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December 4, 2018

Acting Attorney General Matthew Whitaker, U.S. Department of Justice

Secretary Alex Azar, U.S. Department of Health and Human Services

Secretary Betsy DeVos, U.S. Department of Education

Dear Mr. Whitaker, Secretary Azar, and Secretary DeVos,

We, the undersigned medical, legal, and policy organizations and individuals applaud the Trump Administration's intention to uphold the scientific definition of sex in federal law and policy, such that girls and women will regain their sex-based legal protections, and the human rights of all will be preserved.

On February 22, 2017, the Department of Justice, in conjunction with the Department of Education, sent a Dear Colleague letter rescinding unprecedented "guidance" the previous administration had issued to expand the definition of sex in Title IX to include gender identity. On October 4, 2017, the Department of Justice issued a Memorandum regarding Title VII of the Civil Rights Act of 1964 to clarify that gender identity is not legally included in the definition of sex, pointing out that the ordinary meaning of "sex" is biologically based. The New York Times article on Oct. 21, 2018 regarding a leaked memo from the Department of Health and Human Services (HHS) leads us to believe that HHS is continuing this trend and leading an effort to have a uniform, scientifically based, definition of sex across the various agencies. We write to applaud and encourage this effort.

Not only is an expanded definition of sex unscientific, but it has also proven harmful, as we detail below.

According to the Institute of Medicine, sex is a narrowly defined biological term.

Sex is a biological trait that defines living things as male and female based on the complement of sex chromosomes and the presence of reproductive organs.ⁱ The American Psychiatric Association defines sex similarly as the "biological indication of

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outcome is more likely than others." ^{vi} Clearly, the existence of rare disorders of sex development do not constitute a sex spectrum.

As evolutionary biologist Dr. Colin Wright of University of California, Santa Barbara recently penned, "The claim that classifying people's sex upon anatomy and genetics 'has no basis in science' has itself no basis in reality, as any method exhibiting a predictive accuracy of over 99.98 percent would place it among the most precise methods in all the life sciences." ^{vi}

The use of congenital disorders to advance the myth that there are a multitude of human sexes which exist on a spectrum is ideological and political activism, not science.

Gender identity is not an immutable trait found anywhere in the body, brain, or DNA. ^{vii} Gender identity is an awareness of, and comfort level with, one's physical body. Gender identity may be factually correct or factually incorrect, and, unlike sex, may change. Children with gender dysphoria, for example, will come to identify with their biological sex in 61-98 percent of cases by adulthood. ^{viii} There is also a rise in the number of adults who seek surgery to reverse their past sex reassignment surgeries. ^{ix}

The claim that upholding the scientific definition of sex will increase suicide among transgender identifying people is false. Individuals who identify as transgender may have mistaken beliefs about themselves and their bodies. They suffer real emotional distress and are at a higher risk for mental illness, including suicidal ideation, as compared to the general population. Social and medical "gender transition and affirmation," however, is not proven to decrease suicide rates.

The rate of suicide attempts among transgender identified individuals has been estimated to be almost 9 times that of the general population. ^x Sweden is a transgender affirming country that has adopted laws and policies conflating sex and gender-identity. Nevertheless, a study conducted by researchers there in 2011 found the rate of completed suicides among surgically "gender-affirmed" adults to be 19 times greater than that of the general population. ^{xi} Clearly, transgender affirmation does not prevent suicide, and may paradoxically worsen the emotional health of these individuals in the long term.

Upholding the scientific definition of sex in law and policy protects everyone's right to privacy, protection and equal treatment, especially that of girls and women. It is impossible to protect girls' and women's rights unless the law defines them solely according to objective biological reality and not according to subjective gender identity. When gender identity is erroneously treated as equivalent to sex in law and policy, then a male may at any time demand the rights, protections and access afforded to females. This

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ⁱⁱ American Psychiatric Association, *Diagnostic and Statistical Manual of Mental Disorders: DSM-5* (Washington, D.C.: American Psychiatric Publishing, 2013), p. 829.

