

Testimony in Support of Texas Senate Bill 6

By Tony Perkins, President
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Good morning. My name is Tony Perkins. It is an honor to be back testifying before the Texas Legislature. The last time I was here, I was a legislator from Louisiana, and George W. Bush was governor, so it's been a few years.

Today I am here in my capacity as President of the Family Research Council in Washington, D.C., speaking in support of Senate Bill 6.

This bill is simple, and it is timely.

S.B. 6 takes a common sense approach to an issue of public safety and personal privacy—namely, that showers, bathrooms and changing facilities designated for males or females should be used only by people of that biological sex.

The reason we have separate “boys’ rooms” and “girls’ rooms” is not because their “gender identities” are different or their “gender expression” is different. It is because their basic physical anatomy is different.

As a parent of 5 children, I am more than sympathetic to the sensitivity and the self-consciousness that students have in undressing in a school locker room, or taking a shower in front of their peers—it would be traumatic for many children and adolescents to do so in the presence of someone of the opposite biological sex.

Although these concerns regarding physical privacy and modesty are especially acute for children in schools, the same concerns apply to adults in bathrooms or changing facilities located in buildings operated by state or local government.

Many people in debates across the nation have pointed out, allowing people to choose bathrooms and changing facilities on the basis of their “gender identity” rather than biological sex creates a potential danger.

Let me emphasize that the threat does not primarily come from persons who identify as transgender. Rather, it comes from those who might exploit the situation by posing as transgender to gain easier access to (usually) women’s bathrooms or changing facilities, where they can engage in voyeurism, indecent exposure, or even sexual assault.

Some people claim that such incidents never happen. Perhaps they've never heard of Robert Domasky¹—a man who posed as a female cheerleading coach and entered the girls’ locker room of a high school in Greensburg, Pennsylvania, intending to lure one of the girls to his home.

Perhaps they've never heard of Colleen Francisⁱⁱ, a 45-year-old biological male who claims to be a transgender female. He exposed his male genitalia through the glass window of a sauna to a group of high school girls who were using the locker room at Evergreen State College in the state of Washington.

Maybe they've also never heard of Christopher Hambrookⁱⁱⁱ—a convicted sex offender who posed as a transgender female to enter a women's shelter in Toronto, Canada and proceeded to sexually assault a woman on her bed.

Now, some people may argue that we have laws against these behaviors already and new laws won't deter them. Others may argue that such predators will attempt such harmful conduct regardless of the law.

These arguments ignore the deterrent value of the ordinary citizen empowered to sound the alarm when something appears out of place—like a biological male in a women's locker room. Women and girls may be less willing and less likely to “*say something if they see something*” out of fear they would be charged with “gender identity discrimination.”

It was welcome news when President Trump's administration recently withdrew an Obama administration policy that sought to impose a transgender bathroom and locker room policy on every school in the country. However, the withdrawal of the Obama administration guidance to schools does not eliminate the threat to privacy and security. It is now up to state legislatures to ensure the safety and well-being of their citizens. That is why S.B. 6 is timely and will influence the rest of the nation.

This bill responds to a potential threat not just from the federal government, but from local governments and school districts within Texas that might choose to adopt “non-discrimination” laws or policies that elevate “gender identity” over biological sex and thereby threatening the security and privacy of Texans. That's exactly what happened in Houston—until the people placed the issue on the ballot and overturned the action of the City Council and Mayor.

Keep in mind that this bill leaves private entities—stores, restaurants, corporate offices, sporting leagues—completely free to establish whatever policy they wish for the facilities under their control.

S.B. 6 allows individuals to access facilities consistent with their gender or chosen “gender identity” as reflected on their birth certificate. Additionally, S.B. 6 expressly authorizes the provision of accommodation in the form of a single-occupancy bathroom or changing facility.

Senate Bill 6 thus actually provides for the legitimate needs of the 0.6% of the population^{iv} that reportedly identify as transgender, without trampling on the rights to safety and privacy of the vast majority.

I urge you to support this legislation.

ⁱ “Accused stalker faces more charges,” *Pittsburgh Post-Gazette*, December 10, 2004. <http://www.post-gazette.com/local/westmoreland/2004/12/10/Accused-stalker-faces-more-charges/stories/200412100208>.

ⁱⁱ Ben Johnson, “‘Transgender’ man may continue using girls’ locker room, says college,” *LifeSiteNews*, November 9, 2012. <https://www.lifesitenews.com/news/transgender-man-may-continue-using-locker-room-with-six-year-old-girls>.

ⁱⁱⁱ Peter Balinski, “Sexual predator jailed after claiming to be ‘transgender’ to assault women in shelter,” *LifeSiteNews*, March 4, 2014. <https://www.lifesitenews.com/news/sexual-predator-jailed-after-claiming-to-be-transgender-in-order-to-assault>.

^{iv} Andrew R. Flores, Jody L. Herman, Gary J. Gates, and Taylor N. T. Brown, “How Many Adults Identify as Transgender in the United States?” The Williams Institute, June 2016. <https://williamsinstitute.law.ucla.edu/wp-content/uploads/How-Many-Adults-Identify-as-Transgender-in-the-United-States.pdf>.