

This Year and Next in Anti-LGBT Advocacy: A Briefing

*Panelists: Adri Perez, Brennan Suen, Fran Hutchins, Heron
Greenesmith, Vivian Topping
Moderated by Dr. Koki Mendis*

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Koki Mendis: Thank you, everyone, for joining us today. We're going to give people a couple of minutes here to log on and then we'll get started. Thank you, everyone, for being with us today. Welcome to This Year and Next in Anti-LGBT Advocacy, a briefing to reflect on one of the most difficult years in the ongoing struggle for LGBT rights, and a convening to prepare our movement for the year ahead. We at PRA have invited an incredible panel of experts and movement leaders to share their analysis of the past year, during which more anti-trans bills were introduced in state legislatures than in any previous year on record. 2021 has also been the deadliest year for transgender people in the U.S. While the data is still nascent, we've seen a significant increase in anti-trans violence that closely correlates to the very states that have been working to pass anti-trans legislation. As we look ahead to 2022, we must prepare ourselves for the continued fight for human dignity, bodily sovereignty, safety, and ultimately thriving for trans folks. As we close this year, we are also going to take a look at some of the successful strategies within our movement, and take a moment to celebrate the people and wins that keep us moving forward in this work. For those of you who joined us a few weeks ago for a [PRA roundtable discussion on the anti-sex work](#) movement you heard from TS Candii, founder of Black Trans Nation, who shared with us an incredible victory forcing the repeal of the so-called Walking While Trans ban in New York state, which led to the immediate sealing of thousands of prior violations and convictions for predominantly Black and Brown trans women of color.

With a close watch on the anti-trans movement and with calculated and calibrated strategies to defend and advance basic human rights for trans people, our movement can and will continue to see these wins in the years ahead. On that note, I am thrilled to introduce you to our panel today of people leading our movement forward. Today, we are joined by [Adri Perez](#), LGBTQIA Policy

and Advocacy Strategist with [ACLU Texas](#); [Brennan Suen](#), Senior Strategist at [Media Matters for America](#); [Fran Hutchins](#), Executive Director of [Equality Federation](#); [Heron Greenesmith](#), PRA's own Senior Research Analyst and Adjunct Professor of Law at [Boston University School of Law](#); and [Vivian Topping](#), Director of Advocacy and Civic Engagement at [Equality Federation](#). We are so grateful to all of you and to our audience for joining us today.

Please make note: today's briefing will be recorded and the recording and a full transcript will be distributed by email and on our website next week. Subtitling or closed captioning is also available, which you can toggle on at the bottom of your Zoom window. Audience members, as you all are doing already, please feel free to introduce yourself in the chat so we can see who all is with us today. We encourage you to use the chat to engage in the conversation, and also expect the chat to remain free from rhetoric that may be harmful to our panelists and attendees. OK, with those housekeeping notes out of the way, we're going to get started. I'm going to start with you Heron, on a review of the past year.

Heron Greenesmith: All right, y'all, we're going to—we're going to run us through the past year in hopefully half an hour, so I'm going to start at the kind of global and federal level and then we're just going to barrel through everything so we can get to the conversation about next year. So drop any questions in the comments and hopefully PRA folks will be also dropping links and stuff too. So I'm just going to start another—discussants and panelists please also drop links to important stuff, or add to what I'm saying. So this year we saw the kind of largest open coalition of Christian Right anti-LGBT groups come together under the "Promise to America's Children", which also implicates a lot of the state side legislation that Viv and Fran will be talking about. But this coalition, The Promise to America's Children, drafted a ten point promise, kind of making sure that youth can't access trans affirming care, or abortion care, or reproductive justice in general. Won't be able to access sports that align with their gender identity, or comprehensive sex education. And the promise will ensure that children will be continued to be vulnerable to parents who don't affirm LGBT identities or who don't affirm abortion care access for minors or for young adults, including making folks vulnerable to conversion therapy and affirmatively allowing conversion therapy to proliferate.

This led to lately Josh Hawley—Senator Josh Hawley, introducing the Parental Rights bill, which I was just taking a look at before this call, and I can drop a link into the chat here. This bill is a Parental Rights bill, and you're going to hear "parental rights" echoing all through our conversation today. It's going to be a huge issue next year. Josh Hawley's bill—well, it is a federal piece

of legislation that would allow parents to review any information, curricula, syllabi, any documents that their children are being taught. And this sounds very innocuous. But of course, these—Josh Hawley is a person who's also behind anti-critical race theory, anti-trans advocacy in general. The legislation would also give the right to access information on the teachers, guest lecturers, and outside presenters who engage with the students; the right to access information on all third party individuals and organizations that receive contracts or funding through the school; the right to visit a minor child. You know, we're seeing echoes here also with The Promise to America's Children that, you know, allows parents to remove their children from comprehensive sex education and in some cases, even to require an opt-in to comprehensive sex education. So this being a, you know, a federal bill, obviously, I think will carry into next year and we'll see what happens with the next year of this session in Congress.

Obviously, we saw the Equality Act get blocked in the Senate this year. It was passed in the House. But as Kyrsten Sinema—a bisexual senator who just apparently really doesn't like to support nondiscrimination protections for LGBT people—and Joe Manchin continue to stand between the Democratic majority in the Senate and the passing of really important pieces of legislation, like the Equality Act that would prohibit discrimination on the basis of sexual orientation and gender identity in multiple areas of life.

We also saw the *Fulton v. City of Philadelphia* decision at the Supreme Court level this session, in which the court said that as long as the City of Philadelphia offers exemptions to its contracts with city child welfare organizations, it has to offer them to anyone who asks, including religious organizations that affirmatively say that they will not certify LGBT people to become foster and adoptive parents.

We also saw multiple attacks on queer appointees at the federal level, including, of course. Oh my gosh, what's the attorney health person's name?

Brennan Suen: Dr. Levine, Dr. Rachel Levine.

Heron Greenesmith: Thank you very much—being the most open....You know, both, you know, attacks at the, you know...during her confirmation hearing, obviously, some really disgusting questions leveraged at her about how she supports trans youth. And then, of course, the Right Wing media sphere, and Brennan will talk more about this, took those attacks and ran with them to some truly disgusting coverage of her confirmation.

And then finally, this is just a tiny little blip. We saw usage of the Keira Bell decision in the UK that for a moment until it was overturned, prohibited trans

youth from accessing trans affirming care. We saw that again—even though the decision was appealed and overturned, and you can now access trans affirming care as a youth in the UK—we saw that decision being leveraged in multiple state hearings and the Right wing media across the country in support of removing access for trans affirming care for youth. I will stop there. I know that was like wicked fast, but I know we have to also get through this so quickly. So I'm going to pass it on to Fran and Viv to talk about the state level next.

Fran Hutchins: Thanks Heron, and thanks for having us. I see a lot of Equality Federation friends in the chat and see some of our members there. But for those of you who aren't familiar with us, we are an advocacy accelerator. We build power in our national network of state-based equality groups. So I've seen somebody I think from Colorado on. We've got folks from Equality Texas—had a really bad year this year—and I think you'll hear some stories about that from Adri, who partnered with them. So that's our network and that's who we work with.

And, you know, unfortunately, Heron, as you were saying, this was not a great year to be especially a trans young person in the states watching what was happening in the state legislatures. It was pretty extreme, actually. We had around 300—the way we count them, and Viv, if you want to drop our tracker in the chat for folks, we have a pretty broad definition of anti-LGBTQ that's pretty intersectional and expansive, so you might see different counts from other orgs—but we had...we counted 391 anti-LGBTQ bills in state legislatures across the country and 198 of those were directly targeting trans folks. And you know, we didn't actually see a huge uptick with recent trends from last year as far as numbers, in the overall count, but anti-trans bills have increased six times since 2019, so we had about 31 then and in 2021 we were at 198. So really seeing the opposition's focus, like really a laser focus, on that.

