

# The Threat to Women and Girls Presented by Bathroom Bills

- **The story of biological male sexual predators who used nondiscrimination laws protecting gender identity to sexually assault women.**
  - **Christopher Hambrook** pretended to be transgender to gain access to two different women’s shelters. He sexually assault a woman in each one.

Pursuant to a Canadian SOGI, Hambrook used women’s attire to gain access to two women’s shelters in Toronto in January and February of 2012. Both times, he claimed to be a transgendered woman named Jessica. But he wasn’t. He was a dangerous sexual predator. Once accepted inside the women’s shelters as a resident, he sexually assaulted a woman in each of the shelters. One of the women was already a survivor of domestic violence. The other is deaf and homeless. Both were victimized and assaulted by Hambrook, who is not “transgender” but a sexual predator who, according to prosecutors, “simply cannot control his deviant sexual urges.”

One of the victims awoke to find that her tights had been pulled down and her undergarment had been pulled to the side. Hambrook was assaulting her. She screamed. He giggled.

The other woman Hambrook assaulted described how he grabbed her hand and placed it on his crotch, where she could feel his erect penis. She also testified that she caught Hambrook peering at her through a gap in the door while she showered.

Remember: these events took place in a *women’s shelter*, where women are supposed to be safe and protected. Because of a SOGI, these women were anything but that.

Canadian law will not allow the release of the names of the women that Hambrook assaulted. But they are real people, who were really violated because of a law just like the proposed SOGI. Their story deserves to be heard. Their story should never be repeated.

Hambrook has a history of assaulting women and girls. In the past, he served time for sexually abusing a 5 year old girl and for raping a 27 year old woman. And a SOGI made it easy for him to target and

violate his latest victims, allowing this predator easy access to his targets.<sup>1</sup>

- **Noel Crompton Hall** is a prisoner in an Australian prison. He was sentenced to 22 years for the 1987 murder of a hitchhiker. Once in prison, Hall began claiming to be a woman. He demanded to be transferred to the women's jail. The Australian authorities agreed that Hall was now a woman and moved him to the women's prison in August 1999. Hall quickly gained a reputation as a sexual predator. He was only in the women's prison three months but was charged with raping his cellmate. Numerous other female prisoners accused him of additional sexual assaults. He may even have impregnated one of the women prisoners.<sup>2</sup>
- **The story of known sexual predators who assaulted women and girls, but now claim to be transgender and want access to the women's facilities.**
  - **Paul Witherspoon** is a biological male who was convicted in 1990 for sexually assaulting one teenage girl and indecency involving sexual contact with another teenage girl. He is a registered sex offender. In 2012, however, Witherspoon was spotted wearing women's clothing going into the women's bathroom in Dallas, where he would have access to young girls. He was ticketed by a Dallas policeman. But Witherspoon claims to be "transgender," and says that he has every right to use the bathroom with women and girls. He says that it is discriminatory to deny him the right to use the women's facilities.

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<sup>1</sup> Baklinski, Peter, *Sexual predator jailed after claiming to be 'transgender' in order to assault women in shelter*, LifeSiteNews, March 4, 2014, available at <http://www.lifesitenews.com/news/sexual-predator-jailed-after-claiming-to-be-transgender-in-order-to-assault>; Christina Blizzard, *Shocking case proves 'Toby's Law' is flawed*, Toronto Sun, February 15, 2014, available at <http://www.torontosun.com/2014/02/15/shocking-case-proves-tobys-law-is-flawed>; Sam Pazzano, *A sex predator's sick deception*, Toronto Sun, February 15, 2014, available at <http://www.torontosun.com/2014/02/15/a-sex-predators-sick-deception>; Sam Pazzano, *Predator who claimed to be transgender declared dangerous offender*, Toronto Sun, February 26, 2014, available at <http://www.torontosun.com/2014/02/26/predator-who-claimed-to-be-transgender-declared-dangerous-offender>. All websites, unless otherwise noted, were last visited May 14, 2014.

<sup>2</sup> 'Did Hall get fellow prisoner pregnant?', Sydney Morning Herald, Sept. 21, 2006, available at <http://www.smh.com.au/news/national/did-hall-get-fellow-prisoner-pregnant/2006/09/21/1158431837244.html>; Janet Fife-Yeomans, *Sex change killer Maddison Hall to be free as a bird*, The Daily Telegraph, April 3, 2010, available at <http://www.dailytelegraph.com.au/news/nsw/sex-change-killer-to-be-free-as-a-bird/story-e6freuzi-1225849057946>.

Lambda Legal, which advocates for special rights for those engaging in homosexual behavior, agrees with him. To Witherspoon and Lambda Legal, it does not matter that he is a registered child sex offender who has abused young girls—because he now expresses himself as a woman, he should be able to freely enter the women’s restroom. Even more infuriating, Witherspoon—who was sentenced to 16 years for sexual assault and six years for indecency—is still on parole. But he says that *he* is the one being discriminated against because some do not want him to be able to go into the women’s restroom, where young girls are in various states of undress and “available” to him.<sup>3</sup>

Even if Paul Witherspoon really does now identify as female, that by itself does not mean that he would not assault women or girls if he has a predilection for doing so. Many men who identify as female have done so (*see infra* at @@). And Witherspoon is not the only pedophile to decide to be transgender. **Matthew Harks**, of Calgary, Canada, has a strong preference for girls ages 5 to 8. He claimed that he had victimized some 60 girls and committed some 200 offenses with them. But he was convicted of sexual assault against only one—a 7 year old girl in British Columbia. He is on probation now, and in 2012 he changed his name to Madilyn, announcing that he was a transgendered woman.<sup>4</sup> Harks would be able to go into any public women’s facility—even if little girls were inside—in any community with a nondiscrimination ordinance that prohibits segregating public bathrooms according to biological sex.

- **Richard J. Masbruch** today identifies as transgendered. But in 1991, Masbruch brutally attacked the female manager of an apartment complex. He pulled a gun on her, hogtied her, and blindfolded her.

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<sup>3</sup> *Transgender woman ticketed for using ladies room*, NBC News, May 2, 2012, available at <http://usnews.nbcnews.com/news/2012/05/02/11501842-transgender-woman-ticketed-for-using-ladies-room?lite>; Janet St. James, *Transgender woman claims discrimination*, KMOV.com, May 4, 2012, available at <http://www.kmov.com/home/150070825.html>; Courtney O’Donnell, *Sex-Offender Status Complicates Transgender Woman’s Dallas Hospital Bathroom-Usage Citation*, Huffpost Gay Voices, May 16, 2012, available at [http://www.huffingtonpost.com/courtney-odonnell/paula-witherspoon-transgender-sex-offender\\_b\\_1521938.html](http://www.huffingtonpost.com/courtney-odonnell/paula-witherspoon-transgender-sex-offender_b_1521938.html); Ray Villeda, *Transgender Woman: Convictions Irrelevant to Citation*, NBCDFW.com, May 3, 2012, available at <http://www.nbcdfw.com/news/local/Transgender-Woman-Convictions-Irrelevant-to-Citation-149923975.html>.

<sup>4</sup> Stephane Massinon, *Police issue pedophile alert*, Calgary Herald, April 15, 2010, available at <http://www2.canada.com/calgaryherald/news/city/story.html?id=6aca7bd9-1870-49fe-aa01-cd2e6aef8889>; Nadia Moharib, *Name change for convicted pedophile*, Calgary Sun, Aug. 25, 2012, available at <http://www.calgarysun.com/2012/08/25/name-change-for-convicted-pedophile>.

