

BILL 23-07 (GENDER IDENTITY) QUESTIONNAIRE DISTRICT 4 CANDIDATES FOR MONTGOMERY COUNTY COUNCIL

Candidate's Name: Mark D. Fennel

1. Bill 23-07 is scheduled to be placed on the November ballot. At that time, will you vote to repeal it? **Yes**
2. Do you believe that biological males who retain male genitals, but who present or perceive themselves as females, should be allowed in public locker rooms where women are changing? **NO**
3. Do you believe that a health club, which maintains male/female locker rooms, should face stiff legal fees or fines if it does not allow persons who retain male genitals into female locker rooms? **NO**
4. Do you believe that a young woman advertising for a roommate should be legally forced to share living space with a transgender or cross dresser? Assume that the young woman did not know that she was interviewing a transgender or cross dresser, but finds out only after the person moves in. **NO**
5. Do you believe a church should be forced to hire a cross dressing male to be the church receptionist, against the church's wishes? Assume that the cross-dresser is otherwise qualified for the job. **NO**
6. Do you believe that a cross-dressing male (who comes in as Mr. Smith one day and Mrs. Smith the next) should be allowed to teach a class of kindergartners at a public school? **NO**
7. If you answered "NO" to question 1, but "YES" to questions 2, 3, 4, 5, or 6, please explain. Bill 23-07 has no exceptions or provisions for these scenarios.
N/A

Questions 8, 9 and 10 are in reference to the county's new public accommodations code, after Bill 23-07 additions. The public accommodation code document is attached. Please note that, amongst other things, it states:

"An ..agent..of any place of public accommodation in the County must not, with respect to the accommodation: ..make any distinction with respect to ..gender identity in connection with.. use of any facility .." (27-11). You may wish to go to our website, www.notmyshower.net, and review the "bathrooms" section.

[Full new county code on public accommodations.](#)

8. Per your understanding of the public accommodations code, please define "facilities."
"Facilities" is a sweeping term subject to broad interpretation. I believe facilities are defined as bathrooms, lockers or showers.
9. Do you believe Bill 23-07 covers "facilities" at public accommodations? **YES**
10. (a) The County Council's attorney has repeatedly stated that "operators of those facilities can continue to determine who can use them". However, Bill 23-07 includes the language above (27-11). Also, the bill allows the Human Rights Commission to levy fines against those same operators if it is determined that they have exhibited discrimination or harassment against those with gender identity issues. Do you believe that the law, as written, substantiates the county attorney's statement? **NO**
- (b) If you answered "YES" to question number 10(a) then please point to where in County law that statement is substantiated:
N/A