You know, and primarily again, those bills that—we did have some more general ones—but those bills mostly focused on trans youth. Three primary buckets. And everybody's heard Heron mention the sort of global interest in medical care. So we had several states file medical care bans. These bans would have kept youth from accessing gender affirming care. So 58 of those were introduced across the country and only two passed. One was in Arkansas—1570—and one was in Tennessee. It was 1027. And the one in Arkansas banned access to all gender affirming care for transgender youth in the state. In Tennessee, they didn't completely ban care. It specified pre-pubertal medical interventions, but typically there aren't pre-pubertal medical interventions, so it doesn't seem like that would be terribly enforceable.

So again, not a, you know...we held most of them off, but it's it's a real trend

that we're looking at. Everyone also has heard about athlete bans. You know, this is really, I think, this is something that works really well for our opposition. They...it gets people who would not otherwise be engaged, engaged. Most of them focus on K-12 schools, but there are some focusing on college sports. We had 98 bills like that introduced across the country, and a total of 12 did pass both legislative chambers and states. We did get three vetoes. So nine of them so far have been enacted, and I know that our friends over in the legal sector are already looking at ways to, you know, basically legally intervene in the enactment of those.

So, and then the final category was general anti-trans attacks. Tennessee got creative. Some of you may have heard they make you now hang a bathroom sign saying that you do allow trans folks to use the bathroom. We had some restrictions on birth certificates in Montana, and then some more school bills in Tennessee, one that requires students to use—they're bathroom focused in Tennessee—to use the bathroom of their "biological sex." That was air quotes for those of you who are not looking at my face. You know, and I want to—before I ask Viv to talk about the lessons we learned—I just also want to point out that that's all state legislation, but our members are also fighting what we're calling like a hyper local level. And that is school boards; that's library councils. And we're seeing that more and more trying to limit curriculum. It's completely tied up, braided with the anti-critical race theory, anti-masking, etc. And so we did learn—we did learn a few things, and if Viv wants to go over, you know, just a few things that we took out of those big numbers. I know I just threw a lot of numbers at you, so I don't want it to all be numbers.

Vivian Topping: Yeah, I mean, I think there is a there is a huge, huge amount of things that we were seeing. And I think there are a couple of things that we know that at least we have learned from this year. So I think the first one is really needing to uplift trans stories and make sure that we are centering trans people in the messaging around this and in messaging work around it. And, you know empower— a lot of these bills rely on misinformation about what it means to be transgender. And the best way that we can fight that is by familiarizing people with what it means to be trans. And so that's by sharing stories from trans people, having folks actually be able to share their stories authentically, and just meet legislators who are talking about these bills.

The second was to build really significant early pressure. A lot of these bills would start, and they can really only be stopped early on in the process. After they reach a certain point, then it becomes "well, if that's out of this committee," then we're done. And so you really need to build significant pressure early on—constituent pressure, or coalition pressure. Any pressure you can think of.

Really need to focus a lot on people power and constituent pressure, because—like sharing stories and talking to folks is one of the most important and most effective ways that we know. I think right now we are in kind of a moment where this is a new topic for us to really have strong messaging around. We have some good work that people have shared out on the Movement Advancement Project. Transgender Law Center and Trevor Project is also working on messaging and other folks are as well. But the thing that we know one hundred percent works is being able to share your stories authentically. And so making sure that you are building people power to get folks there, that also gives your folks on the ground a way to engage and direct their anger at the issue. Legislation can always be very exhausting and tiring. And so being able to have a space where it's like, "here's where I can work and direct my energy," is always really helpful.

We also talked a lot about local control during sessions, so especially around the athlete bans, and the fact that local school districts and local athletic associations are figuring out how to handle these things. And we need to respect that and let them do the work. The folks here [that] are best suited to actually handle this are trans people, their families, and the people who are actually interacting with them; whether it's their doctors, whether it's a patient, whether it's their coaches, people like that, people who are actually on the ground doing that work. In some places we connected it a lot to HB2, the bathroom bill from North Carolina from a few years ago. Some places that did work, some places it doesn't. You know, when we think about that, we have to really be able to connect it to legitimate threats and businesses about what are they actually going to pull out of, and what's actually going to happen, if we don't. Because we have a lot of misinformation about the economic impact of the HB2, we have to make sure that when we share that, it's being shared by businesses or it's being shared by people who actually have said, "if you do X, we will do Y" just to make sure that it's set.

And lastly, I think the biggest thing is really making sure you're clarifying "this is what this actually says," and the kind of slippery slope that you're putting yourself into. So, many of the athlete bans in 2020, when they were introduced, had full on genital inspections listed in their bills as enforcement, where if a child was accused of being transgender—which, the fact that I'm saying "accused of being transgender" just hurts me a lot—if that happened, then a school official would have to then examine their genitals and determine whether or not they are trans. And so really clarifying that for legislators is really helpful, and really made sure they understood what they're actually talking about, what they're actually doing. And so those are some of the things that we were able to learn at least earlier this year. And I think we're going to

be sharing a lot more coming up in the future.

Koki Mendis: Thank you, Vivian, thank you Fran, Heron. Adri, can you give us some insight into what you're seeing in Texas, specifically where there's been the most anti-trans proposed legislation?

Adri Perez: Yeah. So I think it's always jarring to hear that there were about 200 anti-trans bills filed nationally and 50 of those—so a quarter of those bills—came straight out of Texas. In Texas this year, we had a never ending legislative session. We saw all of the same bills that Fran and Vivian talked about in the national landscape—over seventy five anti-LGBTQ bills, including the anti-CRT bills, which, as we see now, is a strategy that the Right is using to tack our issues on that same battle over parental rights. Twenty five—twenty six of the bills that were filed were only bills that attacked access to sports for trans youth. Some of those bills were K-12 sports. Some of them also included collegiate sports. But most alarmingly, some of those bills also created a private cause of action that would enable anybody that was directly harmed by that lack of implementation of the sports ban to sue the school districts—similar to the local vigilantism that we're seeing being encouraged by abortion bans like SB8.

Twenty one of the bills that were anti-trans bills that were filed were attacks on health care for trans youth. Eleven of those were criminalizing parents for providing life-saving support to their transgender kids. Seven of them were seeking to ban minors from being able to access the care by making the doctors liable for providing that care, and three bills sought to ban minors from receiving therapy specifically for gender dysphoria. And in fact, only would allow doctors to provide care that is essentially conversion therapy.

So another thing is that in Texas, we were being attacked on all fronts, and I think that's probably the case nationally in a lot of these Republican controlled legislatures and executive branches of government. And specifically in Texas, they kept us in a regular session where we were able to defeat all of anti-LGBTQ legislation, and then called us back for three special sessions. And during the last special session, the sports bill that ultimately passed, passed because they created a new committee to pass their voter restriction bill and to pass a permit-less carry bill. And this is the same committee that then passed the sports ban during the third special session coming under the wire. And there was always a sense of inevita—inevitabil— I can't. I'm getting tongue tied.

Koki Mendis: Inevitability.

Adri Perez: Thank you. With the anti-trans bill that we were always going

to get any, any anti-trans bill right? Because we have a governor that is set on running for president or vice president. And if we're especially lucky, the attorney general. That's a joke, that would be the absolute worst situation for the country.

But beyond the legislative session, there's also been a steady stream of politically motivated attacks on the LGBTQIA+ community in an effort to boost their campaigns, whether it's for governor—for Governor Greg Abbott—or the campaigns for attorney general. So in August, we had a state agency respond to the governor's request for an interpretation of state law as to whether or not gender confirmation surgeries for transgender children, which do not happen, whether or not those surgeries constitute child abuse. And we had that state agency respond to the governor, and that was in August. And then in October, the governor's office removed resources for the LGBTQIA community from the DFPS website directly in retaliation to a political opponent, calling him out. Most recently, this past week we saw Gov. Ron DeSantis do the same thing in Florida. So we're seeing what's happening in Texas with this leveraging of state agencies happen across the country now.