Then he used a makeshift electrical device to deliver painful electrical shocks up and down her leg as well as to her arm, warning her that this was an example of how badly he could hurt her. Masbruch then unzipped the woman's pants and vaginally raped her. After that, he sodomized her. Masbruch was convicted of rape, sodomy, and torture, along with other counts, and was sentenced to two life terms in prison.<sup>5</sup>

That might have been the end of the matter except that Masbruch decided he is transgender. It is not clear from any of the news articles, nor from the court opinion, when Masbruch decided he was transgender. It might have been prior to his raping a woman. It might have been afterwards. Regardless, the State of California decided he is a woman, because he says he is transgendered. So California moved Masbruch to a prison for women and placed him with the female population. The female inmates, however, are terrified to have a male sexual predator, convicted of violent rape and sodomy, housed among them. And who can blame them? Should they have to be jailed with a biological male who committed a horrible rape?<sup>6</sup>

- **The numerous stories of biological males, identifying as female and/or preferring to wear female clothing, who have sexually assaulted women and girls or otherwise sexually victimized them.** Many people wrongly think that there is no danger to women and girls from those biological males who wear women's clothing. That simply is not true. There are numerous cases of males who identify as transgender females but who have been charged or convicted with raping women, as well as cases of transvestite (cross-dressing) men who have likewise been charged or convicted.

None of the examples listed below used a nondiscrimination ordinance to gain access to their victims. But they all wore women's clothing when victimizing their victims. In fact, **many male sexual predators, who prey on women and girls, enjoy wearing women's clothing.** And nondiscrimination ordinances protecting gender identity will give those who are like them easy access to women, teens, and young girls when they are most vulnerable. Consider the following:

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<sup>5</sup> *People v. Masbruch*, 920 P.2d 705, 13 Cal. 4th 1001 (Cal. 1996), available at <http://law.justia.com/cases/california/cal4th/13/1001.html>.

<sup>6</sup> *Transgender inmate faces complaint*, Prison Reform Movement's Weblog, n.d., available at <http://prisonreformmovement.wordpress.com/2008/12/06/transgender-inmate-faces-complaint/>; Senor Unoball, "Male" rapist put into women's prison, Daily Kos, July 23, 2012, available at <http://www.dailykos.com/story/2012/07/23/1112262/--Male-rapist-put-into-women-s-prison#>.

- **Austin Christopher Wikels**, from Dauphin County in central Pennsylvania, is a cross-dresser who regularly presents himself as “Gina Gessner.” In May 2014 he was accused of taking part in the sexual assault of a woman in her 20s. Wikels and the woman were in a hotel room together when a man and another woman arrived. The other woman had brought various BDSM items. When the victim saw these items, she apparently tried to flee the hotel room. She was forced down on a bed, stripped naked, and handcuffed to the headboard. The victim was then sexually assaulted, and then forced to perform a sex act on the other woman. During the attack, Wikels was wearing a padded bra and fluorescent-colored thong panty. He beat the victim with a wooden rod.<sup>7</sup>
- **Paul Williams** is a cross-dresser from Liverpool, England, who is on probation stemming from a plot to sexually assault a woman in 2006. As part of his probation, he is prohibited from associating with minors and having pictures of girls or women. During a search of his home, police found pictures of young girls in violation of the terms of his parole. In February 2014 he was sentenced to jail for violating parole, with the sentencing judge saying that Williams is “a sexual predator who is potentially a very dangerous individual.”<sup>8</sup>
- Senior Twitter engineer **Dana McCallum**, an advocate for transgender rights who identifies as a transgender woman and is transitioning to female, was arrested in January 2014 and charged with raping his wife after they filed for divorce. The charges against McCallum include three counts of spousal rape.<sup>9</sup>

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<sup>7</sup> Jeffrey A. Johnson, *Man who portrayed himself as 'cross dresser' arrested for alleged role in sexual assault, state police say*, Penn Live, May 2, 2014, available at [http://www.pennlive.com/midstate/index.ssf/2014/05/cross\\_dresser\\_sexual\\_assault\\_h.html](http://www.pennlive.com/midstate/index.ssf/2014/05/cross_dresser_sexual_assault_h.html). (All websites last visited May 16, 2014).

<sup>8</sup> Gary Stewart, *Perverted cross dresser jailed after breaching sexual offences prevention order*, Liverpool Echo, Feb. 6, 2014, available at <http://www.liverpoolecho.co.uk/news/liverpool-news/wallasey-cross-dresser-jailed-after-6681097>.

<sup>9</sup> Meghan Keneally, *Transgender female Twitter engineer, 32, is charged with raping her estranged wife the day after serving her with divorce papers*, Daily Mail Online, April 11, 2014, available at <http://www.dailymail.co.uk/news/article-2602740/Transgender-female-Twitter-engineer-charged-raping-estranged-wife.html>; Jonah Owen Lamb, *Transgender, women's rights advocate and prominent Twitter engineer charged with rape*, The San Francisco Examiner, April 11, 2014, available at <http://www.sfexaminer.com/sanfrancisco/transgender-womens-rights-advocate-and-prominent-twitter-engineer-charged-with-rape/Content?oid=2761316>; Nitasha Tiku, *Respected Twitter Engineer Dana McCallum Charged With Rape*, ValleyWag, April 11, 2014, available at <http://valleywag.gawker.com/respected-twitter-engineer-dana-mccallum-charged-with-r-1562193427>;

- **Christopher Todd Gard** is a cross-dresser who, in September 2013, assaulted an 8 year old girl inside a bathroom at a convenience store in Oklahoma City. The little girl had to go to the bathroom. A family member walked her to the bathroom, and the little girl went in by herself. Unbeknownst to the family member or the girl, Gard was waiting inside. He locked the door. Gard was wearing nothing but women's underwear. He grabbed the girl, put a shirt around her neck, and began choking her. She began screaming. The family member frantically tried to get into the bathroom but could not because the door was locked. An employee quickly opened the door with a key and the girl ran out. Gard followed, carrying a BB gun. He was subdued by the family and arrested by the police. Gard faces charges including aggravated assault and battery, assault with a dangerous weapon, kidnapping, indecent exposure and possession of a firearm during a felony.<sup>10</sup>
- **Richard Boule** is a transvestite from Marlborough, Massachusetts, who is accused of groping an 18 year old woman at a gas station in September 2013. Boule allegedly walked over to the young woman, pulled down his pants to reveal he was wearing woman's thong underwear, and said "Let's play." He then allegedly reached down the front of the young woman's skirt and groped her through her underwear.<sup>11</sup>
- **Carl Dahn** was arrested in August 2013 by police in Bergman, Arkansas for computer child pornography and internet stalking of a child. He had sent explicit messages to an undercover investigator,

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<sup>10</sup> Deanne Stein, *Homeless Man Wearing Women's Panties Accused of Assaulting Young Girl in OKC*, News9.com, Sept. 16, 2013, available at <http://www.news9.com/story/23443942/homeless-man-arrested-wearing-womens-panties-accused-of-assaulting-young-girl-in-okc-gas-station-bathroom> (account of Christopher Todd Gard, a 40 year old man, attacking an 8 year old girl); LeighAnne Manwarren, *Man accused of attacking girl in Oklahoma City convenience store restroom*, NewsOK, Sept. 16, 2013, available at [http://newsok.com/homeless-man-is-accused-of-attacking-girl-in-convenience-store-restroom-in-oklahoma-city/article/3883587?custom\\_click=rss&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+newsok%2Fhome+%28NewsOK.com+RSS++Home%29](http://newsok.com/homeless-man-is-accused-of-attacking-girl-in-convenience-store-restroom-in-oklahoma-city/article/3883587?custom_click=rss&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+newsok%2Fhome+%28NewsOK.com+RSS++Home%29) (same).

