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Trading Away Public Accommodations in Maryland

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Abstract

There's bickering over at Pam's House Blend about a statement made by Jenna Fischetti in her public testimony to the Senate in Maryland. She said "Never in the history of transgender-specific legislation has any state gone back and added a public accommodation only provision when there is already an existing law," in the argument over the truthfulness [...]

Article

There's bickering over at Pam's House Blend about a statement made by Jenna Fischetti in her public testimony to the Senate in Maryland. She said

> *"Never in the history of transgender-specific legislation has any state gone back and added a public accommodation only provision when there is already an existing law,"*

in the argument over the truthfulness of Fischetti's statement, a very important point gets lost. Sandeen states:

> *"Well, I am sorry I got the facts wrong. And I do, without reservation, apologize to you for getting what you said at the hearing -- or actually attributing something to you in your testimony that you didn't actually say -- wrong. You deserved better than that...I have your number, and I should have called to verify what you said first. That was a fail on my part, and I have no excuse for doing that to you.*
> *At the same time, I make no apology for the headline for the piece. You did make a false statement about the short history of trans legislation in the U.S. to Metro Weekly -- I don't want that kind of statement you made to Metro Weekly repeated as fact when it isn't fact.*
> *And by the way, even if it were a factual statement you made to Metro Weekly, it wouldn't have to remain true. We can empower ourselves to change the world in ways that it hasn't been changed before if we set our minds to it. We, as a community, have more power than we've allowed ourselves to believe we have. We aren't as limited as we've acted like we are."*

But what about the political realities on the ground in Maryland? You can bicker about the minute details of Fischetti's statement, but you can't compare the political landscape in Maryland to that of the landscape in California. Sandeen's comment points to an "empowering" statement of hope. Fischetti's statement is one of political history and pragmatism. I agree with Sandeen that the community has more power than we believe. That doesn't make Fischetti's statement any less true. For all practical purposes if HB235 becomes law, public accommodations legislation will become unattainable for trans people for the foreseeable future in Maryland.

While I agree with Sandeen that the community has more power than they know, I think she puts her hope in the larger LGBT community than I. Repeatedly the L&G leadership has shown that we are not equals (New York, New Jersey, Wisconsin, etc). For us to have any power, we will need to forge our own organizations with our own money and advocate on our own terms. Until then we'll continue to be second class citizens with second class equality. HB235 is "penny wise, pound foolish."

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