

Background on Repealing House Bill 2

HB2 Legitimizes and Increases LGBTQ Discrimination

HB2 furthers two harmful narratives about transgender individuals

There are two central falsehoods to the legislators' reasoning:

- One is "that transgender people aren't real and [are] inherently dangerous." The second falsehood is that without HB2, "non-transgender people will take advantage" of the situation -- for example, a man could dress up as a woman to enter a woman's bathroom.
- "All this does is to heighten gender policing of everyone by law enforcement, and individual people who do not conform to gender norms are targeted," Strangio said.¹

64% of transgender individuals will experience sexual assault in their lives

People "must understand the facts about sexual assault," adding that in 8 out of 10 cases the victim already knows the person who sexually assaulted them, citing Justice Department statistics. However, 64 percent of transgender people will experience sexual assault in their lifetime, she said, citing a study by the National Gay and Lesbian Task Force and National Center for Transgender Equality. "All the data and all the evidence shows protecting transgender people only increase public safety," Laws like House Bill 2 imply "that fundamentally people just don't think of transgender people as humans, and they try to erase trans people from existence."²

70% of transgender people experience denial access, verbal harassment, or physical assault in areas with gender segregated public restrooms

The survey assessed people's experiences accessing or using gender-segregated public restrooms by asking specifically about denial of access to facilities, verbal harassment, and physical assault. Overall, 65 respondents (70 percent) reported experiencing one or more of these problems.

HB2 Does Not Increase Public Safety

Allowing Transgender people to use the restroom they identify with has not increased public safety issues

Over 200 municipalities and 18 states have nondiscrimination laws protecting transgender people's access to facilities consistent with the gender they live every day. "None of those jurisdictions have seen a rise in sexual violence or other public safety issues due to nondiscrimination laws. Assaulting another person in a restroom or changing room remains against the law in every single state." Allowing transgender people to use the bathroom corresponding to their gender identity "doesn't increase in any way public safety incidents."³

No Public Safety incident related to LGBTQ non- discrimination laws

Advocates say that while there are some past examples of heterosexual men dressing up like women to gain access to women's spaces, there's no record of that behavior increasing when there's an LGBT non-discrimination law on the books. "We have so many places that do prohibit discrimination where this has never come up," says the Equality Federation's Rebecca Isaacs. "This is a red herring."⁴

¹ ABC News. Sexual Assault and Domestic Violence Organizations Debunk 'Bathroom Predator Myth'By STEVIE BORRELLO

² Ibid.

³ ABC News. Sexual Assault and Domestic Violence Organizations Debunk 'Bathroom Predator Myth'By STEVIE BORRELLO

⁴ Time. Why LGBT Advocates Say Bathroom 'Predators' Argument Is a Red Herring Katy SteinmetzMay 02, 2016

HB2 May Not Even Be Legal

Discrimination against transgender people is a violation of the Civil Rights Act

The federal government contends, and the weight of legal authority—including in the Fourth Circuit, North Carolina’s home—has found, that discrimination against employees or students on the basis of trans status is discrimination “because of sex” and is thus barred by the Civil Rights Act of 1964. HB2 does that; indeed, discrimination against trans people is its whole purpose.⁵

HB2 Repeals Existing Non-Discrimination Ordinances Across The State

The act also prevents municipalities in North Carolina from enacting their own anti-discrimination policies in things like public spaces, employment and house, as well as the ability to set a local minimum wage.

HB2 Significantly Harms the Economy of North Carolina

HB2 Could cost NC \$5 billion per year

After considering the size of the LGBT population in North Carolina, and the legal landscape and social climate they face, this report estimates that HB2 directly puts at risk almost \$5 billion just in terms of federal funding and business investment. In addition, HB2 contributes to a challenging environment for LGBT people, potentially costing the state tens to hundreds of millions of dollars each year in business investment.⁶

Losing the All Star Game may lose \$100 million

The NBA is using the power of economics to not only make a point, but enact social change. While the NBA would not say how much of an impact the All-Star Game has due to a policy of not disclosing financial information, looking at the entire event, accounting for hotels, restaurants, tourism transportation, and general spending, Charlotte is estimated to lose \$100 million according to the Charlotte Regional Visitors Authority. It also is a disappointing loss to Michael Jordan and the rest of the Hornets organization which had worked with the league to try and get HB2 addressed, but instead will see losses.⁷

Estimated \$600 million in business lost

Following passage in March of this year, HB2 triggered a national outcry of opposition, and a broad range of voices spoke out over the last 9 months demanding its full and complete repeal. The economic fallout -- including more than \$600 million in lost business -- grew as companies concerned with protecting their consumers and employees moved conventions, trainings, operations, productions, and other events out of state.⁸

⁵ Epps, Garrett. “North Carolina’s Bathroom Bill Is a Constitutional Monstrosity.” May 10, 2016. *The Atlantic*.

⁶ Discrimination, Diversity, and Development: The Legal and Economic Implications of North Carolina’s HB2 By Christy Mallory and Brad Sears May 2016. HermanThe Williams Institute UCLA School of Law.

⁷ Forbes. JUL 22, 2016 Economic Impact Of Charlotte Losing NBA All-Star Game, And Potentially Super Bowls Due To HB2. Maury Brown.

⁸ BREAKING: HB2 Repeal Fails, Deeply Discriminatory Bill Continues to Target LGBTQ People Across NC By Sarah McBride HumanRights Campaign. December 22, 2016