<sup>11</sup> Norman Miller, *Man accused of groping customer at Sudbury service station*, MetroWest Daily News, Sept. 4, 2013, available at <http://www.metrowestdailynews.com/x511620645/Man-accused-of-groping-customer-at-Sudbury-service-station>; Norman Miller, *Man accused of groping customer at Sudbury service station*, WickedLocal.com, Sept. 4, 2013, available at <http://www.wickedlocal.com/x511620645/Man-accused-of-groping-customer-at-Sudbury-service-station>.



who Dahn believed to be a 14 year old girl. When the undercover officer arrived, Dahn was dressed in women's clothing.<sup>12</sup>

- **Tyler Holder** is a cross-dressing biological teenage male who abducted, raped, and murdered a six year old girl in Dallas, Texas, in July 2013. After he raped little Alanna Gallagher, he wrapped her head in plastic bags and smothered her.<sup>13</sup>
- **Donald Stuart** was arrested in Effingham, Illinois, in May 2013 for child pornography. He had numerous images of young children on his computer, and it is believed that he traded images online. Stuart was also a cross-dresser.<sup>14</sup>
- **Sean Gossman** is a biological male who considers himself a transgendered woman and lives in Onsted, Michigan. In May 2013, he showed up in court for his arraignment on child pornography charges dressed in feminine attire complete with a wig, makeup, stuffed bra, and halter top. Those who know him relate that he dressed like that all the time. They say that he told them he hoped Michigan would pay for his sex change operation.

It is not a crime to be transgendered. It is a crime, however, to possess thousands of pictures and movies of children being sexually assaulted. And that is what Gossman is charged with. Some of the pictures depicted children being tortured. One picture was of a baby girl with a

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<sup>12</sup> *Police arrest cross dresser who was waiting on meeting with 14-year-old*, THV11 CBS, Aug. 21, 2013, available at <http://www.thv11.com/news/article/276769/2/Police-arrest-cross-dresser-who-was-waiting-on-meeting-with-14-year-old>; *NW Arkansas Man Accused of Stalking Child, Owning Child Pornography*, OzarksFirst.com, August 22, 2013, available at <http://www.ozarksfirst.com/story/nw-arkansas-man-accused-of-stalking-child-owning-child-pornography/d/story/fa9nKJM4oUeB7OnB13yg9Q>; *Bergman man arrested for Internet Stalking & Computer Child Pornography*, Marion County Sheriff's Office, Aug. 21, 2013, available at [http://www.marioncountysheriffar.com/press\\_view.php?id=531&PHPSESSID=03b625299605b9203bb394ab3bd9c541](http://www.marioncountysheriffar.com/press_view.php?id=531&PHPSESSID=03b625299605b9203bb394ab3bd9c541).

<sup>13</sup> Deanna Boyd, *Autopsy: Slain Saginaw girl had been immersed in water*, Star-Telegram, Nov. 14, 2013, available at <http://www.star-telegram.com/2013/11/13/5333711/slain-saginaw-girl-had-been-immersed.html>; Julie Fancher, *New details emerge in killing of 6-year-old Saginaw girl*, dallasnews, Oct. 2, 2013, available at <http://www.dallasnews.com/news/crime/headlines/-20131001-new-details-emerge-in-killing-of-6-year-old-saginaw-girl.ece>; Stuart Woledge, et al., *Revealed: Daughter of polyamorous family, six, found under tarps was 'raped and then smothered with plastic bags by neighbor, 17, who then stole her watch'*, Daily Mail, Oct. 2, 2013, available at <http://www.dailymail.co.uk/news/article-2442013/Alanna-Gallagher-smothered-plastic-bags-watch-stolen-neighbor-17-raped-killed-her.html>.

<sup>14</sup> Meredith Ley, *Cross Dressing Man Arrested for Child Porn*, WASV3 NBC, June 28, 2013, available at <http://www.wsav.com/story/22285232/cross>.

noose around her neck and a bag over her head. Some news outlets report the baby was dead.

Gossman's attorney pled for leniency, stating that "The idea of being placed in a male facility is somewhat frightening for Sean Gossman, as he has been taunted and made to feel like a freak by other inmates." One can only imagine how terrifying it was for the children he victimized.<sup>15</sup>

- Also in May 2013, police in Falls Church, Virginia, arrested **Carlos Guillermo Suarez Diaz** for sexually assaulting a 17 year old girl. Diaz was dressed as a woman when he approached the girl. He asked to take her picture, and she consented. Diaz then began touching the girl sexually. She told him to stop and he fled the scene.<sup>16</sup>
- **Gavin Scott** is a cross-dressing Australian who, in January 2013, sexually assaulted three female workers in clothing stores. The first victim was a 17 year old girl. He entered the store dressed as a woman, approached her, and asked for her help while trying on clothing. He asked her to assist him zipping dresses, which she did. But she began to be uncomfortable, and her intuition was correct: Scott pinched her on her bottom, then left the store. In another store, Scott grabbed a female employee's bottom and said, "You have a nice bottom." Sometime later he returned to that store and groped a female

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<sup>15</sup> *Thumb Drive Found In Park Leads To Arrest In Child Porn Case*, CBS Detroit, May 16, 2013, available at <http://detroit.cbslocal.com/2013/05/16/thumb-drive-found-in-park-leads-to-arrest-in-child-porn-case/>; *Adrian man charged after image of dead infant found in child porn cache*, AP via Oakland Press News, May 16, 2013, available at <http://www.theoaklandpress.com/general-news/20130516/adrian-man-charged-after-image-of-dead-infant-found-in-child-porn-cache>; *Sentence delay in child porn case*, Daily Telegram via LenConnect.com, Feb. 26, 2014, available at <http://www.lenconnect.com/article/20140226/News/140229263>; *Adrian man gets 7 years in federal child porn case*, Daily Telegram via LenConnect.com, April 20, 2014, available at <http://www.lenconnect.com/article/20140420/News/140418764>; Mara MacDonald, *Cross-dressing Michigan man faces child pornography charge after FBI probe*, ClickOnDetroit, May 16, 2013, available at <http://www.clickondetroit.com/news/news/crossdressing-michigan-man-faces-child-pornography-charge-after-fbi-probe/20184356>.

<sup>16</sup> *Police Make Arrest in March Cross Dressing Sexual Assault Case*, Falls Church News, May 4, 2013, available at <http://fcnp.com/2013/05/04/police-make-arrest-in-march-cross-dressing-sexual-assault-case/>; Michelle Boorstein, *Falls Church man arrested in sexual assault of teen*, Wash. Post, May 5, 2013, available at [http://www.washingtonpost.com/local/falls-church-man-arrested-in-sexual-assault-of-teen/2013/05/05/c56cc43c-b592-11e2-92f3-f291801936b8\\_story.html](http://www.washingtonpost.com/local/falls-church-man-arrested-in-sexual-assault-of-teen/2013/05/05/c56cc43c-b592-11e2-92f3-f291801936b8_story.html).



assistant's bottom and groin. Scott ultimately pled guilty to sexually assaulting these women.<sup>17</sup>

- **Dean Williams**, a biological male who claims to be female, was accused in 2012 of luring a woman into a sex dungeon, pinning her down on a bed, and raping her. Williams, who goes by "Nadine," admitted he had sexual intercourse with the woman but denied raping her. The woman had 49 distinct scratches and other injuries on her body. Williams admitted he caused some of the scratching on her body, including scratches on her left breast, but claimed everything that happened was consensual. A jury ultimately acquitted Williams of rape.<sup>18</sup> Still, the fact that he had consensual sex with a woman, while claiming to identify as female, is troubling.
- **Mark Lazarus** has been described as "an extremely dangerous cross-dressing sex attacker." In 2012, he waited outside a public bathroom for over an hour until a 71 year old woman went inside. Lazarus followed her, grabbed her, and tried to rape her. She only escaped because she screamed and Lazarus panicked and fled. He was ultimately arrested and convicted of attempted rape and sentenced to jail. Sadly, he had also previously assaulted an 11 year old girl while wearing female clothing.<sup>19</sup>

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<sup>17</sup> Kristy Topping, *Cross-dresser sentenced for sexual assaults*, The Courier, April 24, 2010, available at <http://www.thecourier.co.uk/news/local/perth-kinross/cross-dresser-sentenced-for-sexual-assaults-1.334319>; Rod Mills, *Transvestite wearing dress groped female shop staff*, Scottish Express, March 21, 2014, available at <http://www.express.co.uk/news/uk/466020/Perth-Transvestite-stands-accused-of-sexual-assault> (transvestite Gavin Scott admitted sexually assaulting three young women).

