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April 22, 2020

Governor Bradley Little
Idaho State Capital
PO Box 83720
Boise, ID 83720

Governor Little —

We are writing to you today to discuss two bills you recently signed off on — Idaho House Bill 500 and Idaho House Bill 509 — which negatively impact transgender Idaho citizens, who already suffer from high rates of depression, mental illness and violence due to discrimination against their gender identity. The text and intent of these bills exhibit blatant transphobia and by signing them into law, the state has potentially opened themselves up to a host of expensive lawsuits. For these reasons, HB-500 and HB-509 are not in the best interest of Idaho's general population.

Five former Idaho Attorney Generals wrote you urging you to veto HB-500 because it is "legally infirm" and would cost the state a substantial amount to defend in court. Furthermore:

- Prior to the passage of this bill, Idaho's rules for transgender people participating in athletics aligned with the standards set by the NCAA
- There have been no documented instances of transgender women having an inherent advantage over cisgender women in female athletic programs in Idaho
- Transgender status is private information protected under Title IX and FERPA

Two years ago a bill similar to HB-509 was challenged in court. A federal judge ruled that it is unconstitutional to deny transgender people the right to change their gender marker on their birth certificate. The passage of HB-509 was a mistake that will have several negative repercussions. Furthermore:

- The Idaho Office of Attorney General estimated that upwards of \$1 million will be spent fighting lawsuits against this bill. With the current Constitutional Defense Fund reportedly having just \$1.3 million in it, how will the state find the

funds to fight lawsuits stemming from HB-500? Reallocating taxpayer money to further a discriminatory cause is not in the best interest of Idaho citizens.

- It is still legal for people to change their gender on their passport and driver's license, therefore, there is no reason birth certificates should be any different
- When a transgender person starts presenting as their new identity having the wrong gender marker on their birth certificate could unexpectedly out them. This would be traumatizing and could/has led to harassment

We, as student leaders and as future state leaders, are disappointed with your decision to sign HB-500 and HB-509 into law. These bills have no constitutional or scientific basis and are negatively targeting a community that already faces a host of hurdles and discrimination based on who they are. The bills are unnecessary, potentially expensive, and may produce various legal repercussions. They also conflict with the general public's support for the transgender community.

Respectfully,

Mary Alice Taylor and Aaron Bharucha

Co-signed:

President Jacob Lockhart, *Associated Students University of Idaho*

President Camdon Kay, *Associated Students Idaho State University*

President Kaleb Smith, *Associated Students Boise State University*

President Kason Seward, *Associated Students Lewis-Clark State College* (behalf of self)

Vice President Faustine Moulton, *Associated Students University of Idaho*

Pro Tempore Laura Hannon, *Associated Students University of Idaho*

Senator Lauren Carlsen, *Associated Students University of Idaho*

Senator Stella Davidson, *Associated Students University of Idaho*

Senator Jeffrey Lasorella, *Associated Students University of Idaho*

Senator Kallyn Mai, *Associated Students University of Idaho*

Senator Alexia Peck, *Associated Students University of Idaho*

Senator Ezmeralda Perez, *Associated Students University of Idaho*

Director of Diversity Ariana Suaste, *Associated Students University of Idaho*

Vice President Kyra Bensing, *Associated Students Idaho State University* - Idaho Falls

Senator Uma Shankar Medasetti, *Associated Students Idaho State University*

Senator James Pascali, *Associated Students Idaho State University*

Senator Kyle Schultz, *Associated Students Idaho State University*

Senator Maddy Wilson, *Associated Students Idaho State University*

Vice President Mikayla Melchert, *Associated Students Boise State University*

President-Elect Angel Cantu, *Associated Students Boise State University*

Vice President of Inclusive Excellence Lydia Hernandez, *Associated Students Boise State University*

Inclusive Excellence Student Council Member Alyssa Wainaina, *Associated Students Boise State University*

Communications Officer Cambree Kanala, *Associated Students Boise State University*

Chief of Staff Cheyon Sheen, *Associated Students Boise State University*

Government Relations Officer Morgan Brummund, *Associated Students Boise State University*

Vice President JaeDa Lay, *Associated Students Lewis-Clark State College* (behalf of self)