Another thing that happened, we had the state house rep who is running for attorney general, asked for an attorney general opinion as to whether or not they have to recognize same sex marriage in the year 2021. In November, the Governor asked the Texas Association of School Boards to determine if pornographic content exists in schools. And similarly, we had another state house rep that was running for Attorney General now issue the famous list of 850 books to be banned or to be checked on, whether or not they're in Texas schools. And all of this is being done solely to bolster their political campaigns by talking about LGBTQIA issues. And we see this happening with education agencies, and see this happening with the Department of Family Protective Services. The Attorney General's Office just recently, two days ago, responded to yet another request—from these same three people, mind you—the Attorney General's Office just responded to another letter saying that he supports the Department of Family Protective Services decision back in August that constitutes gender confirmation surgeries as child abuse. And I think that is—I mean, we're not getting into predictions, but we're seeing this continue and snowball leading into 2022, which is normally an off legislative year for the state of Texas, but there are still rumors of a fourth special session. And so we are trying to monitor the situation and kind of keep it out of the media as much as possible, without responding to these media requests that are attempting to blow this up, so that we can hopefully hold off on a fourth special session before the year 2023, which is when we're set to go back to regular session. But even before then in Texas in 2019, and then coming up again in March, the issue of

“Chemical Castration,” which we know is just gender affirming care for trans youth, is being used on Republican primary ballots as a dogwhistle to prepare their base for these issues to become major issues in the November election. So that’s kind of what’s happening in Texas. This is not an issue that is even polling well among the Republican base as what is their most urgent concern. Because of course, that is the border. But it is still something that we’re seeing spring up in the media. And with that, I pass it off to Brennan.

Brennan Suen: Hey all, and thanks, everyone for your horrifying presentations. I’m Brennan Suen, I am a senior strategist at Media Matters. I also ran the LGBTQ program--am currently running it for four years. So basically, all of the scary things that you’ve heard from the school board level to the state legislative level to the federal level are completely powered by right-wing media, including Fox News, but also including the ways in which platforms like Facebook and YouTube enable bigotry and anti-LGBTQ extremism. I don’t think that we would have as many bills or as many successfully passed laws without this right-wing media machine. In fact, I know that we wouldn’t.

And that includes the blocking of the Equality Act. There’s just a massive campaign, again powered by right-wing media, against the Equality Act and against trans affirming health care, particularly for youth and trans athletes, among other issues that they target—very much within the schools and kids realms. I’ll talk a little bit more about kind of the broader parental rights strategy that the Right is employing.

I think what Viv said earlier about stopping this legislation early on is really important and crucial, because it kind of goes to show you how powerful the right-wing media machine is. Because if it does advance out of committee, there is likely going to be more press, more focus, and then put Republican legislators and governors in a position where they really have to engage with it—and they’ll face consequences if they don’t. Kristi Noem, who vetoed the athlete bill, then passed two executive orders that did the exact same thing. And Asa Hutchinson—so it was the South Dakota governor [Noem] and Asa Hutchinson, the Arkansas Governor— Hutchinson actually vetoed the health care bill, it passed, and they were both like, I guess, victims of their own kind of machine. I hate to call them victims, but I think you know what I mean? They were attacked relentlessly by right-wing media. So we have right-wing media as a tool that is powering these local and state and federal policies. But then, as Adri said, there is also power in political and electoral strategies. We saw this also really deeply in Virginia with the Youngkin—with the successful Youngkin win.

We put out a few studies this year just showing how much the conversation

is led by Fox News; Fox News aired more segments on trans athletes in the first three months of this year than it had done in the two years before. There was like, a hundred almost—80. After Biden was elected, there was about 90 segments in the first couple of months about trans issues. And then on Facebook, we see that about two thirds of the interactions—likes, comments and shares—on political and news pages that are about trans issues, are on Right leaning pages. So we're seeing this kind of controlled by Fox News, by the Daily Wire, by Ben Shapiro, [who] were putting out information and just getting—reaching massive amounts of people. Heron mentioned earlier about there were specific attacks on Rachel Levine. And we found out around her historic confirmation hearing, there was 90 percent of the interactions—90 percent—were on right-wing pages. And this is like an amazing, historic moment. And I think it was about 70 percent of interactions on the Equality Act during the Equality Act hearings, so you can really see how they national—they respond to these national things. There's also a lot of localized stories they like to blow up. Suppose it's horror stories at a local level. They'll, you know, randomly get a lot of posts, a lot of interactions online about various legislation in states. Even in states that has really no chance of passing, if they can find an interesting angle, then too bad.

All the same time, we have a major failure by mainstream outlets to cover these issues. There's a dearth of coverage about anti-trans violence. We're putting out a study in January or February about that. They're not covering state bills, they're not covering many of these issues, ceding the ground to the Right. And when they do, particularly at the local level, because, you know, state based papers are often covering this legislation—not as much as they should be—they're almost always, the vast majority of the time, failing to include trans people.

We mentioned the parental rights issue earlier. This is going to be—we'll talk more about it in the predictions area, too. But this is going to be a major area for the Right. I mean, because it's, you know, in some ways succeeded for them in Virginia. There is a lumping in of trans rights, particularly for kids, including athletes and health care, with these broader issues, including masks and including so-called critical race theory. They are putting these all under the umbrella of parental rights to, you know, have your kid be the gender that you want them to be, and to not have your kids be exposed to, you know, whatever explicit materials they will say. And it has been successful for them. They really made a big deal out of it in the Virginia election. And there's a lot of organizing on Facebook. I mentioned Facebook earlier, kind of in a broader terms on the interactions. But there's a lot of smaller scale organizing. Media Matters identified 860 conservative right-wing parent groups and a lot of them,

you know—some of them might say they're focused on critical race theory or masks, but there's really been a melding together of all of these issues. And people are showing up at school boards, they're protesting, they're harassing kids and families, all as part of the strategy. So we're really seeing this like hyper local media attacks and social media organizing as part of this. And I will stop there. I also said a lot of things.

Koki Mendis: Thank you all. As you said, Brennan, that was a horrific last half hour that we really needed to start with before we get ourselves ready for 2022. And on that note, some of you started to talk about predictions and we'd really like to hear: what do you see happening in the coming year and how can movement folks prepare? And what should we all be looking out for at the federal, local, state, and in media? Fran, I'm going to start with you on what you were hearing from state groups.

Fran Hutchins: Yeah definitely, I will actually hand it to Viv, who's going to talk about what we're hearing from state groups.

Vivian Topping: Yeah, so I mean, I think there is a question, I think I think somewhere in the chat, about like, do you think that there's going to be more of this? And like, absolutely. I think we're going to see continued attempts to ban transgender youth from athletics. We're going to see continued attempts to ban gender affirming care for transgender youth. We're just going to continue to see that. I think that the Right has decided that this is their thing that they can do, and this is a thing that will work for them. And so we're going to see it. We're already seeing some of those pre filed in different states. We're already seeing these athlete bans start. We're already seeing medical caravan start up and keep going through. I think that—

Fran Hutchins: I just want to be—can I, before you move on to the more, the newer stuff—I just want to be clear that when we say that the Right knows that this works for them, that we also know that they are very intentionally—and we've seen their research—they are using this as a wedge issue. So they're going to make people go on record. They're going to get, you know, hearing transcripts. They're going to run on this in the fall. And so that's something that actually some of the state committees or the congressional committees have been instructed to do. And so we're definitely expecting that even in states, somebody mentioned, where we don't have a chance of this passing, they're going to try to get as much of it into the public sphere and discourse as possible.

