



AMERICAN CIVIL LIBERTIES UNION

Wisconsin

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Chair Feyen, Vice Chair Kapenga, and Honorable Members of the Senate Committee on Government Operations, Labor, and Economic Development:

The ACLU of Wisconsin appreciates the opportunity to provide testimony in opposition to Assembly Bill 104. Bills like AB-104 are part of a nationwide coordinated effort to deny transgender people their freedom, safety, and dignity. Anyone paying attention can see that the ultimate goal of legislation like this is to erase and exclude transgender people from participation in all aspects of public life. Last year alone, over 600 anti-LGBTQ bills were introduced in statehouses across the country.¹ **To be clear, transgender people have always existed and they always will. School board members, state legislators, and the President of the United States do not get to decide that they don't.**

Patients and their doctors should be trusted to make private medical decisions, not politicians. Every family should have the freedom to love and support their child, transgender or not. Trans youth who are affirmed in their gender by their families do better in school, feel safer in their communities, establish healthy relationships with their parents and peers, and are better equipped to plan for their future. In contrast, denying them this support increases their likelihood of dropping out of school, increases their risk for substance use, worsens symptoms of depression and anxiety, and gravely increases their risk for suicide.

AB-104 places politicians' feelings and unsubstantiated fears above the advice of medical professionals, and strips families of their ability to make informed healthcare decisions. That is why every major medical association—including the American Medical Association,² the American Academy of Pediatrics,³ and the American Academy of Child and Adolescent Psychiatry⁴—opposes bills like AB 104 and instead support access to the healthcare this bill seeks to ban. In fact, the American Medical Association said legislation such as AB 104 “represents a dangerous governmental intrusion into the practice of medicine” and that such bills “will be detrimental to the health of transgender children across the country.”⁵

¹ Mapping Attacks on LGBTQ Rights in U.S. State Legislatures,” ACLU (Jan. 13, 2026), <https://www.aclu.org/legislative-attacks-on-lgbtq-rights-2025>.

² See, e.g., AMA reinforces opposition to restrictions on transgender medical care, THE AMERICAN MEDICAL ASSOCIATION (June 15, 2021), <https://www.ama-assn.org/press-center/press-releases/ama-reinforcesopposition-restrictionstransgender-medical-care>.

³ Ensuring Comprehensive Care and Support for Transgender and Gender Diverse Children and Adolescents, THE AMERICAN ACADEMY OF PEDIATRICS (Oct. 1, 2018) (reaffirmed Aug. 2023), <https://publications.aap.org/pediatrics/article/142/4/e20182162/37381/Ensuring-Comprehensive-Care-andSupportfor?autologincheck=redirected>.

⁴ AACAP Statement Responding to Efforts to Ban Evidence-Based Care for Transgender and Gender Diverse Youth, AMERICAN ACADEMY OF CHILD AND ADOLESCENT PSYCHIATRY (Nov. 8, 2019), https://www.aacap.org/AACAP/Latest_News/AACAP_Statement_Responding_to_Effortsto_ban_EvidenceBased_Care_for_Transgender_and_Gender_Diverse.aspx.

⁵ AMA reinforces opposition to restrictions on transgender medical care, THE AMERICAN MEDICAL ASSOCIATION (June 15, 2021), <https://www.ama-assn.org/press-center/press-releases/ama-reinforcesoppositionrestrictionstransgender-medical-care>.

Since the Assembly hearing on this bill, the U.S. Supreme Court issued its decision in *United States v. Skrmetti*,⁶ which allowed Tennessee's ban on gender-affirming hormone therapy for trans youth to remain in effect. But significantly, the Court's decision was limited to the facts of the Tennessee case and neither banned gender-affirming care for youth in states in which it is available, nor settles questions of whether other laws that ban gender-affirming care violate the Equal Protection Clause or state constitutions.

In January 2023, Utah legislators passed a law prohibiting trans youth from receiving gender-affirming medical interventions; the legislature also required the Utah Department of Health and Human Services to undertake a systematic review of the medical evidence about gender-affirming hormonal and hormone-blocking agents to be completed by November 2024.⁷ While the systemic review was not completed and submitted to the legislature until May 2025, the 1,000-page report contained some notable findings, including:

Based on the reviewed evidence included in this report, it is our expert opinion that policies to prevent access to and use of GAHT for treatment of GD in pediatric patients cannot be justified based on the quantity or quality of medical science findings or concerns about potential regret in the future, and that high-quality guidelines are available to guide qualified providers in treating pediatric patients who meet diagnostic criteria.

[...]

We were not contracted to include a synthesis of the evidence that we found: only to assess ROB and provide evidence tables summarizing safety and efficacy findings. However, after having spent many months searching for, reading, and evaluating the available literature, it was impossible for us to avoid drawing some high-level conclusions. Namely, the consensus of the evidence supports that the treatments are effective in terms of mental health, psychosocial outcomes, and the induction of body changes consistent with the affirmed gender in pediatric GD patients. The evidence also supports that the treatments are safe in terms of changes to bone density, cardiovascular risk factors, metabolic changes, and cancer.⁸

But instead of establishing policies aligned with this medical evidence—and instead of trusting the lived expertise of trans Wisconsinites that continue to sacrifice their privacy and wellbeing in the Capitol, continue to listen to dehumanizing rhetoric for hours on end in hearing after hearing, session after session as they plead with legislators to simply *let them exist*—elected officials keep trying to weaponize government to target their constituents for political gain. At the federal level, the Trump Administration's latest proposals to implement two nationwide administrative rules would significantly shut down access to care by forcing doctors to choose between their ethical obligations to their patients and the threat of losing federal funding. The ACLU will again see the Trump Administration in court.

We all want what's best for our children, and families with transgender youth are no different. No parent should be denied the freedom to help their transgender youth access the care that is right for them. **Every state should be a safe place to raise every family.** We urge you to oppose AB-104.

⁶ *United State v. Skrmetti*, 605 U.S. 495 (2025).

⁷ <https://le.utah.gov/~2023/bills/static/SB0016.html>.

⁸ Systematic Medical Evidence Review of Hormonal Transgender Treatment Report,