

# POLICY BRIEF

## How HB2 Threatens the Health of North Carolinians

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### KEY MESSAGES

- House Bill 2 (HB2) bans transgender persons from using the restroom matching their gender identity and legalizes discrimination against lesbian, gay, bisexual and transgender (LGBT) persons
- Business leaders and economic analysts anticipate that the law will cause North Carolina heavy job losses and economic contraction. Research has shown that when a state's economy suffers, so do its citizens. Job losses and economic downturns are linked to depression, anxiety, alcoholism, and suicidal thinking
- North Carolina has over 86,000 LGBT youth and over 250,000 LGBT adults; HB2 stigmatizes these individuals, increasing their risk of stress, depression, and suicide
- There are over 15,600 transgender youth and about 22,400 transgender adults in North Carolina. Denying these individuals access to restrooms matching their gender identity increases their risk of suicide and medical conditions. Transgender individuals have suffered serious medical problems, like urinary infections or a damaged bladder, from trying to "hold it in" to avoid public restrooms inconsistent with their gender
- Transgender persons already suffer high rates of harassment and physical violence in public restrooms and HB2 could heighten the risks by promoting transphobia
- Health research in NC has been harmed by HB2 because research collaborators from outside the state have been banned from traveling to NC in protest against HB2

This Policy Brief outlines the **5** key ways in which HB2 threatens the health of North Carolinians, increasing their risk of mental and physical illness and even death.

### BACKGROUND

On March 23, 2016, the North Carolina General Assembly passed House Bill 2 (HB2), the Public Facilities Privacy and Security Act, which the state's Governor Pat McCrory immediately signed into law. Three major provisions of HB2 are related specifically to LGBT persons (other provisions, such as banning local municipalities from raising the minimum wage, apply to everyone):

1. The law requires all government facilities in NC, including public schools, to ban transgender people from using the restroom consistent with their gender identity
2. It removes the legal protections for LGBT persons that Charlotte and other NC municipalities had adopted, thus legalizing anti-LGBT discrimination
3. It prohibits these municipalities and all others in NC from passing LGBT protections in the future.<sup>1</sup>

## 1 The economic losses from HB2 could have health consequences

In the two months since Governor McCrory signed HB2 into law, the Raleigh Chamber of Commerce estimates that it has already caused up to 1,750 lost jobs.<sup>2</sup> Even more jobs are likely to be lost through the negative impacts of HB2 on tourism, travel and event and conference spending in the state. Over 130 business leaders nationwide petitioned the Governor to urgently repeal HB2, saying that the law will “diminish the state’s draw as a destination for tourism, new businesses, and economic activity.”<sup>1</sup> North Carolina stands to lose over half a billion dollars in lost jobs and business by 2018 and several billions of dollars in federal funding for transportation and schools.<sup>1</sup> Research has shown that when a state’s economy suffers, so do its citizens—job losses and economic downturns are linked to depression, anxiety, alcoholism, and suicidal thinking.<sup>3</sup>

## 2 HB2 may increase the risk of suicide

Research has shown a link between denying transgender people access to the restroom consistent with their gender identity and an increased risk of suicide. A survey of 2,325 transgender individuals attending college in the United States found that 1 in 4 had been denied access to bathrooms or other facilities as a result of being transgender or gender non-conforming.<sup>4</sup> Those who were denied bathroom access were 1.5 times more likely to have attempted suicide than those who were not denied access.

There is already evidence to suggest that HB2 may have provoked suicidal thoughts among transgender North Carolinians. Prior to Governor McCrory signing the bill into law, *Trans Lifeline*, a crisis hotline for transgender people, would receive around 50-200 phone calls daily. Since the law was passed, the call volume has doubled (**Figure 1**).<sup>5</sup> On April 13, 2016 the hotline received an unprecedented 357 calls. While it is not known for certain whether HB2 caused the surge in calls, *Trans Lifeline* reports that a substantial proportion of calls since March 23, 2016 were from North Carolinians.<sup>5</sup> The co-founder and executive director of the hotline has stated: “I have no doubt that lives are currently being lost because of these types of laws.”<sup>5</sup>

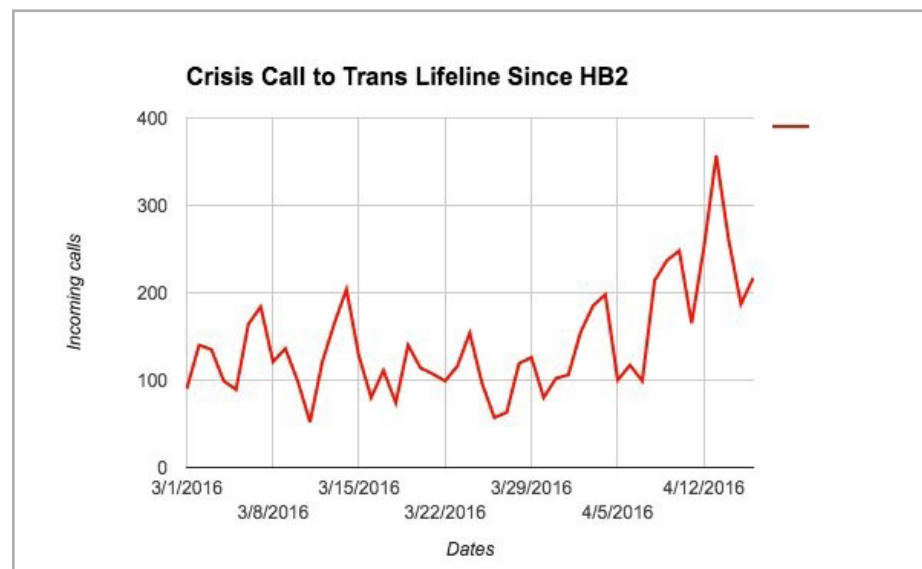


Figure 1. The number of daily calls to *Trans Lifeline*, a crisis hotline for transgender people, in March and April, 2016. Figure source: *Trans Lifeline*

