

Testimony of Mia Halvorson

I stand in **Opposition** of HB 1249: "Relating to requiring schools to designate their athletic teams and sports for male, female, or coed participation and limitations on use of governmental property for athletic events."

January 24th, 2023

Dear Committee Members,

My name is Mia Halvorson, and I am currently a North Dakota resident and undergraduate student taking classes at both North Dakota State University and Minot State University. I am double majoring in Human Development Family Science, and Social Work, with an emphasis on women and gender studies, our youth, and marginalized communities – groups of people that certainly include transgender kids.

This bill is a carbon copy of what HB 1298 was in 2021, an attempt to ban transgender women from women's athletics. Legislatures stated this was an up-and-coming "trend" coming to North Dakota. It has been two years, and we have not seen trans athletes making top headlines in women's sports within our state. Why? Because even if we had trans women participating in women's athletics here in North Dakota, trans women do not have an advantage per our state and NCAA requirements.

Per the NDHSAA, for trans women to participate in women's athletics, they must meet the following requirements. "If a trans male or trans female student can show, from a medical perspective, that the student does not have a competitive advantage based on their testosterone treatment or prior physical development as a male, the student's member school may submit a letter and medical evidence to the NDHSAA Executive Director. The Executive Director will then review, investigate, and render a decision. If the student disagrees with the Executive Director's decision, the student's member school may appeal to the NDHSAA Board of Directors for a final decision." Along with that, the NDHSAA requires: "updated medical treatment and/or hormone therapy verification is required annually."

This ruling has changed from the prior requirements that trans women had to be on hormone replacement therapy (HRT) for one calendar year.

I do not believe we have any trans women participating in women's athletics within our high schools. We are again attempting to create a solution to a nonexistent problem. If this dangerous bill becomes law, this law is likely to be blocked by courts. This blockage means taxpayer money gets spent attempting to defend something that does not exist. This passage potentially entails major sporting events and tournaments to divert to other states. Overall, this becomes a waste of money for our state residents. That is taxpayer money we can spend working on actual issues within our state, including combating inflation, as many see as an issue within our state and our country.

The closest example I can think to compare is former University of Penn swimmer Lia Thomas, a swimmer that many considered a hot topic last year. For anyone who wants to argue that the transgender swimmer Lia Thomas has an advantage, I would love for you to look at her stats before and after starting HRT (hormone replacement therapy).

Lia Thomas began taking HRT in May 2019, and her times started to drop with it. During transition (NCAA required one calendar year of HRT before allowance to participate in women's athletics. That forced Lia Thomas to continue participating in the men's division as her times dropped. Below are her times in events pre-transition, while transitioning, and post-transition.

Her 500 FR swim time:

- First Season: 4:20.97 (minutes: seconds) (Ranked #97)
- Pre-transition: 4:18.72 (Ranked #65)
- During transition: 4:36.57 (Ranked #568)
- Post-transition: 4:33.82 (Ranked #1) (by 1.63 seconds)

Her 1000 FR swim time:

- First season: 8:57.55 (Ranked #24)
- Pre-transition: 8:55.75 (Ranked #18)
- During transition: 9:46.67 (Ranked #302)
- Post-transition: 9:35.96 (Ranked #10)

Her 1650 FR swim time:

- First season: 14:59.19 (Ranked #48)
- Pre-transition: 14:54.76 (Ranked #32)
- During transition: DID NOT COMPETE (would have been #304 w/ post-transition time)
- Post-transition: 15:59.71 (Ranked #13)

Some of you may view this and state, "well, she is getting better. Look at her rank while competing in the women's division." For Lia, her rank improvement includes upperclassmen graduating, a continuation of training, and overall competition. These individuals don't just start swimming or partaking in athletics for fun at the NCAA D1 level; they are working hard.

Others may state, "well, you cannot go from #65 to #1 that quickly." Her journey was not quick, as the times between her pre-transition best and post-transition best occurred roughly three years apart. That, in it itself, is plenty of time to jump in rankings. A personal example was when I competed in track in high school. I had never run the 800 Meter run, except for occasional relays during my sophomore and junior year. After failing to qualify for state my junior year (when I qualified my sophomore year in the 3200 M run), I recognized my times were not improving in the 3200. I talked to my coach that day, and we decided to switch me off the 3200 and onto running the open 800. Going into my senior year, I was not a runner on people's radars when it came to placing in state in the 800. However, I worked through it, rose my rankings daily, and finished the season placing in three events at the state meet. That included the open 800.

I do not know Lia Thomas personally, but this is one of many examples of how individual rankings can shoot up out of nowhere. Students can come from out of state, transfer, they can start a new sport and come from no historical ranking, can come back from injury, etc.

I could continue for hours regarding why I do not support HB 1249, but this would turn into reading a book. This is blatant discrimination against a minority population within the state of North Dakota, one that statistically has the lowest rate of trans people regarding all fifty states. We don't see this as an issue within our state, as trans people aren't "dominating," especially if they aren't participating. This isn't an issue within our state and will continue to waste our time and money.

I ask that you vote NO on HB 1249 for the reasons listed above, the reasons other individuals testifying provide, and the hundreds of additional reasons I could provide.

Thank you for your time and the opportunity to share this testimony.

-Mia Halvorson