Vivian Topping: And I think that's what's the most wild to me about that, is that there is there is literally an article in August 2020 in Politico detailing all of this, saying, Yeah, this is what we're going to do. And the press, the media has continuously acted as if, like, this is a brand new thing that they don't know anything about. I think, like, to kind of continue the things that we're potentially going to be seeing, when it comes to the access to medical care, a lot of what they've done over the years is slowly learn from each year where the backlash was hardest, and then move that out and go with something else. So I mentioned earlier that with athlete bans, they started with genital inspections. We have to look at a kid's junk to decide whether or not they're trans or not. And then in the next year, in 2021, we saw much less of those bills that included bodily inspections. There were not as many there. It was not as common.

What I'm wondering about and interested in is, what is the change going to be for the medical care bans? I think that parts of that are going to be about whether or not insurance can cover gender affirming care for transgender youth, whether or not state funding will continue to go to hospitals and medical institutions that serve transgender youth and potentially other— like just blanket bans on gender affirming care. I think the other thing to really think about is these continued attempts to attack youth in schools. We for a short amount of time thought, Oh, bathroom bans, we've defeated bathroom bans, we defeated the bathroom message. It's not going to come back again. But it has. We talked earlier about the business bathroom bill, where you have to like, put a sign out if you actually allow trans people to use the bathroom that aligns with our gender identity. But there also is a bill that was passed in Tennessee that was explicitly a school bathroom bill that made it so that anyone who is in a K-12 school, any student needs to use the bathroom of their biological sex. And so it has now been set that that's one of the buckets that we're worried about when it comes to school legislation, that there could be more of the school bathroom bills.

I think the other things we saw, in kind of in the same vein of these like parental rights-esque bills—which I really need a different name for— there are some that—there are buckets that required schools to only refer to students by the name and gender listed on their birth certificate. So if a child asks like, "I would like to be referred to by this name and these pronouns," they will not be able to do it. There are also bills that required staff and faculty to out students if they came out to them as transgender, and therefore like putting transgender youth in a space where if they come out to a safe and trusted adult, they could be outed a parent who may not be supportive of them as being a transgender youth. And so it really kind of puts them in a situation where school, which may have been like one safe space for them, gets lost.

And then the last one is similar to what we—what Adri was mentioning about book banning that happened in Texas—we’re starting to see more of those bills come up that are banning mentions of LGBTQ people in curriculum, up to and including banning certain types of books.

And I think the last thing that we’re wondering about that we might be seeing is just attacks on public accommodations protections. We know that when it comes to nondiscrimination protections, that the place that our opposition really goes to first is talking about public accommodations and trans people in public spaces, whether they’re locker rooms or bathrooms, or whatever it may be, right? So we are really expecting—and we’ve already seen a little bit of it and some rumors about it in different states—of restricting access to public accommodations for transgender folks. Whether that’s rolling back protections that already exist, or if that is trying to add a new piece of legislation in that makes it so that transgender folks can’t use certain public accommodations. I think we are really, at the end of the day, just expecting another really rough year. And I think that we are also a lot more prepared this year, just to give a little bit of hope, when it comes to what will happen in legislative session. Fran, did you want to add anything in there?

Fran Hutchins: No, I do just want to point out in the chat that someone shared their story that they went to a school with that policy and it was very harmful, so thanks for sharing that in the chat.

I think, yeah, I don’t think there’s anything else. I mean, I think we’re going to see all of that and more. I think, you know, and I just want to say, one of the questions was kind of like, how do we prepare? And you know, one of the things that we’re doing is just getting together more. So we are really partnering closely with all of the national groups that are working at the state level. We’re really partnering even more closely with our state groups, providing both financial and tactical resources to them. But I think that the sort of missing... not missing piece, but the thing that I think is going to be key here, is, as we continue to mention, things like anti-mask, critical race theory. Again, there’s some scare quotes on that. You know, all of the things that are happening. I do think it’s going to be really important that we have not just sort of like an LGBT movement strategy, but that we’re coordinating across movements as much as we possibly can.

Koki Mendis: Thank you, Fran. Thank you, Viv. I’m going to go to you, Adri. What is ACLU Texas looking towards in the next year and what are you all doing to prepare?

You’re muted.

Adri Perez: Thank you. Vivian is actually the person that I go to and ask, how long are we going to be doing this for? And then Vivian just says, For a long time. So I think an important thing to mention is we started the legislative session in Texas with the woman who filed the bathroom bill in 2017 actually correcting the language use of another senator who was referring to trans people as transgenders, and going on a little soapbox rant to say that they are transgender people. And by the end of the third special session, and they wouldn't even acknowledge the word transgender. And I think this is really important to mention because it's an excellent example of how militant the Right is with their messaging, and how they all fall in line to continue that message and hold each other accountable to that. And that is not something that is necessarily reflected on our side, of course. And that is not to blame anybody. I fundamentally hold that they're trying to uphold the status quo of colonization of 250 years of what gender meant, whereas we are trying to redefine that to include people who were not initially in the room when those laws were made. And that is a much harder task, and every single effort towards it is helping us get there. I just think that is an excellent example of how they themselves really hold themselves to this stringent example.

Texas was one of the first states ever to file a sports ban bill in the year 2017. I think I already said that, but that bill then passed four years later. Right? So we expect the same continued attacks that we've been seeing. But something that did happen in Texas this year is that there was a ban on minors being able to update their birth certificate documents. And so that is a bill that we expect to be refiled and hopefully it will never pass. But the way that they got to that bill in particular, was by mining our parents and our families and our communities for information over the course of, I think, over six hearings, six alone on the sports bill. But several that went off topics just to intrude on the details of transgender youth and families' lives to ask them how this process is done and to find out those details, to see exactly where they could pinpoint to attack our community on a local level.

The ACLU, actually, we do a lot of work with individual student cases and individual school districts that is highly dependent on whether or not school boards are in favor, and have policies that are in favor, of nondiscrimination. And so as we see the fight ramp up on CRT, as we see anti-trans and LGBTQ issues get pinned to that, we also see an increase in anti LGBTQ candidates running for school boards and winning, and beating some of our strongest champions on those school boards for these policies. And so what—I mean, we are monitoring school board elections as well as house district elections. In fact, actually in Texas— and I hate mentioning this on here— we have somebody

who was one of the biggest proponents of anti trans medical care bans who is now running for a State House district race. And well, I hope that he does not win. Any sort of clinging onto that sort of platform also elevates that anti-trans message, and also acts as a challenge for some reason to other candidates in Texas, for them to also up their anti-trans values and rhetoric and platform message. And we expect that to be an influence to other elections as well.

But other than that depressing recap [laughs]. I did see a question in the chat that was asking about laws similar to SB8, and it's just that SB8 creates a private cause of action that allows anybody anywhere, not only in the state of Texas, to choose to sue somebody if they believe that that person helped aid or abet an abortion past six weeks in the state of Texas. And so that is something that was highly effective for them to evade judicial review in the state of Texas, something that they have been working on for a very long time. And to say that that is not something that we expect to happen to LGBTQ laws in some way, shape or form would be foolish. They already attempted it on the sports ban bill, and it is likely that we will see that in some other way. And what we expect in this moment is to see it on a medical care ban specifically.

Koki Mendis: Thank you. Definitely sobering. And hopefully, we do spend a few minutes at the end celebrating some wins and each other. And that's a fascinating perspective on SB8. And so we'll definitely be keeping an eye out for similar legislation. Brennan. What's happening in the media? What do you predict based on what you've seen this year so far?

