

PJI Has Wildly Varying Tones & Talking Points On Jane Doe & AB 1266

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Abstract

It All Depends On The Audience The Pacific Justice Institute (PJI) has been at the center of a controversy because of what they've clamed about the behavior of a trans student at a Colorado high school. They've turned her into a predator...a monster...a "nightmare" example of what trans female youth will do if they are [...]

Article

It All Depends On The Audience

The Pacific Justice Institute (PJI) has been at the center of a controversy because of what they've clamed about the behavior of a trans student at a Colorado high school. They've turned her into a predator...a monster...a "nightmare" example of what trans female youth will do if they are universally allowed into any public school's girls locker rooms and restrooms.

And as Transadvocate editor-in-chief Cristan Williams has pointed out, one of their transparent reasons for pushing this story is its potential effect towards repealing the AB 1266, the School Success and Opportunity Act, through referendum. It's at that point PJI appeared to back off their original claims somewhat, appearing to redefine what they meant -- by how they define -- harassment.

PJI led the opposition in California to AB 1266, the most sweeping legislation yet to assert transgender rights in schools. That law, which is set to take effect January 1, 2014, is currently being targeted by a citizen referendum drive. Californians who have not yet signed a petition should visit www.privacyforallstudents.com to get involved. PJI's Notice of Reasonable Expectation of Privacy is available in both California and nationwide versions, and can be accessed at www.pji.org.

PJI is one of the lead organizations in the referendum signature gathering effort -- the organization is part of the Privacy For All Students coalition. And, PJI tipped their hat as to why the student we at The Transadvocate are referring to as Jane Doe needs to be turned into a predatory, harassing monster.

Earlier this year, PJI led the opposition in California to AB 1266, the most sweeping legislation yet to assert transgender rights in schools. That law, which is set to take effect January 1, 2014, is currently being targeted by a citizen referendum drive. Californians who have not yet signed a petition should visit www.privacyforallstudents.com to get involved. PJI's Notice of Reasonable Expectation of Privacy is available in both California and nationwide versions, and can be accessed

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PJI was one of the organizations that testified at the California State Senate Education Committee on June 12th of this year. Matt McReynolds, a PJI staff attorney, had what could be described as measured testimony delivered in a measured tone. Perhaps the most confrontational of McReynold's comments -- from a trans perspective at the hearing -- was calling to remove the gender signs from the Capitol bathrooms -- removing of male and female bathroom and locker room signs not being that AB 1266 mandates.

If opening up the restrooms to whosoever will is such a great idea; if desegregating restrooms is such a great idea, then let's not start with our students. Let's not start with the youngest of society. We're not just talking about high school students -- we're talking about grade school students in this bill. Let's start right here in the legislature. [laughs] If you think privacy concerns don't matter, I'd encourage you to take the signs off of your own restrooms and doors and see how you like it.

And, McReynold's began his testimony by giving a nod to the privacy concerns of trans youth (emphasis added):

I'm here to make a few brief comments on the bill and register our opposition on behalf of families across California. First, I think it has to be noted that while certainly there are privacy concerns at stake for the transgender students that we're talking about today, somebody has to take account of the 99% or more of the other students in our school system and their privacy concerns.

And McReynold's measured words and tone was echoed in his telephone interview with Cristan Williams on October 21st. (from the 15:57 audio mark, emphasis added):

...Well, I think there's a very active debate as to someone like this Jane Doe -- who I understand is not completely transitioned into his or her new found gender -- can ever function normally in that role.

Asked what he meant by "completely transitioned" regarding Jane Doe, McReynolds stated in the interview, he stated

Well, there are reports we have received that Jane Doe is still presenting as both -- sometimes appearing as female and sometimes presenting and appearing as male.

He appeared to be implying that a trans female student has "completely transitioned" in the high school environment if that student presented every day at school as female.

This is not the measured words and tone of the organization communicated on their websites or to other media; however. PJI President Brad Dacus stated regarding AB 1266 to the Los Angeles Times for the August 16th article Conservatives target law on transgender students:

It's a very extreme piece of legislation that grotesquely violates the right of privacy of boys and girls throughout California's public schools. No 13-year-old girls should have to have the continued apprehension of a boy seeing them naked in the locker room.

Dacus stated on PJI's own website regarding AB 1266:

Forcing boys and girls to share bathrooms, locker rooms and sleeping arrangements is not equality; it is insanity.

And there's audio of Dacus stating even more regarding the AB 1266.

It is hideous, unbelievable, unthinkable -- and yet it is now law in California. What it says is that if a boy at any age in a public school comes to school and one day says "Inside, I feel like I'm a girl," they are immediately entitled to use the girls bathrooms, the girls locker rooms, the girls showers, at the same time that girls are using them. It also applies to girls. You say "I'm a boy inside" and go to school, they have immediate access to shower with the boys in the locker rooms, shower and change in the locker rooms -- this turns the concept of decency, respect, and privacy on its head. There is going to be many casualties in terms of mental, emotional, and psychiatric casualties. And, it's going to broadside a lot of people who may not be aware of it. This is going to affect many young, very fragile -- emotionally fragile -- boys and girls. And, they're going to be paying the price for the rest of their lives at the expense -- then they're going to be paid at the expense -- is -- this very movement that is intended to put their welfare second to their political agenda.

PJI owns the website genderinsanity.com, and in an unsigned statement from the Gender Insanity website page Why It Matters, PJI stated:

Under this legislation, there are absolutely no safeguards against abuse. Any teenage boy who "identifies" with teenage girls must be given full access to girls' teams and facilities--including showers, bathrooms and locker rooms. Coaches and parents would have no say in the matter. This is not equality; it is insanity. We cannot stand by and allow politicians controlled by radical special interest groups to sacrifice the privacy of the 99% of our students who are not confused about their biological gender for the 1% (or less) who are. It is incredibly naïve for the Legislature to believe that such a law would never be abused or exploited by a predator.

