

Senate Human Services Committee

House Bill 1254 – **DO PASS**

Andrew Alexis Varvel

Written Testimony

North Dakota State Capitol

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Fort Lincoln Room

9:45AM

Madame Chairman Lee and Members of the Committee:

My name is Andrew Alexis Varvel. I live in Bismarck, District 47.

“The younger sister of one of the girls asked for a job at Norma's. She was a very pretty girl, younger looking than her seventeen years, small boned and delicate, her face a sweet and perfect oval.

On the girl's first night of work, just before four in the morning, a car slid up in front of 1026 Conti and parked. When the girl finished with her last trick shortly after four, she ran quickly to the car, got into the backseat, and the car drove off. The next evening the car arrived again, same time, parking so that part of Norma's driveway was blocked. Norma looked from the window as her new girl ran out and opened the passenger door. A man and a woman sat in front. It dawned on Norma that the girl's parents were picking her up after work every morning.

Norma figured out that the parents didn't want their daughter running in the Quarter, getting mixed up with dope fiends, and she was sympathetic for a while. But after a few weeks she began to get irritated. 'It looked like hell,' she said. 'My parents knew what business I was in, but even when I was hustling, they didn't come pick me up.' She finally buttonholed the mother one night and asked her what the deal was.

'Well,' the woman said apologetically, 'our daughter has always lived a very sheltered life.'”

“The Last Madam: A Life in the New Orleans Underworld”, page 131.

If parents in North Dakota were doing the same thing to their daughter, they could be prosecuted for sex trafficking. And they probably should be.

I think that North Dakota still has a societal consensus that a minor cannot consent to prostituting himself or herself, and that parental consent for such behavior would constitute child abuse. Even if mental health professionals were to claim that engaging in prostitution would keep a child from committing suicide.

Yet, sterilization is far worse. As difficult as it may be for people to recover from sex trafficking, sterilization is permanent. Sterilization cannot be undone.

Critics of House Bill 1254 insist on calling it “authoritarian.” Yet, banning child sterilization is no more or less authoritarian than banning child prostitution. House Bill 1254 is remarkably mild in comparison to North Dakota's existing laws against sex trafficking. In North Dakota, even adults are prohibited from prostituting themselves. (NDCC 12.1-29-03) In contrast, this legislation would still permit adults to sterilize themselves. At present, sex trafficking of an adult is a Class A felony and sex trafficking of a minor is a Class AA felony. (NDCC 12.1-41-02) In contrast, this legislation classifies genital removal to be a Class B felony.

Interestingly the Criminal Code section which concerns Female Genital Mutilation only deems it to be a Class C felony. (NDCC 12.1-36-01)

NDCC 12.1-36-01 states, “A custom, ritual, religious practice, or the consent of the parent or guardian of a minor is not a defense against a violation under this section.” The committee should consider adding that language to this bill.

The committee should also consider incorporating language originally from House Bill 1301 to permit civil relief, both public and private, for minor victims of sterilization drugs or surgery. It is important to allow victims of genital removal to have avenues of redress for what has been done to them, as well as disincentivize medical industries which regard these drugs and surgeries to be revenue stream.

It is trendy on the cultural left to proclaim to the primacy of “lived experience”. But whose lived experience? Are some lived experiences more equal than others? Should we listen to the lived experience of Ted Halley of Prattville, Alabama? Should we listen to the lived experience of Erin Friday of Palo Alto, California, whose daughter narrowly avoided getting herself sterilized in the name of a social trend? Should we listen to the lived experience of those who have lived under the care of an adult who is tries to change that child's gender?

I can assure you – if you don't know what it is like to live under the care of an adult who is trying to change your gender, you don't know the full story.

Sweden and Finland have turned against puberty blockers. Sweden and Finland have turned against transgender surgery. The United Kingdom is increasingly restricting these procedures too. So, it is possible to be a good socialist and oppose the sterilization of children. It is possible to be a good liberal such as Mr. Rogers, and oppose the sterilization of children. It is possible to be staunchly anti-authoritarian and oppose the sterilization of children.

This is not about right or left. This is about right or wrong.

I think it would be authoritarian to refuse to defend the rights of children who get pushed into sterilizing themselves to please parents who derive social prestige from having a “trans kid”. Sadly, there is little that can be done to keep fanatical parents from traveling to other states to get their children sterilized.

Gender dysphoria is a first world problem. Most people throughout the world do not have the financial resources to afford the puberty blockers and the plastic surgery of sex organs that have become so fashionable today. There is a class conflict implicit in expecting society at large to be on the hook for the medical aftermath of sterilization procedures which get called “sex reassignment”.

Our society should not push tomboys to become fake boys, nor to push boys who may fantasize about wearing dresses to become fake girls. Indulging fantasies is one thing, but mutilating one's self in the name of a social trend is quite another.

To quote Mr. Rogers,

Some are fancy on the outside.

Some are fancy on the inside.

Everybody's fancy.

Everybody's fine.

Your body's fancy and so is mine.

Thank you for your time. I am now open for questions.