



April 19, 2023 | Testimony in opposition to HB6 | House Higher Education Committee

Chair Young, Ranking Member Miller, and members of the House Higher Education Committee, thank you for the opportunity to provide testimony in opposition to HB 6. As an organization dedicated to pursuing the lived and legal equality for all LGBTQ+ Ohioans, Equality Ohio is opposed to HB 6 because it would be harmful to transgender youth, it will subject transgender and cisgender girls to bullying and scapegoating, and lawmakers have no good reason to meddle in a school activity already independently regulated.

Just four months ago in another committee, I discussed the statistics, research, biggest logical fallacies, and potential collateral consequences of legislation that attempts to ban transgender athletes from participating in sports. I've linked some amazing resources that cover these topics that I encourage the committee members to take a look at. But today I'd like to talk about why this matters to me as a cisgender woman.

Throughout my life, I've competed at a wide range of competition levels in a wide range of sports — like volleyball, basketball, pole vault, track, gymnastics, tennis, soccer, softball, and more. I have the bad ankles and knees to prove that I did indeed run my body ragged even before age 18. But past staying in shape, I credit sports for so much of my personal development. Each game shapes our strategic thinking and character in a unique way, and both winning and losing lead to personal growth.

Sports certainly don't always feel fair. Every athlete has their list of heartbreaking losses that haunt us. I can still feel the small injustice of losing out on going to nationals in high school because a teammate tripped during the final point. But the team also went to Easton afterwards which is pretty much Disneyland for teenage girls and all-in-all it was an ok weekend.

I don't think we should deny a handful of trans girls the opportunity to play sports with their friends on the basis that, occasionally, they win. You hear the same handful of stories referenced over and over, but ultimately, the scandal is that some but not all trans athletes win some but not all of their competitions. That is simply not a scandal.

I stopped playing competitive sports after high school because I didn't see the point of going through the college recruitment process. I'd be signing up to practice & travel weird and long hours, undoubtedly at the expense of my academics, to pursue a sport that couldn't make me a living after graduation. By college, the reality is that most women athletes are either playing sports purely for the love of the game, or for the scholarship to get an education.

This bill is presented as a way to "protect women's sports", but that's disingenuous. We aren't talking about investment in facilities, or equity in pay, or pathways for women athletes to have thriving careers in sports. We're talking about taking an extremely small group of people — mostly kids— and dropping them into a situation where they are going to be miserable, by



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adopting a wholesale ban that will undoubtedly lead to cisgender athletes also getting bullied or subjected to invasive exams and questions for being “insufficiently feminine”.

This bill is simply not helpful to anyone other than the politicians pushing for it. It would ban 1-2 athletes in a handful of sports each season, and subject hundreds of thousands more to extra scrutiny and ridicule. Victories of women athletes — both cisgender and transgender — will be rationalized as unfair and frankly, we will continue to spread a culture of sore losers.

Athletic advantages look different in different sports, and sports are inherently full of athletic advantages. I was expecting to get a few more inches of height from my dad’s side, for example, but that was not my destiny. But I’ve beaten a lot of boys in a lot of different sports over the years, and while it is always very rewarding to gloat about their defeat by pointing to the scoreboard, it wasn’t herculean.

So the presumption that cisgender women are not able to assess our own safety or inherently, physically, cannot hold our own against trans women athletes is offensive. Cisgender athletes have no reason to fear the idea of a transgender athlete occasionally winning their competition, particularly when the trade-off is our own government legislating that **all** women athletes’ bodies be subjected to scrutiny in order to participate in an extracurricular activity at school.

This legislature actually doesn’t need to come to an agreement on the science of athletic advantage, you just have to allow athletic associations to keep doing their thing. Professional regulating bodies have the expertise and experience to carefully consider relevant factors of safety in sports while prioritizing inclusion. And they are doing just that. Both the NCAA and OHSAA have comprehensive participation requirements already in place. This bill not only would not help, it would in fact create more legal liability for both athletic associations and schools simply for complying with existing law and policies.

Ohio has so many important problems to address, from protecting the safety of our drinking water to making sure kids have enough food to eat. So it’s hard to believe that this nonissue is the thing that this legislature would like to worry about right now. Ohioans deserve a state legislature that focuses on real issues facing Ohioans, not cruel proposals like this. I ask you to vote no on HB 6 and I’d be happy to answer any questions.

Thank you,

A handwritten signature in black ink, appearing to read "Maria Bruno".

Maria Bruno  
Public Policy Director  
Equality Ohio