Brennan Suen: Yeah. I mean, you never know where you're going to get with the media. But I think we're going to just see like quantitatively more. The obsessive coverage is going to get worse, particularly with the midterms. I mentioned earlier kind of the local horror story angle, which I can drill down into a little bit more. This past year there were—there was a sexual assault at a county, at a school, in Loudoun County, Virginia. And it was a case of an interpersonal rape, which are sadly way too common. But it is not—the story that it was turned into was that it was because of a trans inclusive bathroom policy that was not even in place when this assault happened. So the story does not have the national—does not really have the kind of national implications that the Right made it out to be, but they blew it up. They mischaracterized the policy. They mischaracterized the person who—the kid who raped another student, and assaulted actually two students. And there very likely were some real mistakes, some by the school board there. However, again, it was a complete mischaracterization, and Fox News aired 88 segments about it in the two months leading up to—or maybe it was five weeks, I'm getting the time

period wrong. But 88 segments about this case, and they do the same with kind of any story.

So like, how often are you hearing national stories coverage on Fox about a college swim meet? A trans woman who won a college swim meet, I think last week, and there's just been relentless coverage. They have covered for two years two students, two Black trans students excelling at races in Connecticut high school and regional races in Connecticut. Not national stories. Yet, the implications that the Right pulled from them—I mean, they are national stories in that it's amazing for LGBTQ and trans people to be winning, and succeeding, but it's obviously not characterized that way by the Right.

So I definitely anticipate more examples. There is also the Wi Spa example of the Right just like, taking these stories and using them to try to basically prevent any kind of inclusive policies. And then, on the flip side, introduce anti-trans policies. I think we, you know, again, drilling down also into the parental rights and kind of localization and school board angles. We saw a lot of right-wing people, like a record number of recalls at the school board level, and then of right wing people running against progressive—or even just not extreme people—on school boards. And at the same time, a complete demonization of teachers that's been happening. A horrifying— I mean, the Right is literally telling kids to film their teachers and putting, you know, these teachers in really precarious places. It just shows how low they're willing to go in order to accomplish what they want politically.

So I think at the local level, we're also going to be seeing problematic media coverage by local outlets, which sometimes are well-meaning, but they're often just stressed for resources. I mentioned earlier that most, like most local coverage, was not quoting trans people. In Tennessee, for example, more than half of the stories are actually written by one reporter, and because of the way that, like local media has consolidated and is owned by the same places, they often run in a lot of outlets. So she may have had like actually a really good one report that included a lot of trans people. But then she might have had two that ran in 15 papers that did not. And so I think the local angle and the problematic local coverage, particularly on the school board level, is going to be a big threat as well.

And I think that there's a lot of message testing to do around this, but there are some indications of success when people actually address these things head on rather than diverting. I think a lot of times people have a tendency to be like, "Oh, this is too complicated. Trans issues, race, it's too complicated." And again, there is a lot of work that needs to be done and research that needs to be done. But I definitely don't think the answer is to just avoid these questions.

And then I think building off of the Politico article that was mentioned in the

chat, that Vivian mentioned, and the kind of overall strategy the Right spelled out, is that this strategy had actually failed twice in Kentucky and in Michigan. They had really pushed this hard. They were running anti-trans Facebook ads in the 2020 election against Gary Peters and Joe Biden. And they were trying to make it a big issue in Kentucky. And people—the Right was still a little bit wishy washy on whether they wanted to fully go all in on it. Obviously, that has changed with the Glenn Youngkin win and this broader parental rights strategy. So I think that is the little push that they needed to really go all in in the media. This, you know, I like to think of right-wing media as kind of the comms arm of some of these extreme anti-LGBTQ hate groups like Alliance Defending Freedom and American Principles Project. They can kind of get their talking points in them. Heritage owns its own media outlet. They can get all of the information out there, go on Fox, and really create the kind of momentum in a way that our organizations, unfortunately, can't. We have amazing comms people and amazing comms jobs, but we do not have a Fox News who will go and run 50 clips of our, you know, whatever, to really get a message out there. And that communications imbalance and information asymmetry is what's really scary and something that I see, you know, continuing into next year. Also bolstered by a complete inability for—not inability, by a complete lack of responsibility by—social media platforms to really do anything about the misinformation and bigotry that just is the complete profit motive of their platforms.

Koki Mendis: Thank you, Brennan. What I'm hearing is that this is a time to really be focusing on messaging and creating narratives and talking points that we can use within our movement and across our movement to compete, to whatever degree we can, with right-wing media. I mean it's certainly a behemoth opposition, but not impossible, right? Heron, I'm going to go to you to reflect on what our panelists have said and to give us an overview of the Right as a broader movement.

Heron Greenesmith: Yeah, let's just keep this depression parade going for another, you know, 6-7 minutes, and then please do drop any questions you have into the Q&A button—it's at the bottom of your screen if you're on a computer. And it's, I think, behind a little ellipsis if you're on your phone. But we can, we can get to those much more easily than looking at the chat because the chat just goes by so quickly.

So, I mean, I'm just going to hit on a bunch of things that folks have already talked about, but wanted to emphasize. We're definitely going to see an increase in the mis and disinformation around trans folks' lives, including from the anti-

trans medical groups that are popping up seemingly like mushrooms after the rain, largely platformed by organizations like the Heritage Foundation—which does have its own media outlet called The Federalist, that just lets people write op-eds in, and then treats them as if it's a mainstream outlet instead of just actually a think tank running an online newspaper.

We're going to see an increase in the platforming of anti-trans parents groups, detransitioner groups that are, you know, just lifting up the voices of anti-trans people of all kinds of experiences, including people who have transitioned further in their lives. I mean, everyone's gender goes through stuff, right? So I'm not going to talk about detransition, but I talk about it a lot on Twitter if you want to join me there. But, you know, groups like the Heritage Foundation specifically love to platform these these folks, and put them on panels, and give them op-eds in the Federalist, and get them on Tucker Carlson and give them—and they lend them the veneer of a much broader base of support for anti-trans advocacy than actually exists across the country, which none of us have mentioned. All of this legislation and litigation is actually antithetical to the large public opinion, which is in support of people living their autonomous lives without other people deciding what to do with their bodies.

We are going to see an increase—we haven't talked much about TERFs or gender critical folks yet, but we're going to see an absolute increase in influence and platforming of anti-trans feminists and gender critical voices. We're already seeing that happen later this—the latter half of this year, when anti-trans feminists are just being platformed by so many organizations and creeping into the mainstream. We're seeing op-eds in more and more mainstream outlets as they are lended legitimacy by the Christian Right organizations, whom they lend legitimacy to in this kind of ouroboros of horrible anti-trans bullshit.

We are going to see probably more litigation from anti-trans feminists and gender critical folks. We've seen a little bit of litigation this year around prisons filing Freedom of Information Act requests, which are not legal. You cannot access private health information about people in places of incarceration. But anti-trans feminists, including the Women's Liberation Front, continue to file these lawsuits and then to use what they find. And again, they don't find shit because you cannot, you know, release private health information, but release the information that they find to their constituents and then are legitimized by organizations like the Heritage Foundation and the Alliance Defending Freedom, who report out, you know, these findings as if they are legitimate.

I wanted to add a serious +1 to Brennan's thoughts about the highlighting of specific local and individual stories as if they represent trends across the United States. I'm thinking about the Loudoun County case was particularly horrible,

especially because the mainstream media did not seem to know how to deal with the level of disinformation and misinformation coming out of Loudoun County. Likewise, with the Wi Spa case in California and then from last year, a couple of years ago, the Luna Younger case in Texas was also leveraged to incredible impact by right-wing media, and the left wing media had no fucking clue—pardon my French—about how to talk about this family. It was a family, you know, problem. An individual family problem that the left-wing media and mainstream media had no structural support on how to talk about.

Unfortunately, I think we're going to have a huge increase in in-person protests at medical centers providing trans affirming care to youth and also to adults. There is more rhetoric going around among anti-trans feminists and gender critical people about how no one under the age of 26 should be able to access trans affirming care. So we have already seen in-person protests at some clinics, and one organization, an anti-trans medical organization, is claiming credit for disrupting a California 18 year old from being able to access trans affirming care last week. I see no reason why that won't just increase enormously, again, because media do not know how to talk about these stories, and talk about how the overwhelming medical consensus supports trans affirming care for everyone, including minors, and don't have access to the immediate press releases that the Right Wing have prepared in all these instances. So what they're getting is an inundation of mis and disinformation, and they aren't familiar with the players on our side, on supporting trans lives.

