

SUMMER 2022

TRANSGENDER KIDS

**THOSE IN IOWA WHO
HAVE BRAVELY COME OUT,
ESPECIALLY GIRLS, ARE FACING
HEARTBREAKING PUSHBACK BY
THOSE WHO SHOULD BE THEIR
ALLIES: THE GROWN-UPS.**

*« Xio Hanson, 15, of
Des Moines, enjoys dance,
swimming, and made
school spirit squad. She
just wants to be treated like
every other girl.*

SUPPORT OUR TRANSGENDER GIRLS



Roxanne about the time she graduated from law school.

EVER SINCE I FINISHED LAW SCHOOL IN 1966,

over the objections of some who said I was stealing a job from a man, I have been fighting for women's legal rights. That includes some of the early Title IX battles of the 1970s, in which

nearly every gain for women was seen as taking something from men and "ruining" sports.

Now I see the struggles of our transgender sisters, especially those still in school, trying to assert their full rights under the law.

But this time, some of the people who are saying that these girls are "stealing" opportunities are cisgender women. It especially pains me when feminists, of any gender, oppose transgender girls participating in school sports.

Whether these girls are short or tall, strong or not, fast or slow, it doesn't matter. What does matter is that they are girls. Not boys. Not some "other."

And just like any cisgender girl of any size or ability, they must be given the same rights and opportunities as all other girls.

If we've learned anything from the women's movement, I would hope it is that rights are not like a pie—that if you give some to someone else, there's less for everyone else.

Every child, transgender or not, deserves the opportunity to be treated just like every other child, and to benefit from being included in activities, such as school sports, that match their gender identity. They also deserve to be able to use the bathroom without drama or shame.

For many of these kids, this is a matter of life and death. Suicidal thoughts and attempts are extremely high among transgender youth because they are trying to exist in a society that overall, still does not accept who they fundamentally are. Being included in school activities that match their gender identity and being treated just like every student goes a long way to helping them cope.

I hope we can embrace the philosophy of the ACLU's wonderful, late Ruth Bader Ginsburg. Her ground-breaking work included defending the rights of men who were discriminated against. This included the widowed dad of a young child who was denied the Social Security payments he would have received if he were a mom.

Ginsburg rightly determined that if gender discrimination in all its forms was struck down, people of all genders benefit.

So here we are now. This is the next wave of gender equity. Please support these mere children in their struggle to be just like everyone else.

ROXANNE CONLIN
Iowa attorney and ACLU supporter

In this issue, we are handing over the director's column to Roxanne Conlin, a nationally recognized pioneer in women's rights who has won many gender-discrimination lawsuits for her clients over the decades. She was the first female president of the Association of Trial Lawyers of America and the first female major party candidate for Iowa governor in 1982.

EQUAL TREATMENT

"For many of these kids, this is a matter of life and death."

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THE DEFENDER IS THE NEWSLETTER OF THE ACLU OF IOWA AND THE ACLU OF IOWA FOUNDATION

505 Fifth Avenue, Suite 808
Des Moines, Iowa 50309-2317
515-243-3576 or info@aclu-ia.org

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THE BATTLE FOR ABORTION ACCESS

A potentially devastating amendment to the Iowa Constitution is likely to be on the 2024 ballot.

June was a tough month for abortion access, and it's likely to get tougher.

Mid-month, the Iowa Supreme Court issued a decision that drastically *reduced* the level of protection Iowans have under the Iowa Constitution.

Then at the end of the month, the U.S. Supreme Court also issued a devastating decision. It held that there is *no* right at all to an abortion under the U.S. Constitution.

So at both the state and federal level, the two decisions within just days of each other left Iowans with significantly fewer constitutional protections than previous courts had decided.

MULTIPLE THREATS

These decisions have opened the door for legislative and legal actions that could even further erode a person's ability to get an abortion in Iowa.

To be clear: Right now, abortion in Iowa remains legal. But there is yet another action underway to further

reduce and potentially ban abortion access in Iowa: A proposed amendment to the Iowa Constitution.

The proposal is making its way through the legislature, having passed once already. Before it can take effect, it now must pass a second time.

After that, it goes on the ballot in Iowa, most likely for the 2024 elections.

ORGANIZING TO FIGHT BACK

The ACLU, Planned Parenthood, and other organizations are already organizing.