<sup>18</sup> *Transgender man, Nadine Williams, cleared of rape and sexual assault*, South Wales Evening Post, Feb. 9, 2013, available at <http://www.southwales-eveningpost.co.uk/Transgender-man-Nadine-Williams-cleared-rape/story-18099922-detail/story.html>; Robin Turner, *Transgender man accused of raping woman*, Wales Online, Feb. 4, 2013, available at <http://www.walesonline.co.uk/news/wales-news/transgender-man-accused-rape-woman-2494864>; Robin Turner, *Transgender man tells jury he did not rape woman*, Wales Online, Feb. 7, 2013, available at <http://www.walesonline.co.uk/news/wales-news/transgender-man-tells-jury-not-2495114>; Alex Ward, *Transgender man bursts out of courtroom in tears of joy after being cleared of raping and sexually assaulting a woman*, Daily Mail Online, Feb. 9, 2013, available at <http://www.dailymail.co.uk/news/article-2276205/Nadine-Williams-Transgender-man-cleared-rape-sexually-assaulting-woman.html>.

<sup>19</sup> *Cross-dresser branded 'high risk' to women*, Western Morning News, Sept. 27, 2012, available at <http://www.westernmorningnews.co.uk/Cross-dresser-branded-high-risk-women/story-16994889-detail/story.html>; Kerry McQueeney, *Cross dressing sex attacker who attempted to rape a pensioner of 71 in public toilet was obsessed by skirts*, Mail Online, Sept. 12, 2012, available at <http://www.dailymail.co.uk/news/article-2209304/Mark-Lazarus-Cross-dressing-sex-attacker-obsessed-skirts-tried-rape-woman-71-Teignmouth-Devon.html>.

- **Aaron L. LaGrand** posed as a woman for several years while gaining the trust of a Lisbon, Ohio family. Believing Aaron to be a woman, the parents invited him into their home to care for their four young children, ages 6 to 13. He used this opportunity to molest them. He was arrested in 2012, but the molestation occurred between 2004 and that year. It is not clear from the news articles whether Aaron actually identifies as transgender, but it seems likely. For many years he has lived as a woman and convinced everyone that he was a woman. He went by the name “Erin.”<sup>20</sup>
- In 2012, **Steven Shepard**, who identifies as a cross-dresser, attacked a woman in her apartment complex laundry room in Altamonte Springs, Florida, and tried to rape her. Thankfully, she was able to fight him off.<sup>21</sup>
- Also in 2012, **Javier Cortez** was arrested for raping and abusing a young girl in Temecula, California, for more than a decade. It was discovered that he had photographs of himself in the girl’s underwear and skirt. The victim was 13 when Cortez was arrested. He had forced her to touch his penis beginning when she was 3, and he sodomized her for the first time when she was 9.<sup>22</sup>
- **Renell Thorpe** is a cross-dressing biological male who allegedly broke into a woman’s home in Sacramento, California, in 2011. He

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<sup>20</sup> *Cross-dresser charged with sex crimes*, Salem News, Sept. 28, 2012, available at <http://www.salemnews.net/page/content.detail/id/558716/Cross-dresser-charged-with-sex-crimes.html?nav=5019>; *EL man charged with child rape enters insanity plea*, Salem News, Nov. 15, 2012, available at <http://www.salemnews.net/page/content.detail/id/560335.html>; Deanne Johnson, *Crossdressing molester to spend at least 15 years in prison*, The Review, Aug. 6, 2013, available at <http://reviewonline.com/page/content.detail/id/568264/Crossdressing-molester-to-spend-at-least-15-years-in-prison.html>;

<sup>21</sup> *Man accused of trying to rape woman admits he’s a cross-dresser*, WESH.com, Sept. 4, 2012, available at <http://www.wesh.com/news/central-florida/Man-accused-of-trying-to-rape-woman-admits-he-s-a-cross-dresser/16480216#!NBP8v>; *Police: Half-naked man attacked woman doing laundry*, Bay News 9, Sept. 4, 2012, available at [http://www.baynews9.com/content/news/-baynews9/news/article.html/content/news/articles/cfn/2012/9/4/police\\_half\\_naked\\_ma.html](http://www.baynews9.com/content/news/-baynews9/news/article.html/content/news/articles/cfn/2012/9/4/police_half_naked_ma.html); Amy Pavuk, *Cross-dressing man attacked woman in laundry room, police say*, Orlando Sentinel, Sept. 4, 2012, available at [http://articles.orlandosentinel.com/2012-09-04/news/os-cross-dressing-man-laundry-attack-20120904\\_1\\_cross-dressing-man-laundry-room-altamonte-springs-police](http://articles.orlandosentinel.com/2012-09-04/news/os-cross-dressing-man-laundry-attack-20120904_1_cross-dressing-man-laundry-room-altamonte-springs-police).

<sup>22</sup> Peter Surowski, *Police: Man Raped Child, Wore Her Underwear*, Temecula Patch, April 24, 2012, available at <http://temecula.patch.com/groups/police-and-fire/p/man-accused-of-raping-child-wearing-her-underwear>.

restrained her, raped her, and tried on her clothing before fleeing. He was subsequently arrested.<sup>23</sup>

- Cross-dressing **Russell Williams**, a highly decorated Canadian Air Force colonel, was sentenced to life in prison in 2011 for 88 sex crimes including 2 counts of murder and 2 counts of sexual assault. After each of these crimes, he photographed himself in his victims' underwear and bras. One victim who survived was subjected to a three and half hour sexual assault.<sup>24</sup>
- In 2011 in Canberra, Australia, a biological male wearing a blond shoulder-length wig, dress, bra, and high heels approached a 14 year old girl. He tried to remove her clothing. He had previously exposed himself to another teenager and committed a sexual act.<sup>25</sup>
- **Qasim Anwar** of Manchester, England, is a transvestite man who was convicted in 2010 of raping a female passenger in his taxi cab. He carried out the sexual assault while wearing make-up, a wig, women's clothing and high heels. He also filmed the rape with his phone. Anwar was sentenced to five years in prison.<sup>26</sup>
- Also in 2010, cross-dresser **Gavin Boyd**, who calls himself "Joyce," was convicted in Scotland of murdering 20 year old Vikki McGrand. Boyd was afraid she would reveal that he was a cross-dresser, so he

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<sup>23</sup> *Crossdressing Suspect Arrested for Raping Woman*, CBS Sacramento, April 17, 2011, available at <http://sacramento.cbslocal.com/2011/04/17/crossdressing-suspect-arrested-for-raping-woman/>; *Parolee jailed in sexual assault and home invasion*, Sacramento Today, April 17, 2011, available at <http://www.sacramentotoday.net/news/templates/community.asp?articleid=1618&-zoneid=1>; *Sacramento Sheriff's deputies nab parolee linked to home invasion*, Sacramento Bee, April 17, 2011, available at <http://blogs.sacbee.com/crime/archives/2011/04/sacramento-sher-99.html>.