ⁱⁱⁱ "Researchers Identify 6,500 Genes That Are Expressed Differently in Men and Women," *Weizmann Wonder Wander* (Weizmann Institute of Science), May 3, 2017, online at: <https://wis-wander.weizmann.ac.il/life-sciences/researchers-identify-6500-genes-are-expressed-differently-men-and-women>; reporting on: Moran Gershoni and Shmuel Pietrokovski, "The landscape of sex-differential transcriptome and its consequent selection in human adults," *BMC Biology* 15:7 (2017), which says, "[T]here are over 6500 protein-coding genes with significant SDE [sex-differential expression] in at least one tissue." Online at: <https://bmcbiol.biomedcentral.com/track/pdf/10.1186/s12915-017-0352-z>.

Obama to force women's shelter to admit 'transgender' men: report

 www.lifesitenews.com/news/obama-to-force-womens-shelter-to-admit-transgender-men-report

Ben Johnson [Follow Ben](#)

WASHINGTON, D.C., August 16, 2016 ([LifeSiteNews](#)) – Barack Obama is set to finalize a federal rule requiring many women's shelters to admit men who identify as "transgender," potentially placing abused women and children at risk of being victimized again.

If enacted, all homeless shelters – including battered women's shelters – that receive federal funding would have to allow people to use the homeless shelter of the sex with which they identify, regardless of their appearance, anatomy, or the "complaints of other shelter residents."

Department of Housing and Urban Development (HUD) Secretary Julián Castro [proposed](#) the so-called "Equal Access Rule" last October. Media outlets say it will become final next month.

"[T]he provider may not ask questions or otherwise seek information or documentation concerning the person's anatomy," nor refuse to allow anyone a bed "because the client's appearance or behavior does not conform with gender stereotypes," it reads.

Although the shelter "may consider...whether a particular housing assignment would ensure health and safety" on a "case-by-case basis," it may not base its decisions solely on the "complaints of other shelter residents."

"It is likewise prohibited to deny appropriate placement based on a perceived threat to health or safety that can be mitigated some other less burdensome way (e.g., providing the transgender shelter seeker the option to use single-use bathing facilities)," the proposed measure says.

David Stacy, government affairs director at the Human Rights Campaign, an LGBT lobbying group, said the regulation is necessary to preserve the mental health of transgender people. "If you're a transgender woman and you walk into a homeless shelter and they treat you like a man, it's traumatizing," he told *The Hill*.

But pro-family advocates say the proposal endangers the physical safety of biological women.

"This is yet another example of the Obama administration's bizarre obsession to force women to be unwilling participants in a radical social experiment. Sadly, more and more women have to sleep in homeless shelters because of the Obama administration's [abysmal economic performance](#)," Gary Bauer, the president of [American Values](#), told LifeSiteNews. "Now Obama's HUD bureaucrats are putting those women at risk for abuse and worse by men claiming to be women."

Not merely hypothetical

Peter Sprigg, senior fellow for policy studies at the [Family Research Council](#), told LifeSiteNews the policy could harm "vulnerable women and children who may have already been victims of physical or sexual abuse."

"The 2012 assaults committed by Christopher Hambrook while posing as a transgender woman in two Toronto shelters show that this is not merely a hypothetical concern," he said.

The Transgender War on Women

The Equality Act sacrifices female safety in restrooms, locker rooms and even domestic-violence shelters.

By Abigail Shrier
Wall Street Journal
March 26, 2019 6:51 p.m. ET

It has become rightly fashionable to ridicule the idea of “safe spaces,” places where adults can hide and sulk like children avoiding ideas they find threatening. But women need actual safe spaces—not from intellectual challenge, of course, but from physical threat of harm from men. As a biological matter, most women are physically outmatched by men. Men are stronger and faster than we are, though we’re better able to tolerate pain and tend to live longer.