PJI apparently needed to create a predatory, high school attending, transgender monster to make this point about AB 1266. So, PJI has painted Jane Doe as a monster. In their press release Nightmare: Teen Boy Harasses Girls in Their Bathroom, they stated:

Parents at the school, located near Colorado Springs, became irate when they learned that a teenage boy was entering girls' bathrooms and, according to some students, even making sexually harassing comments toward girls he was encountering. When the parents confronted school officials, they were stunned to be told the boy's rights as a self-proclaimed transgender trumped their daughters' privacy rights. As the controversy grew, some students were threatened by school authorities with being kicked off school athletic teams or charged with hate crimes if they continued to voice concerns. The parents became aware of PJI's Notice of Reasonable Expectation of Privacy and contacted PJI for help.

And Matt McReynolds, in a quote in the press release, sounded anything but measured in his words and tone:

This is exactly the kind of horror story we have been warning would accompany the push for radical transgender rights in schools, and it is the type of situation that LGBT activists have been insisting would not happen.

And Brad Dacus piled on in the press release.

We're not going to stand by and let 99.7% of our students lose their privacy and free speech rights just because .3% of the population are gender-confused. LGBT activists are sacrificing the safety and sanity of our schools to push an extreme political agenda. This battle is no longer confined to California or Colorado; it is spreading to every part of the nation. It is crucial that we act now to prevent a crippling blow to our constitutional freedoms.

But, of course, The Transadvocate's editor-in-chief Cristan Williams called the school where Jane Doe attended and spoke to Rhonda Vendetti, the district school superintendent. She stated:

We do have a transgender student at the high school, and she has been using the women's restrooms. There has not been a situation. All the students of these parents who say they feel uncomfortable just about the fact that the student is allowed to go into the restrooms at the high school, into the stalls -- they don't believe that that's appropriate, so that's where it stems from. There has not been an incident of harassment, or anything that would cause any additional concern.

And then PJI's staff attorney Matt McReynolds appeared to back down a bit, in statements to World Net Daily appears to have backed down a bit as to what PJI considers Jane Doe's harassing behavior to be:

"[I]t's our position that a teenage boy's presence into the bathroom for teenage girls is inherently harassing. It's inherently violative of their privacy rights. It's also intimidating when you have a boy like this, who is not a freshman, going in there with younger freshman girls. They feel violated. They feel intimidated, and that's been expressed to us.

Further into that article, McReynolds said:

Details continue to emerge on this in terms of what kind of comments may have been made. We've heard some reports that he's commented on what girls are wearing or their figure while in the bathroom. If you can imagine that scenario from the reference and framework of a teenage girl, I think that's pretty harassing.

And, of course, he produced no evidence to back his claims.

World Net Daily then paraphrased McReynolds as saying words to the effect of "a boy simply being in the girls' restroom is ample harassment in itself." Certainly not the tone of the language he used when interviewed by Cristan Williams.

PJI's President Brad Dacus, in press release entitled Update: Colo. School Story Sparks Backlash by LGBT Activists -- and update to their initial "nightmare" press release, functionally declared all trans activists as timid monsters doing damage control.

Transgender activists are in full damage control mode because they know how explosive and damaging to their cause this story is. The central issue in this case -- a high school's decision to give a biological teenage boy full access to teenage girls' bathrooms is both disturbing and not seriously disputed. It is very revealing that the Superintendent is seeking sympathy from transgender activists instead of addressing the serious concerns raised in our letter.

When applied to the Los Angeles School District's experience with a district wide policy that aligns with the policy of AB 1266, and has been policy since 2004. Judy Chiasson, Ph.D., a Program Coordinator for Human Relations at the Los Angeles Unified School District (LAUSD), testified at the same Senate Education Committee hearing as McReynolds did. In it, she testified:

At first we had our concerns. Would letting students participate in activities and facilities that were consistent with their gender identities create problems? What would happen? And, ultimately we decided that we as the adults needed to manage our fears and give the students the respect and dignity that they deserved. And I'm pleased to say none of our fears have been materialized. Our transgender students use facilities, participate in gym class and play on sports teams in a way that corresponds with their gender identity.

We treat our transgender students -- our boys, our transgender boys and girls -- simply like any other boys and girls with the same rights and responsibilities, rules, and obligations.

In the eight years that we've had our policy we've not had any problems. On the contrary, it has solved many problems. It's a nonissue on our campuses. Our transgender students use the bathrooms for the same reasons as everybody else. They do their business, fix their hair and make-up, and gossip with friends.

So when we instituted this policy we had no idea how many students that this would effect. In 2011, we conducted a survey in conjunction with the YRBS, the Youth Risk Behavior Survey, and we learned that point-five percent of our students self-identified as transgender. In a district of our size, that's about thirty-five-hundred students. We were shocked. We had no idea that we had that many transgender students.

For most of them, this is their private secret. But, we want them to know that we're here for them whenever they're ready.

Transgender activists don't need to be in "damage control mode." We have Judy Chiasson's testimony and Rhonda Vendetti's statement. PJI's statements about Jane Doe don't hold up to scrutiny -- as Chiasson stated in her testimony:

[T]ransgender students use the bathrooms for the same reasons as everybody else. They do their business, fix their hair and make-up, and gossip with friends.

There are monsters in this story, and the monsters don't include Jane Doe or Cristan Williams. The monsters in this story in my opinion are Matt McReynolds and Brad Dacus in their attempt -- as adults -- to demonize a 16-year-old trans student.

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