

SILVER SPRING, MD 20902

Tuesday, March 8, 2022

Written Testimony Favorable to Bill4-22: Human Rights and Civil Liberties – Public Accommodations – Gender Inclusive Restrooms

Council President Hans Riemer, Council Vice-President Evan Glass, Bill Sponsor Councilmember Sidnet Katz, and esteemed member of the Montgomery County Council:

My name is Ezra Towne. I am speaking to you today as a Montgomery County advocate and activist, transmasculine nonbinary person, and a parent. My testimony today is favorable for Bill 4-22 on Gender Inclusive Restrooms. This legislation would require that certain single-occupancy restrooms be made available to persons of any gender identity and that any associated signage be gender-inclusive.

Gender-inclusive restrooms, sometimes referred to as “all gender restrooms” or “gender-neutral restrooms” benefit everyone who lives in, works in, and/or visits Maryland state, cities, and counties. Nevertheless, when a legislation like Bill 4-22 is introduced, homophobic and transphobic individuals make the argument that it will only really help transgender people – a relatively small portion of the population.

It IS true that single occupancy public bathrooms, when available, are a huge relief to transgender, gender non-conforming and gender expansive adults and children, even when the signage is gendered.

Other people that would significantly benefit from gender-inclusive single occupancy restrooms include: disabled folks, parents/guardians of young children, caretakers for seniors with mobility challenges and/or dementia, and people of color who are disproportionately frowned upon when using gendered facilities that do not match other’s perception of their gender.

However, the existence of single occupancy bathrooms is not enough to make using a public restroom feel safe for transgender, non-binary, and gender-diverse people.

Only signage which makes it clear that a single occupancy bathroom is gender inclusive - or available to anyone - will do that. I have many stories that illustrate why, but stick to just a few below.

EZRA MACLEOD TOWNE

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I am regularly stopped, stared at and/or verbally challenged when trying to access a vacant single occupancy restroom when the signage doesn't match my perceived gender. And it is just as often for reasons other than my non-binary gender identity.

As a parent, I can say that when your child finally admits they need to use the bathroom, they need to use it immediately. I shouldn't have to check if a single occupancy restroom matches my OR my child's gender. It's not fair to either of my children to have to "hold it" until the "correctly" gendered one is available - or have to change my child's diaper on the restroom floor because the men's restroom doesn't have a changing table.

As a person with disabilities that sometimes needs assistance in the bathroom, gendered single occupancy stalls are also stressful for both my spouse and I because we are perceived as differently gendered than one another. Not too long ago, my partner and I went to a fancy restaurant for our anniversary. I did not need assistance in the bathroom at that time but was walking with an ankle boot and a cane. A server impolitely ushered me away from a restroom designated for women to one designated for men on the other side of the restaurant - only to find that it was occupied.

Under the 2014 Fairness for All Marylanders Act (FAMA), Maryland greatly expanded protections for transgender individuals which included the use of locker rooms and other public accommodations. **In keeping with the intent of Montgomery County's 2007 Bill 23-07**, which established gender identity as a protected class under the County anti-discrimination law and prohibits the unfair practice of an individual to the full enjoyment of accommodations. Unfortunately, 2007's Bill 23-07 did not specifically prohibit discrimination in the use and availability of the public restroom. Bill 4-22 seeks to rectify that discrepancy and reduce the stigma and violence experienced by the transgender community in public restrooms.

Last but not least, gender inclusive single occupant restrooms are simply good business sense. Restaurant customers to order dessert, or another drink at the bar. Out of consideration for the mental and physical health, as well as the equitable treatment of transgender and/or disabled individuals, **I urge you to vote in favor of Bill 4-22: Human Rights and Civil Liberties - Public Accommodations - Gender Inclusive Restrooms.**

Sincerely,
Mx. Ezra Towne
District 18, Wheaton