We're building out our statewide network and educating Iowans about this amendment. It's critical that Iowans vote NO on this constitutional amendment.

We encourage you to consider signing up to volunteer with our efforts to fight this constitutional amendment and any legislation that is introduced to restrict abortion before that. If you are interested, go to www.aclu-ia.org/protectiowaabortion.



Lisa with husband Cristobal and children-Litzy, Ravyn, and Tatiana.

Why I Give

The ACLU has been an instrument of hope and knowledge for my family. They have assisted my immigrant husband and myself in amplifying our voices and standing up for others. In addition, they have shown our children that there are people who will stand up for justice in our world.

LISA LIMA
Council Bluffs

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As trans young people find their voices and the courage to express who they truly are, they're experiencing life-endangering push-back.

Decades ago, far too few people supported—or understood—transgender people. Even the basic terminology related to gender identity, such as “cisgender” and “gender dysphoria” wasn’t widely used.

Now, as being openly transgender becomes more accepted, increasing numbers of young people are coming out. In some cases, people realize that they are transgender in very early childhood, even though they might not have the vocabulary to describe it. Others might not identify as transgender until puberty, their later teen years, or even into adulthood.

Most studies find that about 2 percent of all high school students identify as transgender.

Parental Support is Crucial

And while many parents, tragically, are not supportive, an American Osteopathic Association study found that a majority—53 percent—of parents say they

would support their child’s gender transition. This reflects a growing understanding of what it means to be transgender.

And the more cisgender people understand what being transgender means—or, even more meaningfully, get to know someone who is transgender—acceptance grows.

Parallels with the ‘70s and ‘80s

It’s not unlike what happened during the gay rights movement of the 1970s and 1980s. Younger people were more likely to either come out or accept openly gay people.

While some older people never accepted those who were openly gay, many who got to know gay individuals or couples who were out of the closet came to accept and even support LGB rights.

Trans Kids Don’t Feel Safe

Today the push-back for transgender kids is fierce. As transgender students become more visible, they are more vulnerable to bullying and assault. A GLSEN study found

that 75 percent of transgender youth do not feel safe at school.

Politicians, too, have taken aim at transgender kids. Across the country, they have introduced a host of new laws that are devastating to transgender people, especially children.

In 2021, no fewer than 13 anti-trans bills were introduced in the Iowa Legislature, giving Iowa the record that year for most state anti-trans bills introduced.

This year, led by Gov. Kim Reynolds, legislators passed a bill that bans transgender girls and women from participating in girls’ sports at public schools (see page 2).

Equal Access to Insurance

Another factor is push-back from insurance companies. However, in Iowa, the ACLU has filed successful lawsuits to compel both private and state [Medicaid] insurers to cover gender-affirming surgery when a doctor deems it medically necessary.

We remain committed to fighting for transgender rights in every way we can.

A TRANSGENDER GLOSSARY

Gender has two components:

1) Gender identity is a person’s basic internal sense of being a man, woman, and/or another gender, such as gender queer or gender fluid.

2) Gender expression is conveyed through appearance (clothing, make up, physical features such as breasts, etc.), behaviors, and personality styles. These expressions are often culturally defined as masculine or feminine. The ways in which people express their gender identity are particular to each individual and can vary across cultures.

Transgender: Refers to a person whose sex assigned at birth (usually based on external genitalia) does not match their gender identity (their psychological sense of their gender).

Cisgender: Refers to a person whose gender identity aligns in a traditional sense with the sex assigned to them at birth.

40% lower

The odds of recurrence of depression or a suicide attempt in transgender minors receiving gender-affirming hormone therapy

2021 peer-reviewed study in the *Journal of Adolescent Health*

Gender Dysphoria:

Significant distress or impairment related to a strong desire to be of another gender, which may include a desire to change primary and/or secondary sex characteristics. It often begins in childhood but might not occur until after puberty or much later.

Sex: A biological term defined by anatomy, hormones, or genetics—physical aspects—rather than internal, psychological aspects.

Sexual Orientation:

Describes the types of individuals toward whom a person has emotional, physical, and/or romantic attachments.

Source: American Psychiatric Association

MYTHS ABOUT TRANSGENDER GIRLS IN SPORTS

Misinformation and stereotypes have dominated the state and national conversation surrounding transgender girls in sports. Myths like these are not just false but also are deeply harmful to trans girls and girls' sports programs as a whole.