House Democrats introduced a bill this month that would outlaw safe spaces for women. The Equality Act—so called because, to put it charitably, Democrats excel at branding—purports merely to extend protections of the Civil Rights Act of 1964 to people who are gay and transgender. Insofar as it would prohibit landlords from evicting tenants and employers from firing employees based on sexual orientation, it is no doubt long overdue.

But the bill goes further, proposing to prohibit discrimination based on “gender identity.” That claim directly competes with the rights of women and girls. Any biological males who self-identify as females would, under the Equality Act, be legally entitled to enter women’s restrooms, locker rooms and protective facilities such as battered-women’s shelters. This would put women and girls at immediate physical risk.

Because courts typically interpret Title IX of the Education Amendments of 1972 according to the provisions of the Civil Rights Act of 1964, amending the latter would alter the understanding of the former. Biological boys who identify as girls would gain an instant entitlement to compete on girls’ teams in all 50 states. No more democratic discussion of accommodation, competing interest, sacrifice and fairness. No more debate about whether we should really allow girls’ scholarships and trophies to go to male athletes who were unable to excel on the boys’ teams. No more discussion about whether it’s right to allow, as we have, biological men to pick off championships in women’s and girls’ powerlifting, cycling, wrestling and running. These emergent public discussions would be locked away in a vault of civil rights.

Part of the reason women have been reluctant to object to these incursions into their hard-won rights has to do with embarrassment at acknowledging our biological differences, which some leading feminists have denied for years. But women are biologically different from men, as the chromosomes in every cell of our bodies readily testify. (How absurd that this is necessary to point out.) And one source of many of our physical differences resides in our glands.

Boys undergo a testosterone surge during puberty that is 10 to 40 times what girls experience, conferring lifetime physical advantages: vastly greater muscle mass, bone density, more fast-

When Feminists Abandon Girls

Women's groups stay silent on the threats and injustices posed by transgender "equal access."

[Abigail Shrier](#)

The Social Order

City Journal

February 3, 2019

<https://www.city-journal.org/transgender-equal-access>

Thanks to a bill [signed into law](#) last week in New York, biological men who identify as women now have full access to women's bathrooms, locker rooms and, yes, battered-women's shelters. If you naively expected organizations such as the National Organization for Women to lobby on behalf of women against this law, you haven't been paying attention. When it comes to all things transgender that come at the expense of girls and women, America's famously outspoken feminist organizations find themselves at a curious loss for words.

Feminist oracle Planned Parenthood [proclaims](#) on its website that "male" and "female" are each merely a label "that you're assigned by a doctor at birth." Tell that to the girls of the Palm Springs High School water polo team who walked in on a male last week, showering in the women's locker room at the city pool they use for team practice. The team coaches confronted the man, only to be rebuffed. He was entitled to be there, he said, since he identified as a woman—his full complement of male genitalia notwithstanding. The police declined to pursue the case, according to CBS local news, on the grounds that "no laws were broken."

Regulations promulgated under California's Fair Housing and Employment Act grant individuals the right to use bathrooms and locker rooms according to gender self-identification. The Palm Springs city manager assured parents that the city would install dividers between the showers as well as an additional, "unisex" shower, near the locker rooms for transgender use, though such individuals have no obligation to use them.

The disproportionate physical strength of men is one reason we have, since the nineteenth century, barred men from entering women's restrooms. Allowing biological men into enclosed spaces with young girls whose pants are puddled at their ankles or lassoing their knees doesn't necessarily mean that the guys will attack. But if they wanted to, they would find girls and women significantly compromised. From the earliest days of high school, when most boys hit puberty, they face no comparable threat in an enclosed space with women or girls. And if such violence were somehow never to occur, it would still not be unreasonable for young girls in such situations to feel threatened, regardless of how many shower curtains, each the thickness of a human hair, are installed.