We are going to see an increase in legislation and litigation in support of religious exemptions from nondiscrimination protections and from the provision of trans affirming care. Both Masterpiece Cakes, and the *Fulton v. City of Philadelphia* case show that the Supreme Court is not quite ready to say that there are blanket religious exemptions to all nondiscrimination protections. But they are certainly ready to say that if you don't treat Christian Right, anti-trans, anti-LGBT values with reverence, deserving reverence, then you will be shot down and you will be forced to rehear the issue; or permit Jack Phillips, the cake baker, or Catholic Social Services in Philadelphia, to continue to discriminate against LGBT people.

And I just wanted to underscore what Brennan was saying about the one two punch the local stories and the local fervor reported that are going to be in support of and leveraged to showcase support of these broader legislative litigation and policy attacks that are going to be couched in parental rights. We're going to see more horror stories, in my view, of individual stories of, either trans people, or people assumed to be trans, gender nonconforming people, non-binary people doing bad things. Because guess what? We're all fucking people and everyone makes bad decisions sometimes, but we are going

to be—those stories are going to be lifted up in support of anti-trans legislation and litigation.

And that is not to say that we should be aware of being scrutinized because fuck that shit, we don't need to worry about the panopticon of surveillance weaponizing us against ourselves. That's not what I'm saying at all. I'm just saying that we're going to see more of that, those small stories being turned into myths and disinformation and leveraged in support of the legislative and litigation goals of the Christian Right right now.

Koki Mendis: Thank you, Heron. That was, I think, a really great way to transition us into the next part of that conversation to reflect on the very many points that you all have made. I will say, on time. So way to go, team. We have a solid half hour for discussion, to address the questions that are coming up in the chat, to generate some hope, some solidarity, to reflect on hope and solidarity we're already seeing in the movement. So I'll give you all a couple of minutes to review questions and choose what you would like to respond to. There are several in the Q&A function and more further up in the chat if you'd been capturing them. In the meantime, is anyone prepared to go? Is there question that you've been dying to answer live? Vivian?

Vivian Topping: I can start. I mean, I answered this by typing it too, but I just want to make sure it's clear. There is someone who mentioned, "I am trans and still trying to understand my gender identity. How do I best inform myself of my identity and explain it to others to reduce misinformation?" I want to be really clear. It is not the responsibility of every single trans person to reduce misinformation about trans people. Those of us who are trans on this call, we have chosen this line of work because for some reason we are masochists and we have decided to be in this. But you do not have to be that person. And even if you are in this line of work, it is not your responsibility to use your body and your story and your identity to help other people understand what it means to be trans. That is always owned by you and you are always there. There are also other ways for folks to learn what it means to be trans that don't involve making you, like, basically bleed your emotions for them. And so like, there are options like documentaries on Netflix like Disclosure. There are other things that have been really strong, other pieces of media that are available for folks to look at. And there's also other organizations like the National Center for Trans Equality, GLAAD, GLSEN, that have some of these things that are actual, like educational pieces for folks to learn about what it means to be trans. And so I would really encourage trans folks on this call—like this is a really hard time for us, it's a really difficult time, and protect yourself and protect your emotions

and your feelings and your story, because that is the most important thing to do for your care. We can't continue doing this work if you're not here.

Heron Greenesmith: And there are also small organizations around the country led by trans folks for and by trans folks of color, and non-binary people, and trans parents, who are doing incredible work, so people are doing the work. You don't need to take it on right now. Encourage the people in your life to support those organizations as a way to support you, too. Because when we build the foundations of the folks who are doing the work on the ground, then we have a strong foundation on which to stand to continue the work. So follow, support those local organizations. And if you have a local organization, drop it in the chat too—awesome.

Adri Perez: There's not a lot to add, Vivian is very thorough, but I just—as a trans person that is doing this work, I came out in 2010. I didn't transition until 2013, and I didn't start doing this work full time until last year. And so like there, there was a lot of time between when I came out to when I felt emotionally stable, secure, and safe enough to be able to do this on a day to day basis. And that's OK. Because we have to take care of ourselves first before we're able to take care of others. Base level right? Across the board, for all issues. And for a long time, talking about any of these things was deeply painful and impossible for me to do. And that's also OK. And so wherever you are and whenever you are there, it's completely OK. And however you are existing in this world, that is an act of resistance fundamentally—to be a trans person in this world right now. So what you are doing is that that's who you are and is enough. That's all I wanted to add.

Vivian Topping: I have one minor thing, I posted it in the chat, but lgbtcenters.org is the website for Centerlink, which is a network of LGBTQ community centers across the country and globally. And that is another place for folks to find resources, folks who can do that education. They are the folks to be able to do that and find a local community LGBTQ community center near you.

Heron Greenesmith: Hey, Adri, TS Candii had a question about bill numbers that protect Black trans rights— Texas is our deadliest state. Can you answer that one?

Adri Perez: There is a bill that has been refiled year after year and that would add protections for transgender individuals, the James Byrd Hate Crimes Act, that has actually been in law since 2003 in the state of Texas, which is remarkable—but it doesn't have protections on the basis of sexual orientation

or identity. And so there is a bill that has been refiled year after year in the state of Texas as far as proactive bills go for the LGBTQIA+ community. We had high hopes this year, since we were seeing a steady decline in anti LGBTQ legislation for the past three sessions, that they would move further this year than they ever have in the past. But usually those bills only get a hearing. And that is because we have a Republican majority in the House where there's only nine more Republicans than Democrats. And this is why electoral politics can be really effective in stopping some of this anti-trans legislation, and in also advancing some of the proactive LGBTQ legislation that is filed. Despite the high numbers of anti-trans bills that we see every year in Texas, we see just as many bills filed to protect the rights of LGBTQ Texans by our allies and by those who are LGBTQIA themselves in the state of Texas. I don't know if that answers the question.

Koki Mendis: Brennan, go ahead.

Brennan Suen: You know, there is another question from Thee in the Q&A about concerns and implications around teachers on parents rights. And I—and the specific work, or the specific challenges that teachers have had. And I will say that's a huge concern for us. And I would say, for the teachers in your life, like they should be careful what they post on social media. Unfortunately, we've seen a really relentless weaponization of the Right that has successfully gotten teachers suspended. There is a teacher who put up like a TikTok about having a pride flag in her room, and I think having the student say the Pledge of Allegiance and I know that she was suspended, I'm not sure she is being fired, but there was a completely massive, horrifying, scary, large scale campaign against her on the Right. People were posting about it. She was getting threats. And then also, unfortunately having to be careful in areas of public life. There was a Project Veritas—which, if you don't know, is like a right wing provocateur group, they secretly film people—and they got this teacher who was like, not really very smart, to be honest. But he was saying basically that he was training students. I mean, they definitely take—Project Veritas takes people out of context. But they were—the teacher was saying that he was like training kids to be Antifa. That's maybe not exactly what he said, but you know. So that again was weaponized against the school district, weaponized against the country. Even Fox News, I think it was today or yesterday, was putting out a teacher who had some association with the National Education Association, a Facebook post that she had made about people who were unvaccinated. So I think there is obviously—teachers should continue to be affirming and inclusive and teach that stuff, but maybe be careful about what they're doing publicly, and making

sure that their information is not susceptible to being doxxed or to threats.

