

PDF Version of Testimony for 10.11.23 Opponent hearing on HB 183 in Ohio House.

Hi there,

I work and live here in Columbus, Ohio. I've done so for the past 6 years now, and I've been a resident of Ohio all my life. I am writing today to express my opposition to HB183.

This bill is a “solution” looking for a problem. This bill creates an enforcement mechanism that will be used discriminately against the most vulnerable queer youth. This bill is not promoting community safety and understanding. It is arming the law enforcement arm of the government to have extra leverage against queer youth.

Committee Member Adam Bird, R-New Richmond, said that “...I don't think anybody is expecting a professor to police this issue.”

(<https://ohiocapitaljournal.com/2023/10/05/sponsor-of-ohio-bathroom-ban-bill-for-colleges-and-k-12-schools-we-want-to-protect-our-children/>)

I want to highlight the inherently antagonistic lens that this bill is written with. Mr. Bird said in his statement, there will be ‘policing’ of this issue. That is not the language of a bill written to lift people up, that is the language of a bill meant to discriminate.

If this was a real issue, and we were approaching it in a healthy way with the goal of promoting community safety and understanding, then professors are exactly who we would be asking to help address this ‘issue’. Professors are a major part of their school's community. They know their students, their staff, and what is abnormal in their setting. People who know each other and care about each other's well-being should be looking out for each other, not whatever group this bill intends to do the ‘policing’.

The issues the bill claims to address are not based on any factual need. There is no evidence that anyone has used the fictional “transgender defense” to try and explain illegal conduct, nor are there any reports of increases in public safety incidents in any of the hundreds of jurisdictions that have extended legal protections to transgender people. (<https://www.aclu.org/news/lgbtq-rights/anti-trans-bathroom-bills-have-nothing-do-privacy-and-everything>)

HB183, and its purpose, is discriminatory. Committee Member Beth Lear, R-Galena, is cited as having ignored medical consensus on transgender issues from the American Medical Association and others during her recent testimony.

(<https://ohiocapitaljournal.com/2023/10/05/sponsor-of-ohio-bathroom-ban-bill-for-colleges-and-k-12-schools-we-want-to-protect-our-children/>)

To address a specific quote of Ms. Lear, “Boys cannot become girls and girls cannot become boys. You can not change DNA.”

Reproductive anatomy and gender identity are two wholly sperate concepts says the Mayo Clinic (<https://www.mayoclinic.org/healthy-lifestyle/childrens-health/in-depth/children-and-gender-identity/art->



performing and expressing his gender. To tie it together, Trump engages in drag to present his vision of gender.

There's so much fear around gender expression, drag, and the fact that reproductive anatomy and gender identity are two wholly separate concepts. There is nothing to be feared there. Embracing these things is actually quite liberating.

Life is inherently non-binary. Humans have vast inner worlds and there is space for so many different feelings and interpretations of gender. All those feelings and interpretations are made independently of reproductive anatomy too because it has no bearing on an individual's gender.

Many cultures have ancient histories of non-binary expression. The Hijra's of India, the Muxes of Oaxaca, and the Mahu of Hawaii, just to name a few.

(<https://rpl.hds.harvard.edu/religion-context/case-studies/gender/third-gender-and-hijras>) (<https://www.cnn.com/travel/article/muxes-mexico-gender-binary-cec/index.html#:~:text=Muxes%2C%20a%20group%20long%20recognized,deeply%20entrenched%20in%20Western%20society.>) (<https://www.nbcnews.com/news/asian-america/hawaii-museum-revisits-history-gender-fluid-healers-rcna37284>)

Committee Member Beth Liston, D-Dublin, said it accurately "I'm quite frankly worried about anyone that doesn't fall into a neat box of what they think a girl is supposed to look like or a boy is supposed to look like".

It's the truth. It is impossible to make a definitive list of 'boy' or 'girl' traits.

Makeup is a stereotypical thing attributed to 'girls'. As we've discussed, makeup has been worn by 'boys' throughout history, and the 'boys' in politics today use makeup, and every other styling tool, to engage in gender performance.

So, are we going to 'police' bathrooms based on makeup? If so, Ron DeSantis, Bernie Sanders, and Donald Trump may struggle to find that bathroom they fit into.

It's the same story with clothing. Helen Hulick, in 1938, was held in contempt of court and sent to jail for repeatedly wearing slacks to court after being told by the judge to wear a dress (<https://www.snopes.com/fact-check/woman-jail-wearing-slacks-1938/>). Today, it is common practice for all humans to wear pants. It is also common practice for all humans to wear skirts and dresses. Ask Harry Styles, Kurt Cobain, Kid Cudi, Jeffrey Lamar Williams, Brad Pitt, and David Bowie (<https://www.lofficielusa.com/fashion/men-wearing-dresses-fashion-history-harry-styles-david-bowie-kurt-cobain-dress>). Clothing is off the table as a gender identifier.

We've ruled out the big two here, clothing and makeup. I feel I don't even need to justify how hairstyle doesn't define someone's gender either.

With that in mind, how could there ever possibly be an accurate, ethical, equitable system of metrics with which to judge who is a 'boy' and who is a 'girl'?

If there isn't an accurate, ethical, equitable system of metrics with which to judge, then what are we even doing here? We're discussing a discriminatory law that will give more power to those already in power and remove some of the little agency that queer youth still have.

That doesn't sound remotely like something the House Higher Education Committee should be putting their effort into.

Especially with all of the actual problems that Ohio's education system is facing, like economically disadvantaged students being "more likely to live in school districts with concentrations of poverty – including in rural and Appalachian counties – where property-value-based school funding shortchanges them,"

(<https://ohiocapitaljournal.com/2023/10/06/legacy-of-neglect-showcased-in-ohio-schools-report/>). Or the contentious overhaul of the State Board of Education, that is undeniable going to politicize education decisions further (<https://ohiocapitaljournal.com/2023/10/04/plaintiffs-say-restraining-order-should-have-stopped-ohio-k-12-education-overhaul-from-starting/>).

HB183 is written ignoring the medical consensus on gender. It is written without an accurate, ethical, equitable system of metrics with which to make decisions with. It is written without a plan for the community, without a plan to address the actual hard questions. HB183 is written with fear and ignorance first, and everything else pushed by the wayside.

I am disappointed that HB183 has made it as far as it has even. HB183 will only make Ohio a worse place for everyone.

I demand that you do not allow HB183 out of committee.

I appreciate your time and hope you will consider what I've said.

Thank you.