<sup>24</sup> Rachel Quigley, *'Something was choking me around my neck': Woman reveals how she survived attack by cross-dressing Air Force One commander who murdered two women*, Mail Online, April 9, 2011, available at <http://www.dailymail.co.uk/news/article-1375032/Victim-cross-dressing-Air-Force-One-commander-raped-murdered-women-speaks-ordeal.html>.

<sup>25</sup> ACT police seek cross-dressing flasher, The Sydney Morning Herald, March 25, 2011, available at <http://news.smh.com.au/breaking-news-national/act-police-seek-crossdressing-flasher-20110325-1c9rt.html>.

<sup>26</sup> *Crossdresser cabbie convicted of rape*, Manchester Evening News, April 20, 2010, available at <http://www.manchestereveningnews.co.uk/news/local-news/crossdresser-cabbie-convicted-of-rape-958087>; *Transvestite rapist jailed*, Manchester Evening News, April 19, 2010, available at <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/transvestite-rapist-jailed-963868>.

killed her. This was not Boyd's first serious offense. In 1999, "Joyce" was sentenced to 20 years for sexually assaulting a 19 year old girl. News accounts describe this sexual assault as "terrifying," and say that the attack left the teen girl permanently disfigured.<sup>27</sup>

- **Gordon Murray Waite**, a cross-dresser, was convicted in 2010 of raping a woman in Rotorua, New Zealand. This was not a stranger-rape; she was his sexual partner. But on this occasion, he overpowered her and raped her.<sup>28</sup>
- In 2009, cross-dresser **Phillip John Ortega** was arrested for exposing himself to a woman. Ortega was dressed at the time in a women's pink one-piece swimming suit, a sweater, and make-up. He approached the woman, pulled out his genitals, and said, "Look at this." In 2008, this cross-dressing biological male was convicted of kidnapping a 12 year old girl.<sup>29</sup>
- **The English prisoner**, known only as "A," is serving a life sentence for the manslaughter of his boyfriend and the attempted rape of a woman. He tied the woman up with a suspender belt, took her into a back room, and tried—but failed—to rape her. At the time, he was already identifying as a transgendered woman. Amazingly—despite this attempted rape of a woman—a judge ruled that housing "A" in a male prison was a violation of his human rights, and ordered him transferred to a female prison.<sup>30</sup>

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<sup>27</sup> *Life term for Ayr cross-dressing killer*, BBC News, May 26, 2010, available at <http://www.bbc.co.uk/news/10164595>; *Gavin Boyd was freed to murder Vikki McGrand*, Daily Record, June 4, 2010, available at <http://www.dailyrecord.co.uk/news/local-news/gavin-boyd-freed-murder-vikki-2424458>; Craig McDonald, *Cross-dressing sex beast is jailed for 20 years after murdering women he feared would reveal secret*, Daily Record, May 27, 2010, available at <http://www.dailyrecord.co.uk/news/scottish-news/cross-dressing-sex-beast-is-jailed-for-20-1060080>.

<sup>28</sup> Cherie Taylor, *Cross-dresser jailed for raping bondage partner*, The New Zealand Herald, July 26, 2010, available at [http://www.nzherald.co.nz/nz/news/article.cfm?c\\_id=1&object-id=10661305](http://www.nzherald.co.nz/nz/news/article.cfm?c_id=1&object-id=10661305) (Gordon Murray Waite, across dressing male fetishist, convicted of raping woman).

<sup>29</sup> *Police: Man Wearing Ladies' Swim Suit Exposes Himself*, News9.com, Oct. 22, 2009, available at <http://www.news9.com/story/11366771/police-man-wearing-ladies-swim-suit-exposes-himself>.

<sup>30</sup> Vanessa Allen, *Transsexual killer and attempted rapist wins 'human rights' battle to be moved to women's prison*, Mail Online, Sept. 4, 2009, available at <http://www.dailymail.co.uk/news/article-1211165/Transsexual-prisoner-wins-High-Court-battle-moved-womens-jail.html>; David Batty, *Transsexual prisoner wins move to women's jail*, The Guardian, Sept. 4, 2009, available at <http://www.theguardian.com/society/2009/sep/04/transsexual-human-rights-courts>; Tom Whitehead, *Transsexual prisoner wins right to be in female prison*, The Telegraph, Sept. 4, 2009,

- **Wesley Francis Cox**, of Boulder, Colorado, is a transvestite voyeur. He was arrested in 2008 after he was caught peeping at, and videotaping, a Boulder couple having sexual intercourse inside their home. He had videos not only of that couple, but also of three women getting dressed or stepping out of showers. Cox also filmed himself in the bedrooms of two women, sexually gratifying himself with their garments. When Cox was arrested, he was wearing a woman's bra. According to the police, Cox would break into women's homes, steal their underwear, then return and videotape the women. Police recovered numerous women's undergarments from Cox's house, including about 10 pieces from Boulder High School cheerleader outfits.<sup>31</sup>
- In 2008, a petite 24 year old woman living in Beaverton, Oregon, got out of her shower, wrapped herself in a towel, and sat down on her bed to apply lotion to her legs. She soon became aware that a man was standing in her closet looking at her. **Eric Triton Kincaid** was dressed in a lacy negligee with fishnet stockings open at the crotch. He also wore a miniskirt, sheer blouse and long wig. The woman thought she was about to be raped. She screamed and Kincaid ran out of her apartment.

Kincaid was charged with first-degree sexual abuse. At trial, he admitted to being in the woman's apartment but said he had been invited by another woman to come to her apartment for sex. He was high on meth, which had him confused, and it was only when he saw the half-naked 24 year old that he realized she was the wrong woman and he must be in the wrong apartment. The jury believed him and acquitted him of all charges, taking this for an honest mistake.

It must have been a very frightening mistake for the 24 year old.<sup>32</sup>

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available at <http://www.telegraph.co.uk/news/uknews/law-and-order/6138325/Transsexual-prisoners-right-to-be-in-female-prison.html>.

<sup>31</sup> John Aguilar, *Woman in Peeping Tom case IDs bedroom as own*, Daily Camera, Dec. 16, 2008, available at [http://www.dailycamera.com/ci\\_12953132](http://www.dailycamera.com/ci_12953132); Vanessa Miller, *Underwear owners come forward to police*, Daily Camera, Dec. 15, 2008, available at [http://www.dailycamera.com/ci\\_12953113](http://www.dailycamera.com/ci_12953113); Heath Urie, *Police want help identifying owners of stolen underwear*, Daily Camera, Dec. 3, 2008, available at [http://www.dailycamera.com/ci\\_13107916](http://www.dailycamera.com/ci_13107916).

<sup>32</sup> *Burglary suspect found not guilty in odd case*, KATU.com, April 8, 2008, available at <http://www.katu.com/news/local/17385104.html>; Tom Maurer, *Lingerie-clad man in Beaverton woman's closet claims misunderstanding*, OregonLive, April 7, 2008, available at [http://blog.oregonlive.com/breakingnews/2008/04/he\\_was\\_in\\_her\\_closet\\_in\\_a\\_wig.html](http://blog.oregonlive.com/breakingnews/2008/04/he_was_in_her_closet_in_a_wig.html).