That said, like, it's just a really unfortunate reality for teachers right now is that they can be doing everything right, and maybe some kid decides to film them, or a parent hears about a lesson that is, you know, a lesson that they should be giving to their students, and they are just at risk. And I wish I had like better things to say and better advice to give. But like literally my friends who are teachers, I am here for them because I know that they are—and it's a really smart tactic for the Right. Like, I hate that I have to fear for my teacher friends to teach the LGBTQ books that I buy for them for Christmas. But it is just like the unfortunate nature of the reality that we're in and the hyper local focus that the Right and right-wing the media is having. It's a fact that you could end up just doing your job and end up on Tucker Carlson. So I hate to not give you a lot of optimistic news about there. There's absolutely a lot of concerns and teachers are really stressed. I mean, it's illegal in some states to teach about the lasting impacts of race in our country. So yeah, it's really scary. Support them, you know what, the thing I will do is support your teachers, friends, give them money, buy stuff for their classrooms, buy books, buy hand sanitizer.

Heron Greenesmith: Run for school board, be the big queirdo on the school board. We need people on school boards.

Brennan Suen: Definitely.

Koki Mendis: Fran, do you want to take a question, either by Jennifer or Sean?

Fran Hutchins: Yeah, I was going to do them in one fell swoop, those two questions. They don't look related, but they are related. So Jennifer wants to know if there's a realistic chance of the Equality Act getting a Senate vote by March. And Sean wants to know, how do we hasten the day that the Right starts losing most of their anti-transgender efforts? And so I want to answer both of these questions, sort of kind of theoretically in one. With the Equality Act, no, there's no chance that it's going to get a vote in the Senate by March unless the filibuster rule is changed. I mean, it could get a vote, but it's not going to get 60 votes. It needs 60 votes to pass. So as written, the Equality Act is absolutely not going to pass. Now that said, no legislation gets passed as written, and so I think that they will have to be some pretty tough negotiations. We know that Tammy Baldwin, Cory Booker and Jeff Merkley, who are the co-sponsors, or the authors of the Equality Act, are having really tough member to member conversations right now with Republicans. And so at the current moment, the only path to getting the Equality Act or any nondiscrimination

legislation for the LGBTQ movement passed is going to be finding a bipartisan 60 vote solution.

So I think it's just going to be a really tough slog. We're doing the work, we want to have our legislators' backs. Brennan mentioned that there was this huge coordinated campaign on the Right against the Equality Act, whereas we didn't hear like—even though we sent out a million action alerts about it. And I know that all of our state partners did too, we weren't hearing, we weren't feeling— it wasn't feeling very salient to our community. And so, you know, to go back to to Sean's, to connect the two questions, salience is really the key issue here. So one of the reasons that we started winning in the early 2000s after losing a lot, was around 2008, 2009. The tide started to turn. And, you know, a lot of things came together, right? We got better messaging and we had lost a lot, so we learned a lot. But the major thing was that public opinion had shifted and was beginning to shift, and the elected officials were starting to get nervous about being so anti LGBTQ, anti-marriage, for example. And you know, it just lost salience for the Right. And it gained salience for folks on our side. Importance, I mean, by salience. If I have 10 issues I care about, this becomes one of the most important issues that I care about, right?

So for us right now, the Equality Act is probably not one of the top 10 issues that the queer community is really that interested in. You know, to be clear, it would be life changing. It would be life changing legislation of the century if it passed. But it's just not rising at this moment, and I'm sure you can figure out why with what we've talking about this whole hour and 13 minutes. You know, it's not the first thing that people are thinking about. And so I think that the answer for both the Equality Act and for how we move—you know, we've got to move salience, we've got to actually talk about and get our community and our allies invested in trans issues. That means organizing, that means public education, that means fighting back. And it's all of it. And then somehow our opposition needs to start getting nervous that we're actually powerful and that this is not going to be a winning issue for them. I don't know what they'll move on to next, Heron will probably be able to tell us. But once we get to that point, they'll do something else. They're not going away. But I do think that we have to have a groundswell of making this issue so top of mind important and salient, so that it's actually something that our community is really bought in on, and that we are really talking about this all the time, you know, with our with our elected officials, with decision makers, as much as we can so that we win. If we can start winning, we can win one or two of these—this is actually the theory that Equality Federation has this year—is that if we can have one or two really significant wins where people thought we were going to get a bill passed and we beat it back, or we get something positive passed where we didn't expect it,

then we can start moving that momentum.

Koki Mendis: Thank you, Fran. Vivian, can you continue with Cole's question?

Vivian Topping: Yeah. So I just want to like, can I start here? So Cole's question was, "In the media it seems like liberals are increasingly being open minded to gender critical views. And increasingly, there are high profile trans people, doctors, et cetera, supporting some restrictions on trans health care, too. Is this trend happening in Congress and Senate too, or are typical Dems listening to trans media advocates?"

I think this is one of the things where it is about continuing to contract messaging. Whenever people talk to us about how do we talk to a legislator? Or how do we talk to them about these bills? Can we just say, like, here's all the facts that we have. Here is this fact. Here's this thing here. Facts are never going to actually change someone's mind because like all the same, here, they are going to come up with their own people that they can find. They're going to find their own doctors who can say that trans health care is harmful. They are going to find their own detransitioned trans people that are willing to talk about this. They're going to find their own trans people who can talk about regret that they may have felt or who may be bringing up questions to ask. And so I think the biggest question here is like, yes, they are kind of coming for every, every single spot. So when you think about like, is this trend happening in Congress and Senate? Yeah, like they are sending their people in, they are sending people to talk to legislators as well. And in order for our Senate Dems and our House Dems to actually listen to trans community advocates, we need to be calling in. We need to be speaking to those senators. We need to be talking to our legislators. And I say we, I live in DC, so I actually don't have a senator or representative to talk to. I have shadow senators and representatives. But I think it is—it is just another reminder that there will always be another voice that they can pull. There will always be another fact that they can pull from their study that they say that is the actual thing, that they are manipulating to say is the actual thing. And so it is just a reminder for folks that, like, yes, this is happening, we need to to meet them just as much and make it harder for them. Just like Fran was talking about, about needing to make this difficult for them. We need to mobilize and make this hard for senators to actually focus on what our opposition is saying. We need to make sure they are hearing true authentic stories from trans people and the people who love us, and moving that forward in order to counteract the things that are constantly coming through.

Koki Mendis: Thank you, Vivian. Heron, I want to move to you really quickly.

And also sort of thinking to what Fran was saying about increasing the salience of this issue so that there's more mobilization—a lot of your work looks at the overlap of religious Right and right-wing agendas. Can you do some of that connecting for us so we can see why trans rights are relevant for multiple reasons and why it's related to other right-wing agendas?

Heron Greenesmith: Yeah, we're going to be doing this forever. And I don't see that in like a way like, we're going to lose, but, you know, there are people who for many, many reasons, they want to consolidate power. They are frightened of changes in their world. They believe in scarcity. They believe in the American myth that if you push other people behind you, that you can succeed. And they will always be incentivized to achieve what they think is right by drawing lines between who should have access to services and health and well-being and happiness, and who shouldn't have access. And they'll draw those lines based on, you know, usually kind of what is salient in society at the moment. So, you know, we've seen in the past how those lines can shift, how Whiteness constantly gets redefined, right, to include the people now who are considered appropriately White and to exclude the people who are not appropriately White. And the people in power will always draw and shift those lines. And it's a moving target. And those people also will always be in the minority because literally that is how it works. The minority wants to hold on to power while the majority actually has the power. So the minority has to use horrible tactics like, you know, maintaining power through authoritarianism, for example. Like this is literally the theory of authoritarianism. You know, like people who are losing their grasp on power, rely on authoritarian tactics in order to hold onto it. So we're never going to escape from—we're never— that's a horrible way to say it, escape. We are always going to have jobs fighting for justice because there will always be people for whom we need to—for whom we need to make sure justice is accessible. And right now, trans people, non-binary people like myself, gender nonconforming people, are at the heart of the authoritarian tactics that the Right is using.