In addition, homophobic and transphobic laws like HB2, which make discrimination against LGBT persons legal, could heighten the risk of suicide among LGBT youth by stigmatizing LGBT individuals. LGBT children are already at increased risk of fearing for their personal safety at school, of feeling isolated and depressed, and of attempting suicide.<sup>6</sup> North Carolina has over 86,000 LGBT youth, and a recent study found that in the last year, over one third had reported being bullied and over 41% reported seriously considering suicide.<sup>7</sup>

High school students who identify as LGBT are almost five times as likely as those who identify as heterosexual to avoid going to school because of feeling unsafe.<sup>8</sup> Interviews with 83,000 middle and high school students found that children who suffered homophobic harassment were four times more likely to make a suicide attempt serious enough to warrant medical treatment.<sup>9</sup> One quarter of transgender youth have attempted suicide.<sup>10</sup> These risks are even greater among transgender youth from racial and ethnic minority groups.

Motivated by their concern that HB2 is hurtful to transgender youth, twenty NC pediatricians with specialty training in endocrinology recently petitioned Governor McCrory to repeal the bill.<sup>11</sup> “Our patients already face major medical and social challenges,” they wrote in their petition, “and HB2 creates unnecessary hardship for these vulnerable youth.”

HB2 makes it lawful to discriminate against LGBT adults in the workplace and in housing. Such discrimination together with other challenges that LGBT adults face—including violence and sexual assault—can lead to depression, anxiety, alcoholism, substance misuse, and suicide.<sup>6</sup> Laws such as HB2 are likely to worsen these risks.<sup>7</sup> A new study by researchers at the Williams Institute, UCLA, examined the economic impacts of one health condition, major depressive disorder, among LGBT people in North Carolina.<sup>7</sup> The researchers estimate that if the state took steps toward inclusion of LGBT people, the reduction in major depressive disorder among LGBT individuals would benefit NC by \$92-123 million in greater productivity and reduced health care costs annually.

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## **HB2 could worsen harassment of transgender persons in bathrooms**

North Carolina has over 15,600 transgender youth and about 22,400 transgender adults.<sup>7</sup> HB2 perpetuates an unfounded myth that if these transgender persons are allowed to use the bathroom consistent with their gender identity, they will pose a security risk to children and non-transgender women. There are no documented episodes of a transgender person harassing anyone in a bathroom. In fact, it is transgender individuals themselves who suffer harassment and even physical violence in restrooms.

A study of 93 transgender people living in Washington, DC found that 7 in 10 had suffered verbal harassment and 1 in 10 had been physically assaulted in a public restroom.<sup>12</sup> Laws such as HB2 that promote fear of transgender individuals could make them even more vulnerable to such dangers.

To protect transgender high school students from discrimination, harassment, and violence, the US Justice and Education departments recently issued a directive to all public school districts in the nation to allow transgender students to use the bathrooms that fit their gender identity.<sup>13</sup>

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## Denying access to bathrooms can cause medical conditions

When transgender people are denied access to bathrooms consistent with their gender identity, their anxiety and stress may be heightened to such a level that they end up planning their day to day lives around where and when they can find an acceptable bathroom. Some transgender people purposefully avoid food and water so that they do not have to use public restrooms, which puts them at risk of dehydration.<sup>12</sup> In the Washington, DC study, over half (54%) of transgender individuals reported that they had suffered some sort of medical problem, like urinary infections, from trying to “hold it in” to avoid public restrooms.<sup>12</sup> One individual interviewed in this study said: “I had avoided using public bathrooms for so many years and would hold it when I needed to go that now my bladder is weaker.” A weakened bladder is a serious medical condition that often cannot be reversed.

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## HB2 is harming health research in NC

Health research conducted at world-renowned universities across the state, including the University of North Carolina and Duke, relies heavily on academic collaborations with universities across the United States. These collaborations have been greatly hindered by HB2. In protest against HB2, a number of US states, such as California, New York, and Washington, have prohibited researchers and other public officials at public universities from traveling to North Carolina using state funds.<sup>14</sup> These travel bans have led to the cancellation of important health research meetings in NC. Guest speakers from outside NC are being forced to turn down invitations to speak at medical conferences. Public employees across the country are now unable to visit NC for *any* work-related purpose. The result has been that health research and scholarly exchange in NC have been harmed by HB2.

International health research collaborations are also likely to be hurt by HB2. The United Kingdom government, for example, issued a travel advisory to LGBT citizens warning them of the risks of traveling to North Carolina given the atmosphere of intolerance and bigotry created by HB2.<sup>15</sup> The European Union recently issued a statement criticizing HB2, arguing that the law violates international agreements on civil rights.<sup>16</sup>

## CONCLUSION

By denying transgender individuals the right to use bathrooms consistent with their gender identity and by legalizing anti-LGBT discrimination, HB2 risks harming the health of LGBT children and adults. The harms could include workplace stress, depression, suicide among LGBT youth and adults, physical harassment, and dehydration and urinary infections among transgender individuals unable to access bathrooms consistent with their gender identity. The negative impacts do not stop there: the entire population of NC is likely to be affected by the job losses and economic downturn caused by HB2 and by the effect of the law on public health research.

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