Stall dividers must be the answer, then, advocates insist. If we can put enough of those in, then girls will never be traumatized, assaulted, or treated to a peep show of male anatomy—at least, not in great numbers. In *Joel Doe v. Boyertown Area School District*, the Third Circuit seemed to think along these terms when it concluded that "the presence of transgender students in the locker and restrooms is no more offensive to constitutional or . . . privacy interests than the presence of other students who are not transgender." What does it matter what the person is doing in the closed stall next to you? Or what they look like when their pants are down? If hell is other people—as Sartre had it—perhaps it matters not if the devouring eyes are male or female.

Let's stipulate that the vast majority of trans-identified persons are upright citizens. Perhaps there will never be a sly math teacher who goes home one summer, grows out his hair, and announces that he is now "Jane" and will be using the girls' locker room. But even if the Palm Springs "woman" never became violent, would those girls find no reason to feel threatened, confined within the tiled walls of a locker room with a person possessing full male genitalia—as 89 percent of trans women do, according to the National Center for Transgender Equality's 2015 survey? Dare I mention the assault to their dignity?

When he was a man called Mark he was locked up after threatening to kill the mother of his child... today she's a woman called Melissa and able to roam free at a shelter for female domestic violence victims

- **Men who identify as women allowed to live in refuge hostels for female victims**
- **Mark Addis, 44, deemed a threat to his former partner after threatened to kill her**
- **Bosses at St Mungo's allowed transgender ex-prisoner to make 'almost daily' visits to the hostel after he changed his name to Melissa**

By [SANCHEZ MANNING](#) and [JULIE BINDEL](#) and [MICHAEL POWELL FOR THE MAIL ON SUNDAY](#)

PUBLISHED: 18:47 EDT, 6 April 2019 | **UPDATED:** 05:10 EDT, 7 April 2019

Men who identify as women are being allowed to live in refuge hostels for female victims of domestic and sexual violence – even if they have not undergone sex-change treatment but simply say they want to live as a woman, The Mail on Sunday can reveal.

The move follows a radical change in policy by charities that receive millions of pounds in public money to run refuges for women fleeing abusive relationships.

In one shocking case, The Mail on Sunday discovered that a transgender ex-prisoner and convicted domestic abuser, who made chilling death threats to the mother of his child, has been allowed to come and go from a female-only refuge after he changed his name to Melissa.

Mark Addis, 44, was deemed such a threat to his former partner that he spent six months on remand in a male prison in 2014 after sending threats that he would kill her. One of his terrifying messages contained a picture of a dead body in a shroud.



Mark Addis, 44, was deemed such a threat to his former partner that he spent six months on remand in a male prison in 2014 after sending threats that he would kill her



A whistleblower has told the Mail on Sunday that despite knowing about Addis's convictions, bosses at homeless charity St Mungo's still allowed her to make 'almost daily' visits to a women-only hostel

Critics say that introducing such a legal reform would threaten women's safety and privacy because it would allow males who have not undergone any physical transition into female-only spaces.

Shelters that exclude men were first established in the 1970s to create safe havens for women who have been attacked by men. The majority of hostels have women referred to them by prison probation services and homeless charities.

The residents are helped by a support worker to sign up for housing benefit to pay for their rent.

Charity staff then help them to get into social housing, with residents typically leaving the hostel after 12 to 18 months.

The high-security refuges have strict rules banning all men from entering the premises, with their locations kept a secret.

Any male visitors, including contractors, have to be escorted by staff, who are all female. But even though the law has not been changed to allow men to self-identify as women, charities are now allowing men who live as women to visit their shelters.

St Mungo's, which operates 27 sites across London and the South of England, allowed Addis to gain 'almost daily' access to a women-only hostel in East London despite knowing about her criminal past.

Addis – then living as a man – was arrested in November 2013 for his hate campaign against Julie Lane, and spent six months on remand in a male prison before his case came to trial at Snaresbrook Crown Court.

He pleaded guilty to 'putting a person in fear of violence by harassment' and was sentenced in June 2014 to an 18-month supervision order, 40 days on an integrated domestic abuse programme, and given an indefinite restraining order to stay away from his victim.