And the Christian right has an incredible hold on power in the United States. And the Trump administration gave them even more access to power, consolidation of power. And they are not going to let go of that power without an enormous fight. And they have access to incredible reserves of funding because literally again, the billionaires who are a tiny minority are going to spend their money where it works, and that will be supporting the people who are going to support authoritarianism, so that we can continue to consolidate power and money. So this is a very old story. It's been told throughout every, you know—I shouldn't say every—many societies throughout history, especially

societies that relied on colonialization in order to spread their empires. I know I sound kind of like a crock pot when I get into this level of talking.

But you know, I just—there's there's a reason why the Christian Right is attacking trans people and non-binary people and gender non-conforming people right now. And you can either listen to their theology in which they say that they believe that you need to bring about a Christ like earth right now, so that Jesus can return. And you can believe that theology, and that's what you can decide to attack. And you can say that's not what I believe, and I think that we should have, you know, a religiously plural society that includes people who believe that and people who don't. And we shouldn't harm people based on our beliefs. Or you can look at what the Christian Right is doing right now, and consolidating its power, and supporting legislators who attack autonomy and reproductive justice and trans folks. And you can say, I don't believe in that form of authoritarianism. Both of those attacks are correct. We don't even need to believe people when they say that they have a theological basis for their authoritarianism. You can believe it or not. It doesn't actually matter because they don't care if you believe it or not. George says that's dominionism—exactly, dominionism is the Evangelical Right theory that Christians need to have access or have dominion over the seven mountains of life. And the mountains are like, government, and media, and the arts, and education. And during the Trump administration, the Christian Right did have dominion over those areas in the United States. We had Betsy DeVos as the Secretary of Education; we had Mike Pence as the vice president; we had Bill Barr, a Catholic, but close, you know, closely affiliated with the Evangelical Right, you know, literally having a dominion over law enforcement in the United States. [Laughter] Whenever I talk about Dominionism you get uncomfortable! Listen, I'm sorry. Come stand in my shoes for a little while and you will feel very uncomfortable.

So I guess this is to me, this is a comfort that I know that I am on the right side because I am in the majority of people who believe in autonomy, who believe in justice, who believe in health and well-being, and that I know who my enemy is. My enemy are those people who are consolidating power to take away justice and take away autonomy. And I have so many incredible colleagues with me here. But no, I don't think this fight is ever going to end. I think as soon as people get bored of, or the trans stuff stops bringing in money, then we'll just move on to the next thing. Migration has certainly slipped out of the public conversation, but attacks on migrants continue to be horrific, and the Biden administration is just, you know, neglecting to support autonomy and justice and health and well-being for migrants. So this shit isn't going to end. But we have our jobs and we have each other. It's going to be incredible.

I did want to address one of the conversations about TERFs and that Ashley

asked: are TERF groups sprouting up on their own or are they receiving guidance and funds from larger anti-trans groups? And both is true. There are TERFs who believe horrible things about trans people, and they are organizing themselves on Facebook and on their own social media platforms. If you want to find TERFs, they have a Reddit version called Ovarit, like O V A R I T over it. Adri is like, What? [Laughter] They also have their own Twitter, which is called Spinster. So if you ever really want to get into the TERF sphere, you can join for their alternative social media programs. So the TERF sphere and the gender critical sphere, you know, will always proliferate and their leaders will pop up and have some influence.

But absolutely without the Christian Right's platforming and legitimizing of anti-trans feminist voices, they wouldn't have the influence that they do have. You know, one of the biggest examples of this is how the Alliance Defending Freedom gave the Women's Liberation Front fifteen thousand dollars to file suit against the Department of Education around Gavin Grimm's case. And the Department of Education's guidance around how to support trans folks in schools. So that's, you know, that's kind of number one. And the Women's Liberation Front then later partnered with Family Policy Alliance also to attack Gavin Grimm and to just continue its insistence that somehow the existence of trans people takes away something from women, which is just laughable because as far as I know, women still exist. I mean, Koki you're a woman, right? And you still exist. Great. Perfect. I'm glad to hear that. So, you know, I think it's both. There will always be voices in every community that are willing to throw their own community under the bus, and the Right Wing will platform those voices. You know, Candace Owens is a perfect example, a Black person who is willing to say the worst things about Black people and to be platformed in saying them. And yeah, anti-trans feminists, especially gender nonconforming, anti-trans feminists, I think, are the perfect example of that: people who are being platformed by the Christian Right in order to give Christian Right advocacy the veneer of a much broader base of support than it has. Which is not to say we shouldn't take these threats seriously. You know, the Women's Human Rights Campaign entered the UN Convention on the Status of Women this past year and was able to give an entire presentation on their rewriting of the Convention against Discrimination against Women. So they have access to power, and it doesn't really matter how they gained access to power. We have to be able to support them.

And then finally, I wanted to say to Viv's point about facts not being—facts not combating mis and disinformation, I think that is true and that we need to tell our personal stories. And also, we absolutely need to provide media with facts. Because right now the media are being provided with one set of facts,

which are mis and disinformation. And then, you know, some personal stories. And certainly the large medical groups are providing folks with press releases about how the American Medical Association supports trans affirming care for everyone, including minors. But it is absolutely essential that we provide media with facts around trans lives, and stop people from reproducing over and over again the discredited Swedish survey, which is literally the only survey—that and Lisa Lichtman’s discredited research on trans youth—that are being proliferated by these organizations. So we absolutely need to be able to combat that misinformation with actual data that we have that exists.

Koki Mendis: Thank you, Heron. We have a couple more minutes before we close. So I just want to give people a chance to lift up really good work, work that’s inspiring new partnerships that are keeping you going, you know, convenings that you’re looking forward to and want to raise awareness of. So if someone wants to jump in with a little bit of positive thinking that we can also put towards next year just as much as our strategic planning, like, let’s think about how to keep going, too, in this moment.

Vivian Topping: I can start.

Koki Mendis: Yeah, Vivian, go ahead.

Vivian Topping: Happy to. So I think the thing that I really want to lift up is just the amount of work that organizations and advocates here on the ground are doing to fight against this. So, you know, folks like the people at our state partners, that are on the ground every single day, all the time doing this work—and we talked a lot about Texas, I think Adri is one of those people. But then also Emmet Schelling and the folks at the Trans Education Network of Texas, and Ricardo Martinez and the folks at Equality Texas; I mean, Texas had basically a 10 month session where they were constantly fighting against this stuff, and they defeated almost every single bill, except for one. And so I think, like, when we think about this, it’s remembering that there are folks on the ground who have defeated the vast majority of these bills. When we talk about the number of bills that have been introduced versus the number of bills have actually passed, we have won more than we have lost. And I really want folks to kind of like, hold on to that, and understand like, we are in a dark time right now, but we are winning. I think, Adri I might be about to steal one of your things. I’m going to quote Kai Shappley, who is a trans youth from Texas, who speaks out quite a bit on this stuff and has testified most of her young life at the Texas Capitol: “There are more people with us than there are against us at the end

of the day.” And I think that that is really important for folks to hold on to...to remember.

Koki Mendis: Thank you Vivian, that’s a great example of facts to lift up too. Anyone else before we close?

Well, I want to thank you all so much, Fran, Vivian, Brennan, Adri, Heron, this has been a fabulous panel. Really informative, really incisive, I think the exact kind of analysis we need at the end of the year before we take a short break and come back renewed in January to keep fighting. In the meantime, I do encourage all of you in our audience to follow the folks on this panel. We will be sharing social links, hyperlinks to organizations. For more analysis on the anti-trans movement, you know to go to politicalresearch.org for incredible pieces written by our very own Heron here today. And I encourage you to stay up to date with the folks that we just heard from today. Thank you all again. We will, as I mentioned up top, be distributing this recording and transcript of today’s webinar by email and our website next week. And onward!

Brennan Suen: Thanks, everybody.

Heron Greenesmith: Thank you. Please subscribe to our newsletters to get information about how to register for other webinars.