- In 2006, **Joseph Greenquist**, of Londonberry, New Hampshire, allegedly broke into college women's apartments on the University of New Hampshire campus. Once inside, he would steal their underwear. Only one time, he did more. He saw a young college coed sleeping in her bed. Greenquist allegedly climbed on top of her and attempted to assault her. When he was arrested a short time later, Greenquist was wearing nothing but a pair of women's underwear.<sup>33</sup>
- **Marcus Hance** was a 32 year old cross-dresser when, in 2000, he assembled a "rape kit" to help him subdue and rape a 21 year old female student. His kit included a knife, mask, gloves, tights to tie up and gag the young woman, and condoms. Hance hid along a pathway near Exeter University where he knew women student often walked alone. He grabbed his victim as she was walking home from classes. She screamed, however, and a passing teacher ran to her aid. Hance tried to escape but was apprehended, wearing women's clothing, and sentenced to 10 years in prison.<sup>34</sup>
- In 1984, a male transvestite prisoner in a prison in Lehigh County, Pennsylvania, allegedly raped a female prisoner while she was taking a shower. According to the woman, a man dressed like a woman, with "some feminine features," entered the shower with her, held a sharp object to her neck, and raped her. It was not clear why the biological male was in the women's unit of the prison.<sup>35</sup>

As these examples demonstrate, the fact that a biological male identifies as female does not mean he cannot harm women and children, including sexually assaulting them. While most do not, some do. In addition to the examples already cited, there are many other examples of biological males who identify as female, or who are cross-dressers, raping, sexually assaulting, or otherwise injuring women and girls.

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<sup>33</sup> *Man charged with breaking into apartments, taking underwear*, Boston.com, Sept. 12, 2006, available at [http://www.boston.com/news/education/higher/articles/2006/09/12/-man\\_charged\\_with\\_breaking\\_into\\_apartments\\_taking\\_underwear/](http://www.boston.com/news/education/higher/articles/2006/09/12/-man_charged_with_breaking_into_apartments_taking_underwear/); *Teen charged with stealing panties*, AP via Pantagraph.com, Sept. 12, 2006, available at [http://www.pantagraph.com/news/-teen-charged-with-stealing-panties/article\\_d363d37b-d97d-5815-b2bc-ea5d8bb3afc3.html](http://www.pantagraph.com/news/-teen-charged-with-stealing-panties/article_d363d37b-d97d-5815-b2bc-ea5d8bb3afc3.html).

<sup>34</sup> *10 years' jail time for man whose meticulous rape plot failed*, The Guardian, July 26, 2000, available at <http://www.theguardian.com/uk/2000/jul/27/4>; Richard Savill, *Crossdresser put together 'rape kit' to attack student*, The Telegraph, July 27, 2000, available at <http://www.telegraph.co.uk/news/uknews/1350541/Crossdresser-put-together-rape-kit-to-attack-student.html>;

<sup>35</sup> Tim Blangger, *Rapist Was Transvestite, Female Prisoner Contends*, The Morning Call, June 17, 1984, available at [http://articles.mcall.com/1984-06-17/news/2417979\\_1\\_female-inmate-prison-officials-prison-authorities](http://articles.mcall.com/1984-06-17/news/2417979_1_female-inmate-prison-officials-prison-authorities) (female prisoner contended biological male prisoner, who dressed as a woman, raped her in the shower).



In addition to sexual violence, some men wearing women's clothing have murdered and physically assaulted women. For instance, police in Hawaii believe that **Vernon Baker**, a transgender, transvestite, or cross-dressing man, **may have murdered Mary Beth San Juan** in 2013. Prior to Baker's arrest, the best lead was a surveillance video that captured a man in a dress and high heels using the murdered woman's ATM card. Baker appears to be the man in the video.<sup>36</sup>

In December 2012, **John Maatsch**, a Fort Myers, Florida man, broke into a Tracey Marazzi's home and **began stabbing her as she slept**. He punctured her lung, but she fought back and he fled. The victim did not know Maatsch. When Maatsch was arrested, he was wearing women's clothing. There is no known motive for the attack.<sup>37</sup>

In November 2012, transvestite or cross-dresser **Kristopher Lawless** was charged in Bakersfield, California, with attempted murder and torture, among other things, for beating his girlfriend unconscious, tying her up, and keeping her captive for days against her will. Lawless had been arrested in June of 2012 by an anti-prostitution task force. He was dressed as a woman, with makeup, a black and red lace top, black lace women's underwear, earrings, necklaces, and knee-high boots. He offered to perform a sex act on the policeman.<sup>38</sup>

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<sup>36</sup> *Newly-released video of person police believe murdered a local woman*, KITV.COM, July 25, 2013, available at <http://www.kitv.com/news/hawaii/newlyreleased-video-of-person-police-believe-murdered-a-local-woman/21174924>; Nicole Bento and Ben Gutierrez, *WATCH: Surveillance video of Punahou St. homicide suspect*, WTOC, July 25, 2013, available at <http://www.wtoc.com/story/22935691/watch-now-hpd-news-conference-about-punahou-st-homicide-live-at-hawaii-newsnowcom>; Ian Scheuring, *Suspect in violent Punahou Street homicide identified*, KCBN NBC, July 28, 2013, available at <http://www.kcbd.com/story/22948974/breaking-punahou-st-homicide-suspect-in-custody-details-at-hawaii-newsnowcom>; Michael Tsai, *Police arrest 41-year-old man in Punahou Street murder*, Star Advertiser, July 28, 2013, available at [http://www.staradvertiser.com/news/breaking/20130727\\_Police\\_hold\\_suspect\\_in\\_Punahou\\_Street\\_murder.html?id=217260631](http://www.staradvertiser.com/news/breaking/20130727_Police_hold_suspect_in_Punahou_Street_murder.html?id=217260631).

<sup>37</sup> *911 call after woman stabbed in her sleep*, WINK CBS, n.d., available at [http://www.winknews.com/mobile/index.php/mobile/article/2013-02-25\\_911-call-after-woman-stabbed-in-her-sleep](http://www.winknews.com/mobile/index.php/mobile/article/2013-02-25_911-call-after-woman-stabbed-in-her-sleep); *Stabbing suspect accused of cross-dressing*, WINK CBS, Jan 2, 2013, available at <http://www.winknews.com/Local-Florida/2013-01-02/EXCLUSIVE-Stabbing-victim-takes-WINK-inside-her-home>; Matt Wright, *Maatsch gets 15 years for attempted murder, burglary*, ABC7, April 29, 2013, available at <http://www.abc-7.com/story/22111060/maatsch-gets-15-years-for-attempted-murder-burglary#.U3UzkPldVj4>.

<sup>38</sup> Jose Gaspar, *Torture suspect once busted in drag for prostitution*, BakersfieldNow.com, Nov. 6, 2012, available at <http://www.bakersfieldnow.com/news/local/-dressed-as-a-woman-looking-for-sex-177420741.html>; David Moye, *Kristopher Lawless, Alleged Attempted Murderer, Once Arrested For Prostitution While Wearing A Dress*, Huffington Post, Nov. 6, 2012, available at [http://www.huffingtonpost.com/2012/11/06/kristopher-lawless-attempted-murder\\_n\\_2082959.html](http://www.huffingtonpost.com/2012/11/06/kristopher-lawless-attempted-murder_n_2082959.html).

Allowing biological males into women's bathrooms, shower rooms and locker rooms places women and children in danger, even if the biological males are wearing women's clothing.