MYTH: TRANSGENDER GIRLS ARE NOT "REAL" GIRLS

Transgender girls are not boys. A girl who identifies as a transgender girl is indeed a girl. Transgender women are indeed women. Transgender women's rights are women's rights. We need to treat them just like every other girl and woman, and that includes in sports.

MYTH: TRANS GIRLS SHOULDN'T PARTICIPATE IN GIRLS' AND WOMEN'S ATHLETICS BECAUSE IT WILL RUIN THOSE SPORTS FOR OTHERS.

There is a long history of excluding people from sports because they're different and because they would "spoil" sports: 70 years ago Black people were excluded from sports for that same reason; 50 years ago women were excluded from sports programs. More recently, there has been resistance to openly gay girls and boys participating in team sports. The bottom line is that trans girls are girls and should participate in girls' sports. They are not boys and they are not an "other" who should be excluded.

MYTH: TRANS GIRLS AND WOMEN WILL COMPLETELY DOMINATE GIRLS' SPORTS.

Before a ban passed by the Iowa Legislature this year, trans girls in Iowa had been able to compete in high school sports for the previous 15 years. And at least since 2014, the Iowa Girls' High School Athletic Union had provided guidance for including trans girls in girls' sports. Bills aimed at excluding trans girls from playing on girls' sports teams are unnecessary, discriminatory, and they hurt kids.

Trans girls make up a tiny percentage of the population. Just two percent of high school students identify as transgender, according to the CDC. That means that approximately 1 percent of any given school would be comprised of transgender girls, who may or may not choose to participate in sports.

Athletes come to their sports with a variety of talent, body sizes, physical advantages or disadvantages, genetic makeup, and mental drive. Many cisgender girls, for example, are extremely tall or have exceptional muscle mass, traits that could give them an edge in multiple sports. But, correctly, we do not exclude those girls from school sports.

MYTH: WE CAN'T LET TRANS GIRLS PARTICIPATE IN HIGH SCHOOL SPORTS BECAUSE THEY'LL TAKE AWAY OPPORTUNITIES FROM CISGENDER GIRLS.

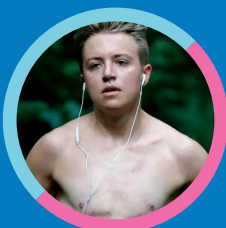
People perpetuating this myth often point to a specific athlete, like college swimmer Lia Thomas. But the fact that one trans person is succeeding in a sport should not be used to exclude all trans athletes, especially kids.

This is especially true when talking about school sports. Consider the reasons why we offer high school athletic programs. Few people would say it's to cultivate a small number of students so they can get significant money for college and position themselves for a professional career.

Instead, we put enormous amounts of time and money into school sports programs because it teaches kids important, lifelong lessons about physical fitness, setting personal goals and achieving them, teamwork, and respect for others.

It's not unlike school musical programs. We don't sponsor them just so a select few can get a high-dollar scholarship or become a pro. We do it to develop personal musical skills, to teach setting and reaching goals, and to cultivate a life-long appreciation for music.

Michael Zamora, Des Moines Register



BEN CHRISTIASON

Ben, 24, was the first openly transgender student at Cedar Falls High and ran boys cross country. He started physically transitioning at 14, and credits it with possibly saving his life. When he was younger, "I felt like my life was going to be short...I felt like I wasn't going to be old ever."

portraits of iowa families

Ben, Kyle, Jennifer, and Lars



THE CHRISTIASONS, CEDAR FALLS

The Christiasons think of Ben, 24, in two phases. The first Ben, when he was young, was sad and didn't smile. He didn't like to look in mirrors. The Ben of today, by comparison, flashes a million-watt smile and exudes enthusiasm and joy.

His parents attribute that to their son being able to physically transition and his realizing that he would be able to live a life that aligned with who he truly is.

When Ben was small, he would insist that he was a boy. His mother, Jennifer, meaning well, would correct him and tell him, "Oh, you mean you're a tomboy."

Jennifer, a registered nurse, and Ben's dad, Kyle, a physician, found they had some self-education to do. And the more they learned, the more clear it became that their son had gender dysphoria. When

he was a freshman, in consultation with doctors and a counselor, he started to physically transition.

Ben, a child who formerly walked with a slump, started to thrive and became "radiant," Jennifer says.

