

NEW IDEA COUNSELING
2500 W 49TH ST, SUITE 202 SIOUX FALLS, SD 57105
P: 605-271-2676 F: +1-605-653-2371
ANNE@NEWIDEACOUNSELING.COM
NEWIDEACOUNSELING.COM

March 16, 2021

Dear Governor Noem,

We, the undersigned South Dakota mental health providers, write to express our opposition to HB 1217.

As you know, this bill would ban transgender girls and women from participating in school athletics as girls, from kindergarten through college.

As those charged with the mental health care of students and families in our state, we cannot remain silent while HB 1217 is still in consideration. We are deeply concerned because this bill, and others like it, exacerbate the already-severe mental health problems these students face: anxiety, severe depression, suicidal ideation and, all too often, suicide attempts and suicide. Transgender teens already have a nearly 60% suicide attempt rate when they are not supported by their families and communities.

Every time this type of discriminatory legislation is introduced and debated, it deeply impacts our transgender patients and their families. Bills like HB 1217 reinforce the messages of hatred they hear from bullies in their schools, in the media, and on the internet. Today, HB 1217, and the mis-guided rhetoric around it, is causing serious harm to transgender students in our state.

HB 1217 should not be signed into law on the basis of a few hours of testimony. It oversimplifies the scientific, biological foundations of sex and gender. It does not take into account the actual medical treatment that a transgender girl or woman receives to allow her body's biological sex to align with her biological gender. Passing this bill based on such a profound lack of information is not good legislative practice.

Since 2013, our South Dakota High School Athletic Association has had a policy in place that is working well for our transgender students. 80% of our school districts already follow the SDHSAA's guidance. In addition, the NCAA has had a gender equity policy since 2010. Clearly, there are guidelines in place, and HB 1217 is not needed.

As you know, a similar discriminatory bill has cost North Carolina billions of dollars in lost NCAA championships and related sports revenue. In addition to the similar losses South Dakota will likely face, it is estimated that HB 1217 will lead to the loss of thousands of jobs in our state, jobs that are needed as our hospitality industry recovers from the COVID pandemic.

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HB 1217 will certainly bring inevitable, expensive litigation in federal courts, especially in light of the 2020 Supreme Court ruling that discrimination against persons on the basis of sex and gender is illegal. The legal battle will be a waste of our state's resources.

On February 5, 2021, you stated that transgender persons are welcome in South Dakota. HB 1217, and bills like it, proclaim the opposite.

We would encourage you to join your colleague, Governor Spencer Cox of Utah, who said this about a bill identical to HB 1217 when it was proposed in his state: "I just think there's a better way. And I hope there will be enough grace in our state to find a better solution. I don't understand all of this. I don't. But I'm trying to understand more. I'm trying to listen and learn and, again, trying to help kids figure out who they are and keep them alive."

Please help us keep transgender students alive in South Dakota.

We ask you to veto HB 1217.

Respectfully,

Anne Dilenschneider, PhD, LPC-MH, Sioux Falls
Stacy Solsaa, PhD, LPC-MH, NCC, NCSC, Hayti
Susan Lorenzen, MA, MS, LPC-MH, NCC, ACS, Keystone
Jill Donelan, MA, MS, NCC, LPCMH, QMHP, Madison
Danielle Schonebaum, NCC, NCSC, Presho
Larry K. Brendtro, Licensed Psychologist, Lennox
Margie Neugebauer, MA, LPC, CC, CGRMS(R), Hermosa
Stacey Baedke, SD State Certified School Counselor, Vermillion
Lisbeth Leagjeld., Ph.D., LPC-MH, Rapid City
Jennifer Noteboom, LPC, Pickstown
James Spratt, MS, NCC, Rapid City
Donald Pribyl, Psychologist, Sioux Falls
Kristen Ericsson, MS, NCC, LPC-MH, QMHP, Sioux Falls
Christine Ellis, CSW-PIP, Sioux Falls
Michelle Pliska, LPC, QMHP, NCSC, Brandon
Latanda Salmon, CSW-PIP, Sioux Falls
Trevor Mandernach, SD State Certified School Counselor, Vermillion
Sarah Sayavong, SD State Certified School Counselor, Vermillion
Lane Madsen, LAC, NSCS, NCC, Rapid City
Synnora Wilbur, SD State Certified School Counselor, Tripp
Erin Beth Nielsen Ogdahl, CSW-PIP, LAC, Sioux Falls
Cherise Alexander, LMFT, Sioux Falls
Chelsea Molden, M.S., Flandreau
Robyn Shores Foster, CSW-PIP, Sioux Falls
Cruz Trujillo Rodriguez, MS, LPC, NCC, Sioux Falls

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Jamie Craghead, MS, Sioux Falls
Amy Hauge, LPC-MH, QMHP, Aberdeen
Jill Stephenson, SD State Certified School Counselor, Aberdeen
Allison Oxner, MEd, LPC, QMHP, Mobridge
Mark W. Perrenoud, PhD, Rapid City
Bonnie Yackley, SD State Certified School Counselor, Elkton
Johna Nielsen, LPC, LAC, CCTP, RTC, Sioux Falls
Stacy Hayford, MS, LPC, NCC, Rapid City
Lisa Boylan, MA, Sioux Falls
Kim Goebel, SD State Certified School Counselor, Gettysburg
Kris Miner, LPC pending, under supervision, Gregory
Kari Lena-Helling, M.S. Counseling and Human Development, Brookings
Stephanie Lund, MS, NCC, LPC-MH, Pollock
Barbra L. DeVos, MS, NCC, LPC, LAC, QMHP, Sioux Falls
Eric Stevens, SD State Certified School Counselor, Watertown
Rebecca Christiansen, LPC-MH, LPC, NCC, Aberdeen
Shanna Davids, SD State Certified School Counselor, White
Koral Olson, MS, LPC, NCC, CBIS, Rapid City
Patricia Aurand, MDiv, LSWA, Belle Fourche
Amy Elliott, PhD, Sioux Falls
Cynthia Johanson. MS, NCC, LPC trainee., Flandreau
Kari Boyd, Undergraduate Senior going into counseling field, Sioux Falls
Diana Baschnagel, School Counseling Graduate Student, Rapid City