- **Stories of biological male voyeurs who dressed as women to gain access to women's facilities, where they leered at, photographed, and/or videotaped unsuspecting women and girls.**
  - **Jason Pomare** pretended to be transgender to gain access to women's bathrooms and record hours of video of women and girls using the toilet. Pomare was a 33 year old voyeur when, in 2013, he victimized women in Los Angeles. He donned bra, wig and female clothing to gain access to a women's bathroom at a Los Angeles Macy's Department Store so he could secretly video-record the women and girls inside. He had a video camera in a bag, which he slid underneath stalls in order to secretly video-record women and girls as they were using the toilet. When he was caught, he had *hours* of video of women and girls he recorded by pointing his camera under restroom stalls.<sup>39</sup> Who knows whether he had made other, previous recordings that we do not know about? Who knows how many women and girls were victimized?
  - In 2013, **Rodney Kenneth Petersen** was arrested for dressing as a woman to enter a woman's dormitory and take pictures of the coeds at Loma Linda University in California. An investigation revealed that Peterson had previously dressed as a woman and entered other female-

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<sup>39</sup> CBS/AP, *Man in Woman's Clothers Accused of Videotaping Inside Macy's Restroom*, CBS Los Angeles, May 14, 2013, available at <http://losangeles.cbslocal.com/2013/05/14/man-in-womans-clothes-accused-of-videotaping-inside-macys-restroom/>; M. Diworth, Palmdale man arrested for videotaping in women's bathroom, Antelope Valley Times, May 14, 2013, available at <http://theavtimes.com/2013/05/14/palmdale-man-arrested-for-videotaping-in-womens-bathroom/>; John Cadiz Klemack and Jonathan Lloyd, *Man Disguised as Woman Recorded "Hours" of Mall Restroom Video: Investigators*, 4 NBC Southern California, May 16, 2013, available at <http://www.nbclosangeles.com/news/local/Secret-Recording-Store-Mall-Antelope-Valley-Palmdale-Restroom-207541101.html>; Steve Kuzj, *DA: Cross Dressing Man Secretly Videotaped Women in Macy's Bathroom*, KTLA5, May 14, 2013, available at <http://ktla.com/2013/05/14/da-cross-dressing-man-secretly-videotaped-women-in-macys-bathroom-2/#axzz2YYtnPDRK>; Robert J. Lopez, *Man wore dress, wig to videotape women in bathroom, deputies say*, Los Angeles Times, May 14, 2013, available at <http://articles.latimes.com/2013/may/14/local/la-me-ln-man-videotape-women-in-restroom-20130514>.

only facilities, trying to take photos of women and girls with a cell phone he had hidden in his purse.<sup>40</sup>

- In 2012, **Taylor J. Buehler** was arrested in Everett, Washington for voyeurism. He donned a bra and wig to appear as a woman so he could go into the women's bathroom at Everett Community College. Only, he is not transgender; and, he is sexually attracted to women. Once inside the bathroom, he began leering at the two women who were using the facilities. After his arrest, he admitted that he had previously taken a shower in a girls' locker room for "sexual gratification." Buehler was convicted of voyeurism.<sup>41</sup>
- In 2011, **Joel Hardman**, a postgraduate student at the University of Birmingham in England, disguised himself with a women's rubber mask and wig in order to gain access to women's restrooms, where he spied on women using the toilets. After being arrested, he explained that he got sexual gratification from listening to women using toilets. While in the bathrooms, he not only listened—he also made audio recordings of the women urinating.<sup>42</sup> And he admitted to, on at least

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<sup>40</sup> Rodney Kenneth Petersen Dressed As Woman To Take Photos Of Female Students: Police, Huffington Post, June 25, 2013, available at [http://www.huffingtonpost.com/2013/06/25/-rodney-kenneth-petersen\\_n\\_3496651.html](http://www.huffingtonpost.com/2013/06/25/-rodney-kenneth-petersen_n_3496651.html); Kate Mather, Man dressed as woman tried to take pictures in dorm, police say, LA Times, June 24, 2013, available at <http://www.latimes.com/local/lanow/la-me-ln-man-allegedly-dressed-woman-20130624-story.html>; Eric Owens, Cross-dressing man busted trying to spy in female college dorm, The Daily Caller, June 27, 2013, available at <http://dailycaller.com/2013/06/27/cross-dressing-man-busted-trying-to-spy-in-female-college-dorm/>.

<sup>41</sup> Man wearing bra, wig arrested in bathroom voyeurism incident, kirotv.com, March 16, 2012, available at <http://www.kirotv.com/news/news/crime-law/man-wearing-bra-wig-arrested-bathroom-voyeurism-in/nLWFR/>; Man wearing bra and wig arrested in women's restroom at local college, Sky Valley Chronicle, March 17, 2012,

Police: Man in bra and wig found in women's bathroom, KOMOnews.com, March 16, 2012, available at <http://www.komonews.com/news/local/Police-Man-spotted-in-womens-bathroom-wearing-bra-wig-142987265.html>; Taylor James Buehler Registered Sex Offender, Homefacts, n.d., available at <http://www.homefacts.com/offender-detail/WA1642904/Taylor-James-Buehler.html>.

<sup>42</sup> Student wore a female rubber mask and wig to spy on women in public toilets, Mail Online, May 11, 2011, available at <http://www.dailymail.co.uk/news/article-1385889/Joel-Hardman-wore-female-rubber-mask-wig-spy-women-public-toilets.html#ixzz31o5D5Yy7>; Shamed Birmingham student Joel Hardman avoids jail sentence over policeman attack, Birmingham Mail, Feb. 1, 2012, available at <http://www.birminghammail.co.uk/news/local-news/shamed-birmingham-student-joel-hardman-178076>; Ross McCarthy, Bullring toilet pervert who wore mask and fancy dress to spy on women given community order, Birmingham Mail, May

one occasion, “performing a sex act” while listening to the women. He also took pictures of women’s feet under the stall doors with his phone.<sup>43</sup>

- Also in 2011, transgender **Thomas Lee Benson**, a **convicted sex offender** for having sexual contact with a minor girl, dressed as a woman so he could go into the women’s locker room at a swimming pool in North Clackamas, Oregon. There were young girls present in the locker room changing into their swimsuits while Benson was inside. Previously, Benson had dressed as a woman to enter a women’s dressing room at a pool in Portland, Oregon. Young girls were changing into their swimsuits in that dressing room, too.

Benson says that he now wants to live life as a woman and he is not a threat to girls.<sup>44</sup> The spokesman for the Clackamas County Sheriff’s Office disagrees. He had this to say about Benson:

Mr. Benson has been known to dress as a female to gain access to undressed minor females by frequenting restrooms, dressing rooms, changing rooms, aquatic centers and pool locker rooms. Mr. Benson has been known to use money, candy and threats to gain access to his victims.<sup>45</sup>

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11, 2011, available at <http://www.birminghammail.co.uk/news/local-news/bullring-toilet-pervert-who-wore-154191>; Laura Nell, *Perv in mask & wig spied on girls in loo*, Daily Star, May 12, 2011, available at <http://www.dailystar.co.uk/news/latest-news/190477/Perv-in-mask-wig-spied-on-girls-in-loo>.

<sup>43</sup> Jane Tyler, *Edgbaston university student spied on women and filmed them in Bullring toilets*, Birmingham Mail, April 14, 2011, available at <http://www.birminghammail.co.uk/news/local-news/edgbaston-university-student-spied-on-women-152496>.

<sup>44</sup> *Clackamas County Community Corrections Predatory Sex Offender Notification*, May 2, 2012, available at [http://www.flashalertnewswire.net/images/news/2012-05/624/54014/benson\\_notification\\_flyer.pdf](http://www.flashalertnewswire.net/images/news/2012-05/624/54014/benson_notification_flyer.pdf); *Police: Sex offender posed as woman, went into women's locker room*, KOMOnews.com, July 6, 2011, available at <http://www.komonews.com/news/local/-125111914.html>; Rick Bella, *Sex offender caught dressed as woman in girls dressing room at Milwaukie-area swim park*, OregonLive, July 6, 2011, available at [http://www.oregonlive.com/milwaukie/index.ssf/2011/07/post\\_9.html](http://www.oregonlive.com/milwaukie/index.ssf/2011/07/post_9.html); Teresa Blackman, *Clackamas Co. child sex offender out on parole*, KGW.com, May 4, 2012, available at <http://www.kgw.com/news/Flyers-warn-of-sex-offender-lurking-near-pools-150049735.html>; Patrick Preston, *Man sentenced after going into women’s locker room*, KATU.com, Oct. 27, 2011, available at <http://www.katu.com/news/local/132679743.html>.

