

HB 1522

Madam chairman and members of the committee. My name is Rep. SuAnn Olson, representing District 8.

As I mentioned in my testimony last week, separating people based on sex has been addressed by the courts a number of times over the years. A recent 11th Circuit court case 18-13592 was issued in December 2022 and explained the application of the Equal Protection Clause of the 14th Amendment to sex-based classifications by stating that “a policy will pass constitutional muster only if it satisfies intermediate scrutiny.” Intermediate scrutiny means “the government must show that the classification serves important governmental objectives and that discriminatory means employed are substantially related to the achievement of those objectives.” In that particular case, protecting personal privacy was found to be an important government objective.

Here is quote from Ruth Bader Ginsburg: “[s]eparate places to disrobe, sleep, [and] perform personal bodily functions are permitted, in some situations required, by regard for individual privacy.” Ruth Bader Ginsburg, *The Fear of the Equal Rights Amendment*, *Wash. Post*, Apr. 7, 1975

We need to acknowledge that females as a sex are inherently more vulnerable than males and government policies must recognize and protect their privacy and safety.

Women have a right to Privacy and Safety. This is not too much to expect. I have 9 granddaughters. The oldest is nearly 10 and will be moving on to middle school soon. I want her to be safe in a restroom. She has a right to not undress in a girls' locker room in front of males with penises. She has a right to not view penises when she uses the restroom or a locker room. She has a right to be safe. She has a right to her own privacy.

This legislature, we, us, need to provide guidance to the various administrators and leaders on this issue. To do otherwise is to continue the chaos of varied decisions that oftentimes results in capitulation to the small vocal minority that is demanding entry to our women's and girls' private spaces. To do otherwise, will escalate an exodus from the public school system.

Please. I urge you to Vote Yes on HB 1522.