A whistleblower told the MoS that the Stonewall Housing Association, which helps to house homeless lesbian, gay and transgender people, referred Addis to St Mungo's after he became homeless following his release from prison.

She said she had moved out of St Mungo's LGBTQ hostel in May last year when her lease expired.

But a source who has known Addis for almost 20 years claimed: 'Addis got chunked out of the other hostel for violence and anti-social behaviour.'

They said her relationship with her former partner was 'volatile,' adding: 'Women [in the hostel] would not be safe with Addis there.'

Last month, St Mungo's published a three-year Women's Strategy which stated: 'Trans women are welcome to our women-only services and spaces, in accordance with the law and our values as an organisation.'

The charity refused to answer questions about Addis last night, saying it does not comment on individual cases.

Nor would it say how many transgender women were living or working at its women-only refuges, and it declined to answer questions about its government funding.

St Mungo's provided supported housing to 1,216 women in 2017-18, according to its annual report, that said four per cent of its clients (48) were transgender. However, it refused to disclose how many of those are transgender women living in female-only hostels.

A spokesman said: 'St Mungo's is a trans inclusive organisation recognised by Stonewall as a top trans employer.'

Stonewall is the leading lesbian, gay and transgender rights charity, and has championed the rights of transgender women to access women's refuges.

Last year, the organisation interviewed managers from 15 organisations that provide shelters for female victims of domestic abuse and sexual violence across UK.

Its report — Supporting Trans Women In Domestic And Sexual Violence Services — revealed the 'majority of participants have supported trans women in their women-only services before... many have been doing this for some time.'

In its anonymised report, one shelter manager stated: 'If we have a client who wants to come in that identifies as female, they can come into our refuge or any part of our service.'

Another manager said: 'We are very clear from the start that we do have transgender [women] and women of different faiths and cultures and beliefs through our door constantly.'

Another said: 'We wouldn't exclude somebody from any of our existing services based on the fact that they were transgender.'

Another interviewee added: 'We would never ask for evidence of someone's sex or gender because we're open to women on a self-identifying basis.'

Women's Aid also confirmed that transgender women are living in women-only refuges.

A spokeswoman said: 'We are of the view that we want all survivors to get the support that they need.'

Last July, its chief executive Katie Ghose said: 'Women-only spaces provide a physically and emotionally safe environment that is vital to survivors' safety and recovery after experiencing domestic and sexual abuse.'

'Women's Aid member services assess every survivor, including trans women, on a case by case basis in order to best respond to their needs. Our member services tell us that they are already supporting trans women in accordance with the Equality Act in refuges.'

ONLY ON ACTION NEWS:

Shelter forced women to shower with person who identified as a transgender woman and sexually harassed them, lawsuit says

By [Corin Hoggard](#)

Wednesday, May 23, 2018

<https://abc30.com/homeless-women-harassed-in-shower-lawsuit-says/3514544/>

FRESNO, Calif. (KFSN) -- A prominent Fresno charity, homeless women, and the transgender community all say they're experiencing a nightmare come true.

Nine women homeless women signed on to a lawsuit against Naomi's House and its parent company, the Poverello House, saying the last place they could go to feel safe is now dangerous because they're forced to shower with a transgender woman.

The Naomi House bills itself as a gentle haven of healing and a safe haven for single, homeless women, but a new lawsuit says it put a lot of women in harm's way in a very vulnerable spot -- the shower.

It says the shelter requires them to shower in groups, and it opened its doors to a person who identified themselves as a transgender woman who made lewd and sexually inappropriate comments, and leered at them while they were naked.

"This is the biggest fear they bring up, that you're going to have people who may not even be transgender in bathrooms and settings where people are naked and their privacy rights are being violated," said Peter Kapetan, who filed the lawsuit on behalf of the women.

Poverello House administrators tell Action News federal law says they have to treat a person identifying as a woman as a woman -- and there's no way to test whether it's true.

They say they take allegations of bullying or sexual harassment seriously, but for privacy reasons can't reveal what actions they may have taken.