Being able to run school boys track was hugely important to him. "Physically, I was weaker than some but mentally just as tough," Ben says.

Ben attended St. Olaf's College and is now working for a Chicago nonprofit that supports social change. His parents have helped establish an LGBTQ care clinic in Cedar Falls to make sure others can receive appropriate care locally.

"I am so excited about the future," says Ben. "I want to have kids and a family. Now I look forward to the rest of my life. That wasn't always the case."

3197
ESTIMATED
NUMBER OF
IOWA HIGH
SCHOOL
STUDENTS WHO
IDENTIFY AS
TRANSGENDER

*based on Iowa Department
of Education and
CDC data*



Holly and Xio

THE HANSONS, DES MOINES

"I just want Xio to be her most authentic self," says Holly Hanson of her daughter, age 15.

That hasn't been easy. Despite a highly supportive family, Xio for years fought sharing publicly her love of dance, feminine clothes, wigs, and traditionally feminine toys and entertainment. All her friends were girls.

At 10, Xio began experiencing depression connected to her gender identity. At 13, under supervision of doctors and counselors, she went on puberty blockers. "You could just see the weight being lifted from her," says her mom.

It's appalling to Holly that some politicians are ignoring the recommendations of major medical associations and trying to thwart children's access to gender-affirming care. "Who are you, someone who doesn't even know us, to tell my family what is best for us, for our child?"



XIO HANSON

Xio, 15, says ever since she was a toddler, "I've always liked everything girly." For years, she wore boy clothes to school to avoid bullying, but changed into wigs and girl clothes as soon as she came home. Her bedroom was very feminine, and she didn't like outsiders to see it.



Michelle, Caylee, Jaiden, and Greg

THE FUQUAS, AMES

Greg Fuqua is a counselor and Michelle is a middle school associate principal. You'd think they'd be well equipped to navigate parenting a transgender child. But they've found it incredibly challenging in a society that still doesn't understand transgender children and doesn't think that these kids—or their counselors, doctors, and parents—know what is best for them.

"There is a misconception that transgender kids don't know what they want, that it's a stage," said Greg. But not being heard and having to suppress their true selves is what leads to high depression and suicide risk among trans kids, including his own.

"You have to listen to your child," Michelle says, tearing up. "It has been a big adjustment process. But Jaiden has taught me a lot."



JAIDEN FUQUA

Jaiden has known ever since he was a young child that he wasn't cisgender "but I didn't have a vocabulary for it." Now 18, he is transitioning physically, which has "made me feel less lost. I feel like there's a future for me. My depression is no longer an issue... I can be who I am."



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ACLU MOMENT


June 17
1941

A victory in Newton for the right to strike

In 1938, Maytag workers with the United Electrical Radio and Machine Workers Union went on strike in Newton. Dozens of people were arrested for "criminal syndicalism," a 19th-century crime that was a thinly veiled attempt to silence those advocating for social and economic change.

One of the leaders, William Sentner, was singled out and actively prosecuted. He was fined what was then a whopping \$2,500 or 750 days in jail.

With the legal assistance of the ACLU, Senter's conviction was appealed and in 1941 reversed by the Iowa Supreme Court.

 In 1938 CIO organizer William Sentner assisted Maytag workers in striking against 10 percent wage cuts. The National Guard was called out to control the striking workers, including from rooftops.



SUPREME COURT FREES SENTNER

Convicted Of Criminal Syndicalism In Maytag Strike Case, Is Reversed.

Des Moines, Ia., June 17.—(UP) —The Iowa supreme court today unanimously reversed the conviction of William Sentner, St. Louis, Mo., communist, on charges of criminal syndicalism.

As a vice president of the united electrical radio and machine workers of America (CIO), he was one of the directors of the violent Maytag Washing Machine company strike at Newton in 1938.

Sentner was fined \$2,500 by district judge W. S. Cooper Oct. 28, 1939, after being found guilty by a jury of farmers at Montezuma.

After pronouncing sentence, Judge Cooper said:

"Iowa doesn't believe in the communist party or the C. I. O. Iowa is against such activities as Sentner's."

"Practically every man in the street asked me to give Sentner the limit. I did not do that, but if the Maytag strike had occurred at this time instead of a year ago, I would have given Sentner a stiffer penalty."

The Iowa criminal syndicalism law under which Sentner was convicted was enacted during World War I.