

The Right's Anti-Trans Agenda

The political right—led by the Republican Party and including rightwing politicians, corporations, and special interest groups—is pursuing an increasingly violent assault on transgender people's rights in the United States. In 2022 (so far), over 300 anti-LGBTQI+ bills have been introduced across 36 state legislatures,¹ marking this the worst documented year for anti-LGBTQI+ legislation in U.S. history²—a history with no shortage of anti-LGBTQI+ laws dating back over 150 years. More than two dozen of these bills have passed through state legislatures and have either been signed or are awaiting to be signed into law, and lawmakers are already introducing new measures for 2023.³ These legislative and political attacks threaten the health, safety, and well-being of transgender people and fuel violence against LGBTQI+ people and other marginalized communities.

What does the anti-trans agenda look like, and how does it drive hate and injustice?

- » **Criminalizing gender-affirming care for youth** Rightwing politicians and legislatures in many states are blocking transgender youth's access to gender-affirming health care. Because of these efforts, it's estimated that over one third of trans youth in the U.S. are at risk of losing access to a safe, evidence-based form of patient care that leads to better health outcomes for transgender people.⁴
- » **Medicaid exclusions** Several states' policymakers have recently moved to exclude Medicaid coverage of most or all forms of gender-affirming care, cutting a lifeline for a community more likely to be uninsured and face financial barriers to care.⁵
- » **Religious exemptions** Often presented in terms of religious liberty, these laws functionally permit people, churches, non-profit organizations, and sometimes corporations to discriminate against LGBTQI+ people. For example, seven states permit medical professionals to decline to serve LGBTQI+ people, meaning an estimated one out of every eight LGBTQI+ people live in states where a medical provider could deny them care because of who they are.⁶
- » **Youth sport bans** Eighteen states have passed laws barring transgender children from playing sports consistent with their gender identity, ostracizing them from their peers and communities and turning many individual athletes into national and international targets for harassment.
- » **"Don't say gay" laws** Six states have laws that censor discussions of LGBTQI+ people or issues in school, forcing teachers (especially openly LGBTQI+ teachers) to question what it may mean for their licensure and careers. Similar bills have been introduced in 20 states in 2022.
- » **Bathroom bills** Any nurse who's gone an entire shift without a bathroom break knows exactly how dangerous this can be. Yet, several lawmakers have attempted to pass laws prohibiting transgender people from using restrooms that align with their gender, forcing trans people to be even more paranoid about carrying out a simple biological act in public and resulting in trans and cis people being accosted by strangers in bathrooms.

Like anti-trans and anti-LGBTQI+ laws throughout U.S. history, this recent wave of anti-trans legislation violates basic civil and human rights and conflicts with the values of most people in the United States. These attacks also further stigmatize and

continued—

Trans people experience inequities in access to health care, employment, safety, housing, and well-being.

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marginalize transgender people, who already experience unequal access to health, safety, employment, and well-being.⁷ The systematic assaults on the civil and human rights of trans people are particularly harmful for low-income trans people and trans people of color.

Who is behind the attacks?

Anti-trans legislation has been led by the Republican Party and bankrolled by rightwing dark money organizations like the Heritage Foundation, Family Policy Alliance, the American Principles Project, and the Alliance Defending Freedom.⁸ The Republican Party and its allies have long targeted LGBTQI+ communities to court conservative evangelical donors and voters. Anti-trans rhetoric and legislation became especially popular following the Supreme Court decision in *Obergefell v. Hodges* (which effectively recognized gay marriages nationally) to keep fundraising off fearmongering. The right is also organizing concerted attacks on collective bargaining rights, voting rights, public education, social safety net programs, racial justice legislation, environmental protections, immigrant rights, and reproductive rights across the country. They oppose Medicare for All, demonize workers' unions, and relentlessly pursue an economy benefiting the one percent. Their anti-trans agenda is part of the right's larger campaign to dismantle hard-won rights for working class people, women, and people of color, and to establish authoritarian, patriarchal, white nationalist rule.

Republican politicians and their allies have spread hateful misinformation to accompany legislative attacks and have falsely claimed trans people pose a threat to children in order to incite and justify violence against the trans community.⁹ Right-wing media outlets and social media accounts identify targets for threats, harassment, and attacks, leading to over 120 threats at drag shows in 2022.¹⁰ The November 2022 mass shooting at an LGBTQI+ club in Colorado Springs is yet another example of hate-motivated deadly violence. Whether it's online, in the streets, or in the halls of state legislatures, the common thread is attacking trans and all LGBTQI+ people in order to terrorize communities and make LGBTQIA life as difficult as possible.

How are nurses fighting back?

Nurses stand in solidarity and resistance with transgender communities and all those facing discrimination and injustice. At the bedside and in the streets, union nurses fight for gender justice, meaning equity of opportunity, safety, health, and dignity for all people, regardless of gender. Nurses have spoken out against transphobic political attacks, reject partisan attempts to criminalize the care we provide, and will continue to condemn all forms of violence against trans people. Nurses are also committed to defending democracy in our workplaces and across the country. We will carry on using our power to block the right's attacks on our patients and communities as we work to build a more just, multi-racial, and feminist democracy.

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5 Koma, Wyatt, Matthew Rae, Amrutha Ramaswamy, Tricia Neuman, Jennifer Kates, and Lindsey Dawson. "Demographics, Insurance Coverage, and Access to Care Among Transgender Adults." KFF (blog), October 21, 2020. <https://www.kff.org/health-reform/issue-brief/demographics-insurance-coverage-and-access-to-care-among-transgender-adults/>.

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8 Avery, Dan. "State Anti-Transgender Bills Represent Coordinated Attack, Advocates Say." NBC News, February 17, 2021. <https://www.nbcnews.com/feature/nbc-out/state-anti-transgender-bills-represent-coordinated-attack-advocates-say-n1258124>.

9 "Digital Hate: Social Media's Role in Amplifying Dangerous Lies About LGBTQ+ People." Center for Countering Digital Hate, Human Rights Campaign, 2022. <https://www.hrc.org/press-releases/new-report-anti-lgbtq-grooming-narrative-surged-more-than-400-on-social-media-following-floridas-dont-say-gay-or-trans-law-as-social-platforms-enabled-extremist-politicians-and-their-allies-to-peddle-inflammatory-discriminatory-rhetoric>.

10 O'Hara, Mary Emily. "GLAAD Report: Drag Events Faced at Least 124 Protests and Significant Threats in 2022." GLAAD, November 21, 2022. <https://www.glaad.org/blog/glaad-report-drag-events-faced-least-124-protests-and-significant-threats-2022>.