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Indiana bill targets bathroom use by transgender people

By **Tribune wire reports** · **Contact Reporter**

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An Indiana lawmaker has proposed a bill that would make it a crime for transgender people to use public bathrooms and locker rooms that do not conform to their gender at birth, threatening to draw Indiana further into a national debate over transgender rights.

"We've walked through a doorway we'll never go back through. And we're going to have to address some concerns that are now facing us," bill sponsor, Republican state Sen. Jim Tomes said Thursday. "If you were born a man, then you are obliged to use the males' restroom."

Tomes' bill would send someone to jail for up to a year and fine them as much as \$5,000 if they were convicted of entering a bathroom that does not match up with their birth gender. Exceptions are made for janitors, first aid providers and parents accompanying children under the age of 8. The measure would also require public schools, including charters, to ensure students do the same, though students would not face criminal penalties.

After the U.S. Supreme Court's summer ruling striking down gay marriage bans, social conservatives have focused on derailing efforts to grant civil rights protections to gay, lesbian, bisexual and transgender people. They have also embraced a new tactic: alleging the use of bathrooms by transgender men and women opens the door for sexual predators to go into women's restrooms.

The issue is particularly charged in Indiana, where tensions have run high since spring when lawmakers faced backlash for a religious objections law that critics said would sanction discrimination against gay people on religious grounds. Lawmakers changed the law, but ever since gay rights supporters, including the state's business establishment, have called on them to go further.

Freedom Indiana, a pro-LGBT group, dismissed Tomes' bill, calling it a "scare tactic" intended to "promote fear over reality."

Texas, Florida and Kentucky have considered measures addressing bathroom use. In November, Houston voters rejected an LGBT rights ordinance after a campaign focused on the issue. And this summer, some Indiana cities withdrew LGBT rights proposals after a social conservative group distributed flyers to local churches with scripted talking points stating LGBT rights posed a public safety risk.

Tomes, of Wadesville, says he's "not trying to single-out anybody or destroy anybody."

But LGBT advocates disagree.

"That is the most disingenuous statement I've ever heard," said Camilla Taylor, of Lambda Legal, a national LGBT advocacy group, who noted that it singles out people who do not identify with their birth gender.

Sections of the bill addressing schools could run afoul of federal education mandates, she said.

In July, the [U.S. Justice Department](#) said transgender students must be allowed to use the restroom that corresponds with their identity and failure to do so amounts to sex discrimination.

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