<sup>45</sup> Rick Bella, *Cross-dressing sex offender released to community supervision*, Oregon Live, May 3, 2012, available at [http://www.oregonlive.com/milwaukie/index.ssf/2012/05/cross-dressing\\_sex\\_offender\\_re.html](http://www.oregonlive.com/milwaukie/index.ssf/2012/05/cross-dressing_sex_offender_re.html).

- According to the **University of California at Berkeley** police department, a man dressed as a woman was spotted peeping at women and photographing them in a UC Berkeley locker room. During the fall semester of 2010, he was spotted on numerous occasions, dressed in women's attire, peeping at women as they changed clothes in a locker room and photographing them in locker rooms and bathrooms. He used his cell phone to snap pictures of the unsuspecting coeds.<sup>46</sup>
- In 2003, **Eichi Yamamoto** of Matsuyama, Japan, was charged with dressing as a woman so he could enter public bath houses in order to see naked women. When he entered the bath houses, Yamamoto would wear a wig, blouse, skirt, bra, and lipstick. He told investigators, "I wanted to see women naked. Dressing up as a woman was a step to do that." Once inside the bath houses, Yamamoto would stare at the naked women as they soaked in the water.<sup>47</sup>
- **Stories of biological males wearing women's clothing exposing themselves to women and girls.**
  - **A high school swim team was subjected to a 45 year old biological male who identifies as a transgender woman sprawling naked in their locker room, exposing his genitals to them.** Because of a SOGI, Washington's Evergreen State College has allowed a 45 year old anatomical male who calls himself Colleen Francis to use its women's restrooms and locker rooms. The college shares its swimming pool and adjacent locker rooms with the local high school and a children's swim club. On several occasions in 2012, Francis exposed his genitalia to young girls—some as young as six—in the locker room. The mother of a 17 year old girl even filed a police report detailing what her daughter saw. A swim coach also filed a police report. She described seeing Francis sitting in the sauna with his legs open and his genitalia plainly exposed. Despite numerous complaints and the police reports, Evergreen State College continues

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<sup>46</sup> Jeffrey Butterfield, *Man Disguised as Woman Allegedly Sneaks into RSF Women's Locker Room, Takes Pictures*, The Daily Californian, October 13, 2010, available at <http://archive.dailycal.org/article.php?id=110753>; Jessica Green, *Cross-Dressing Peeping Tom Lurking on Cal Campus*, NBC Bay Area, Oct. 13, 2010, available at <http://www.nbcbayarea.com/news/local/Cross-Dressing-Peeping-Tom-Lurking-on-Cal-Campus-104878219.html>; Anneli Rufus, *Cross-dressing Peeper Infiltrates Cal Women's Locker Room*, East Bay Express, October 12, 2010, available at <http://www.eastbayexpress.com/92510/-archives/2010/10/12/cross-dressing-peeper-infiltrates-cal-womens-locker-room>.

<sup>47</sup> *Cross-dresser arrested in bath house*, UPI, Nov. 27, 2003, available at [http://www.upi.com/Odd\\_News/2003/11/27/Cross-dresser-arrested-in-bath-house/UPI-63871069941991/](http://www.upi.com/Odd_News/2003/11/27/Cross-dresser-arrested-in-bath-house/UPI-63871069941991/).



to let Francis use the women's facilities. Their spokesperson has said that they must "protect the rights of everyone."<sup>48</sup>

This leads to the obvious question: what about the rights of the girls who use these locker rooms? Do their rights not matter? Do they not have the right not to have to be exposed to an exhibitionist biological male in the locker room supposedly for females?

- In 2013, a man who dresses in high heels, stockings, and women's underwear exposed himself at least 11 times in Leicester, Great Britain. On one occasion, he chased two terrified teenage girls before exposing himself to them.<sup>49</sup>
- In 2012, a man dressed as a woman approached several children playing near their apartment complex in Thousand Oaks, California. He began talking to them and then exposed himself to them. He was described as wearing a skirt, women's underwear, and fishnet stockings.<sup>50</sup>

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<sup>48</sup> *Wash. college OK's exposure of young girls to naked man*, Alliance Defending Freedom News Release, Nov. 1, 2012, available at <http://www.adfmedia.org/News/PRDetail/7770>; Alliance Defending Freedom letter to Evergreen College officials, Nov. 1, 2012, available at <http://www.adfmedia.org/files/EvergreenLetter.pdf>; *Transgender woman told to leave women's locker room*, kirotv.com, Oct. 5, 2012, available at <http://www.kirotv.com/news/news/transgender-woman-told-leave-womens-locker-room/nSWT4/>; Oliver Darcy, *College officials cite 'non-discrimination' law to admit biological males into women's locker rooms on campus*, Campus Reform, Nov. 2, 2012, available at <http://www.campusreform.org/?ID=4482>; Matt Driscoll, *Transgender Student in Evergreen's Locker Room Draws Ire of Arizona Religious Group*, Seattle Weekly News, Nov. 5, 2012, available at <http://www.seattleweekly.com/daily-weekly/2012/11/transgender-student-in-evergreen-locker-room-draws-letter-from-arizona-alliance-defending-freedom.php>; Nina Golgowski, *Parents' outrage as transgendered woman is permitted to use the women's locker room 'exposing himself to little girls'*, Mail Online, Nov. 3, 2012, available at <http://www.dailymail.co.uk/news/article-2227562/Colleen-Francis-Outrage-transgendered-woman-permitted-use-college-womens-locker-room-exposing-himself.html>; Eric Owens, *College OKs transgender man's full monty to underage girls in womens' locker room*, The Daily Caller, Nov. 6, 2012, available at <http://dailycaller.com/2012/11/06/college-oks-transgender-mans-full-monty-to-underage-girls-in-womens-locker-room/>; Todd Starnes, *College Allows Transgender Man to Expose Himself to Young Girls*, n.d., available at <http://radio.foxnews.com/toddstarnes/top-stories/college-allows-transgender-man-to-expose-himself-to-young-girls.html>.

<sup>49</sup> *Hunt for flasher in stockings*, Leicester Mercury, June 8, 2013, available at <http://www.leicestermercury.co.uk/Hunt-flasher-stockings/story-19217295-detail/story.html>.

<sup>50</sup> *Indecent Exposure*, Ventura County Sheriff's Department via Ventura edhat, n.d. available at <http://ventura.edhat.com/site/tidbit.cfm?nid=105124&nc=1>.



- In 2010, **Norwood Smith Burnes** of Rome, Georgia, wore a short skirt and jacket, thong underwear, and high heels to Walmart. He allegedly undressed in the store in front of young girls.<sup>51</sup>

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<sup>51</sup> *Police: Man Undresses in Front of Children in Walmart Restroom*, WSB-TV Atlanta, March 24, 2010, available at <http://www.wsbtv.com/news/news/police-man-undresses-in-front-of-children-in-walma/nJckr/>; Larry Hartstein, *Cross-dressing man arrested for exposure at Walmart*, Atlanta Journal-Constitution, March 25, 2010, available at <http://www.ajc.com/news/news/local/-cross-dressing-man-arrested-for-exposure-at-walmar/nQddG/>.