

Senate Judiciary Committee

House Bill 1249

Andrew Alexis Varvel

Written Testimony

North Dakota State Capitol

Monday

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Peace Garden Room

3:30PM

Madame Chairman Larson and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck.

I am registering this written testimony on House Bill 1249 as NEUTRAL because, while I care about this legislation, I am uncertain about its finer points.

I think the chance of some form of this legislation not passing is somewhere less than zero. I think most members of this committee regard keeping cross dressing men out of women's sports to be a no brainer. And this includes men who have endured a harsh medical regimen which assures them that drugs and surgery will turn them into women. The question then becomes how best to proceed.

The key question is what language can get us to where we want to go.

If the "coed" or "mixed" category could be interpreted to mean a sports league for transgender and nonbinary youth, I think I could support it. If.

Although I could have done without the National Hockey League's rhetorical pieties on Twitter, the NHL is providing a good example by sponsoring a sports league for transgender and nonbinary youth.

<https://www.foxnews.com/sports/nhl-showcases-transgender-nonbinary-hockey-tournament-responds-criticism-twitter>

Permitting nonbinary divisions would be an effective way to defend sports for biological women while providing athletic opportunities for transgender and nonbinary youth. North Dakota would not look like a sore thumb by doing this.

I think the following language would greatly improve this bill:

Page 1, after line 13, insert:

4. "Coed" means including both males and females, and may apply to an athletic team or sport intended for people who identify as a gender not corresponding to their biological sex.

Renumber accordingly

If there is even better language to accomplish the same goal, that would be great.

One major reason why I am testifying here is to defend the legislative intent behind HB 1254, which would criminalize a form of child abuse consisting of chemically and surgically sterilizing children in the name of transgender ideology.

It is precisely because I oppose systemic child abuse by a sterilization industry which profits from the misery of children that I oppose any legislation which would compound that misery through punitive red tape against those children.

Although I am a non-attorney with only a lay person's perspective on the legal system, it seems to me that legislative intent is important. To defend the legislative intent behind HB 1254, we must not only avoid increasing the misery of transgender children, but also to maintain the appearance of avoiding it.

If any legislation appears to be designed to turn the lives of transgender children into a living hell, of course I will oppose it. And I hope you will too.

We're part of the same community. There has been apocalyptic catastrophizing from both sides the transgender debate, with each side imagining that a victory for the other side would mean triumph for fascist depravity. I'm getting sick of it.

We need solutions. Let's give this bill a DO PASS so long as it either (a) gets amended as I am recommending or (b) this bill's sponsors express their opinion that the word "coed" can include a nonbinary division for school sports.

Thank you.

APPENDIX: Suicidal ideation

One frequent argument that committee members will probably hear during this session is that members of the LGBTQ+ community, particularly transgender children, will feel rejected by their society if legislation gets passed which they feel targets them. And by extension, this would lead to a greater risk of suicide.

I am not disputing the prevalence of suicidal ideation among transgender youth. People, including scientists, have differing ideas on how to address this problem.

Suicide is a serious topic which needs to be addressed seriously.

For anybody who is feeling blue right now, remember – don't give your enemies the satisfaction. You are not alone in feeling a deep blue funk out of a sense of being utterly rejected. Chances are that your enemies would smirk upon hearing of your death. Don't give them the opportunity to gloat over your departure. Don't be so nice to your enemies by giving them the death that they want.

If you feel as though other people are actively trying to erase your very existence, welcome to the club. That is what I endured very publicly on the floor of the Democratic-NPL convention last spring. On top of that, Rob Port printed a pack of lies about me and spread a skewed version of those events across North Dakota.

It did not exactly help matters that Tyler Hogan, the thankfully former executive director of the Democratic-NPL, tied my hands on my ability to fight back.

Have you ever had someone look at you with a predatory stare? I know what predatory stares look like because I play with my cats every day. A cat will stare at a toy when it is ready to pounce. A cat will stare at a shoestring as it is chasing it down. This is the classic stare of psychopaths and serial killers. Serial killer Ted Bundy has known for that stare. To tell the prey that their predator was “visibly and vocally bothered” by the prey, and then tell the prey to “reach out to those who were offended and try to have a constructive dialogue” – that is what Tyler Hogan wrote to me. I would rather drop dead than bend the knee to predators. There is hardly a worse example of hateful contempt than what he wrote to me.

I think the worst word that one can call anybody is “ally”. Whenever I hear “ally”, I think of Taliban having fun hunting down Afghan allies of the United States through the streets of Kabul, Kandahar, Herat, and Mazar-i-Sharif. I think of allies of the United States discovering that the rest of the world has shut their doors to refuge from getting tortured to death by the Taliban. To me, the word “ally” means cannon fodder – meat to be thrown at guns, and treated with contempt.

What Rob Port did to the Young Republicans last summer was a cheap dirty trick. It was downright mean. Whatever else you think of them, their Telegram channel was their safe space. Think of it as a Stonewall Inn for Republican activists. You may not like what Young Republicans have been saying. I don't either. But that's beside the point. It was not as though Young Republicans were posting their opinions on TikTok for everyone to see! And then, Rob Pot defiled their sense of privacy when he aired their dirty linen in his Forum column and on his blog.

Then, other news media piled on.

I learned as a little boy, “Never say anything that you wouldn't want to have repeated in the newspaper.” Young Republicans have learned that the hard way.

And then, Tyler Hogan piled on.

Not only had he become the second-most prominent face of LGBTQ+ in North Dakota after Josh Boshee, but his intervention as the executive director of the Democratic-NPL turned the whole sordid affair into an openly partisan issue.

Tyler Hogan had provided me with the unsolicited advice within his nasty email to me, “I am going to ask you to be introspective here and try to be mindful. My honest and sincere advice is to let this one go.”

Tyler Hogan did not take his own advice. The petty Young Republican name calling was not personally addressed against him, and it was a provocation far less intense than what I had endured right in front of him during the spring before.

He decided to escalate the situation and provoke the Young Republicans further.

Tyler Hogan, the second-most prominent face of the LGBTQ+ community in North Dakota at the time, had told me to reach out to someone who hates my very existence, and who looked at me with a stare that cats use for rodents and serial killers use for their victims. Interestingly, it had never occurred to him to reach out to Young Republicans once he had offended them. I wouldn't recommend it.

I think it is difficult to overstate the reputational damage that such actions can cause to a marginalized community. Tyler Hogan may be gone from his position of power within the Democratic-NPL, but it will probably take years for both the Democratic-NPL and the LGBTQ+ community to repair the damage he caused.

From last summer through to this legislative session, I was wondering when the other shoe was going to drop.

And there is something else that needs to be said.

When I say that there are adults who pressure children under their care into changing their expressed gender, I know exactly what I am talking about. When I think about these social pressures, I feel so thankful to God that I have escaped from authoritarian pressures from trendy adults that others must now endure.

I do not particularly appreciate getting told that I don't know what I am talking about when I am talking about my own life. It should not be necessary to splatter less flattering aspects of my childhood in public in order to be believed. I do not particularly appreciate condescending lectures about the importance of lived experience, so central to both critical race theory and queer theory, from academics who like to imagine that they are experts on transgenderism yet fail to consider the role of social pressure from a parent or guardian to induce a child to reject his or her birth sex and the peer pressure that may be felt by various adults from the social prestige that comes from having a “trans kid” in the family.

There but for the grace of God go I.