

RE: Testimony in Opposition of HB 1489

Greetings, Chairman Weisz and Members of the Committee. My name is Olivia Data, I am the Youth Action Council Coordinator for the North Dakota Women's Network, and I urge you to vote "Do Not Pass" on HB 1489.

The Youth Action Council is an organization that works to empower the youth of North Dakota and involve high school and college kids in civic engagement. We believe that all youth should be able to be true to themselves without living in fear or shame, and we believe in building a community that respects and celebrates all of its members. HB 1489 poses a serious threat not only to transgender students, but to any student who wants to participate in sports.

I was born and raised in North Dakota, and growing up, I remember hearing all the jokes and sayings about how nice North Dakotans and midwesterners are. It always made me so proud to live here. Yet, as I've been learning more and more about the prejudice and discrimination that we struggle with, I've also been reflecting more on the challenges that I have faced in my life as a girl and a woman. The earliest example of this that I can remember is playing tag in elementary school, overhearing the boys in my class deliver the classic yet devastating insult to each other: *you run like a girl*. Growing up, I have noticed countless jokes, insults, stereotypes, and rules that enforce the sexist notion that girls are weak. That girls can't play sports, can't be assertive, can't be strong. HB 1489 is saying the same thing. This bill would prohibit transgender students from playing on the sports teams of their correct gender – the gender they identify with. I understand that there are often natural biological differences between cisgender boys and

cisgender girls, but saying that transgender girls, even after hormone therapy, are automatically going to win any event in any sport because they were assigned male at birth portrays cis girls as inherently weak and feeble, and it depicts trans girls as inherently predatory. Both of those ideas are harmful, and neither of them are true.

If you are truly concerned about allowing boys to play on girl's sports teams, I am baffled as to why you consider supporting a bill that would force transgender boys to play on exclusively girl's teams. If a trans boy is taking testosterone and dressing and acting in a typically masculine manner, I imagine many people would feel uncomfortable having him on an all-girls team.

Not only does this bill fail to protect girls, but it would actively harm us. Invalidating the gender of a trans girl because of something written on her birth certificate sets the stage for other forms of gender policing. If a girl is too masculine, if a girl performs too well in her sport, if a girl does not conform to traditional feminine expectations, the validity of her gender could be questioned as well. This isn't just a hypothetical, either. We've all heard the term "tom-boy." Just because a girl is strong, or has muscles, or is good at running, that does not make her a boy. Just because a girl was assigned male at birth, that does not make her a boy. It is 2023; surely we know by now that there is not one singular definition of femininity, that there is not one way to be a girl¹.

The truth is, there are many threats to women's sports. Female athletes are often sexualized,

¹ "Gender and health." *World Health Organization (WHO)*, https://www.who.int/health-topics/gender#tab=tab_1. Accessed 23 January 2023.

underfunded, and unappreciated². A study in 2019, for example, showed that women athletes were covered on highlight shows and televised news only 5.4% of the time³. Anyone who has attended sporting events in high schools will notice a similar difference in the sizes of the student sections between many male and female sports.

HB 1489 ignores the real and prevalent struggles that female student athletes face in favor of pushing a harmful, discriminatory narrative. I know there are many fears and prejudices surrounding the transgender community. But I ask you not to succumb to this fear mongering and instead to open your mind and your heart to an already vulnerable community. According to the National Library of Medicine, 82% of transgender people have contemplated killing themselves, and 40% of transgender people have actually attempted suicide⁴. Among LGBTQ+ youth, those whose identities are not respected by the adults in their life are almost twice as likely to attempt suicide as those whose identities are respected⁵. Even if you do not fully understand a trans person's identity, even if you are concerned about gender identity in sports, I ask you to consider the countless people who will be pushed further into the arms of hatred, ostracization, and shame if HB 1489 passes. I ask you to consider the students who will be denied the chance to live their authentic lives and the parents who will even lose their children.

² Pruitt, Sharon. "The Sexualization Of Women In Sports Extends Even To What They Wear." *NPR*, 23 July 2021, <https://www.npr.org/2021/07/23/1019343453/women-sports-sexualization-uniforms-problem>. Accessed 23 January 2023.

³ "Overlooking her shot: Women's sports need an assist as coverage remains the same as 30 years ago." *Purdue University*, 24 March 2021, <https://www.purdue.edu/newsroom/releases/2021/Q1/overlooking-her-shot-womens-sports-need-an-assist-as-coverage-remains-the-same-as-30-years-ago.html>. Accessed 23 January 2023.

⁴ "Suicidality Among Transgender Youth: Elucidating the Role of Interpersonal Risk Factors." *PubMed*, <https://pubmed.ncbi.nlm.nih.gov/32345113/>. Accessed 23 January 2023.

⁵ "Pronouns Usage Among LGBTQ Youth." *The Trevor Project*, 29 July 2020, <https://www.thetrevorproject.org/research-briefs/pronouns-usage-among-lgbtq-youth/>. Accessed 23 January 2023.

As a cisgender woman myself, I am sick and tired of the challenges that I face being used as a shield to deflect prejudice onto other vulnerable people. Transgender students already face high levels of discrimination. We should be protecting them, not alienating them from our sports, our schools, our state. HB 1489 is incredibly harmful to transgender students, cisgender girls, and all those who want to build a world in which our youth are empowered, healthy, and safe. We as North Dakotans can do so much better in terms of creating a positive environment for *all* of our athletes.

For these reasons, I urge the committee to vote “Do Not Pass” on HB 1489. Thank you for your time, and I am happy to answer any questions you may have about my testimony.

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