Pauly, *Inside the Secret Working Group that Helped Push Anti-Trans Bills Across the Country*, Mother Jones, March 8, 2023, available at: <https://www.motherjones.com/politics/2023/03/anti-trans-transgender-health-care-ban-legislation-bill-minors-children-lgbtq/>.

² *Brandt v. Rutledge*, 4:21CV00450-JM at 59 (E.D. Ark. June 2023) available at: <https://npr.brightspocdn.com/39/60/c0ca02924b6cb8443da60f6c1ce3/ruling.pdf>.

³ *AMA to states: Stop interfering in health care of transgender children*, American Medical Association, April 2021, available at:

<https://www.ama-assn.org/press-center/press-releases/ama-states-stop-interfering-health-care-transgender-children>.

⁴ *Guidelines for Psychological Practice With Transgender and Gender Nonconforming People*, American Psychological Association, Dec. 2015, available at: <https://www.apa.org/practice/guidelines/transgender.pdf>.

⁵ *Position Statement on Treatment of Transgender (Trans) and Gender Diverse Youth*, American Psychiatric Association, July 2020, available at:

<https://www.psychiatry.org/getattachment/8665a2f2-0b73-4477-8f60-79015ba9f815/Position-Treatment-of-Transgender-Gender-Diverse-Youth.pdf>.

⁶ Jason Rafferty et. al., *Ensuring Comprehensive Care and Support for Transgender and Gender-Diverse Children and Adolescents*, American Academy of Pediatrics, Oct. 2018 (reaffirmed Aug. 2023), available at <https://publications.aap.org/pediatrics/article/142/4/e20182162/37381/Ensuring-Comprehensive-Care-and-Support-for-autologincheck=redirected>.

⁷ *Transgender and Gender Diverse Children and Adolescents*, The Endocrine Society, Jan. 2022, available at: <https://www.endocrine.org/patient-engagement/endocrine-library/transgender-and-gender-diverse-children-and-adolescents>.

⁸ Michelle M. Johns et. al., *Transgender Identity and Experiences of Violence Victimization, Substance Use, Suicide Risk, and Sexual Risk Behaviors Among High School Students - 19 States and Large Urban School Districts*, 2017, 68 Morbidity & Mortality Wkly Rep. 67-7 (2019).

⁹ George Cunningham, *Anti-transgender rights legislation and internet searches pertaining to depression and suicide*, 17 PLoS One 12, Dec. 2022, available at: <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC9778603/>.

As lawmakers you have a constitutional obligation to put yourself above any particular religious ideology and make decisions based on reason, science, and fact. The evidence is clear that this bill will seriously and irreversibly harm Wisconsin youth. It is for all of these reasons that this A.B. 465 must not proceed out of committee.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Kat D. Grant", with a stylized flourish at the end.

Kat D. Grant

Equal Justice Works Fellow (sponsored by the Wm. Collins Kohler Foundation)
FFRF Action Fund