Naomi's House has had good experiences before with at least one transgender woman.

"The staff was extremely accommodating," said Michelle Nastasis, a transgender professional poker player who stayed at Naomi's House a couple years ago. "In fact, we worked out a system where none of the girls would be offended when I went to take a shower."

Nastasis says she got along with some of the women who filed the lawsuit and everybody treated her with respect. She joins them in questioning whether the person accused of sexual harassment

A sex predator's sick deception

By [Sam Pazzano](#), Toronto Sun

First posted: Saturday, February 15, 2014 07:50 PM EST | Updated: Saturday, February 15, 2014 11:35 AM EST

<http://www.torontosun.com/2014/02/15/a-sex-predators-sick-deception>



TORONTO - A convicted sexual predator who falsely claimed to be transgender and preyed on women at two Toronto shelters could be declared a dangerous offender this month.

Christopher Hambrook — who claimed to be a transgender woman named Jessica — has attacked four vulnerable females between the ages of five and 53 in Montreal and Toronto over the past 12 years.

Justice John McMahon will decide Feb. 26 whether to declare Hambrook a dangerous offender, which carries an indefinite prison sentence.

The prosecution is asserting Hambrook, a former stripper and escort from Quebec, simply cannot control his deviant sexual urges and that locking him up indefinitely is the best way to protect the public.

Hambrook was sitting on a third-floor balcony, smoking a cigarette, when the victim went outside for a smoke. He invited her to sit beside him. When she did, he placed his hand on the bench so the woman would sit on it. She rose quickly, asking him what he was doing and he replied, "It's a bum warmer. It's also a boob warmer." Troubled by his comments, she went inside.

When the victim found Hambrook was one of her three roommates, she had trouble sleeping. On Feb. 12, she left the shelter, consumed some drugs and returned to sleep.

Early on Feb. 13, she awoke to discover Hambrook standing behind her in his underwear, attempting to sexually assault her.

The victim shouted at him, demanding to know what he was doing. Hambrook "simply covered his face with his hands, said "Oops!" and started giggling, according to Carboneau.

The woman reported the assault to police and Hambrook has been in custody since. His DNA was found on her nightwear.

Shortly after his mother died in Montreal in February 2002, Hambrook committed the first of his sex crimes by sexually assaulted a family friend's five-year-old daughter. While on bail waiting for courts to deal with charges laid for that crime, he targeted a 27-year-old mentally challenged woman, by sexually assaulting her in his home and forcing her to smoke a joint.

Hambrook received two years in jail for each of those crimes, for a total of four years.

"He had no empathy, no remorse or understanding of his victims of his offences," Toronto psychiatrist Dr. Treena Wilkie said in her assessment.

In childhood, Hambrook was diagnosed with attention deficit/hyperactivity disorder and never made it through high school.

Wilkie diagnosed him with an anti-social personality disorder, borderline personality disorder, determined he was dependent on alcohol and drugs and had multiple sexual deviancies. He was rated as a high risk to re-offend sexually.

Hambrook was earlier assessed as suffering from bisexual pedophilia and exhibitionism.

He blamed his heavy drug use or his victims for his Montreal crimes. He stated the five-year-old victim's mother "had the hots for him" but he rejected her. The mom fabricated the crime to spite him, said Hambrook, despite pleading guilty to the crimes.

He asserted the mentally-challenged woman consented to sex.

In his psychiatric assessment, Hambrook provided conflicting information on his gender identity issue. He lied that he had been receiving hormone treatment for many years and lied that he wanted to pursue a sex change. He admitted he only dressed intermittently in women's clothing and wanted to remain a man and have a relationship with a woman.

Psychiatric reports concluded Hambrook is not transgender.

"Mr. Hambrook's conduct inflicted severe psychological damage on both victims," said Carboneau. "(They) sought refuge at Toronto women's shelters at difficult times in their lives. They thought that they would be safe there, but instead, they were further victimized by the accused."