

My name is Nicholas M Ciolli, and this is my written testimony in strong opposition to H. B. No. 249.

This proposed legislation attempts to criminalize “performers or entertainers who exhibit a gender identity that is different from the performer’s or entertainer’s biological sex using clothing, makeup, prosthetic or imitation genitals or breasts, or other physical markers” in any location other than “an adult cabaret.” This legislation would have extremely detrimental impacts on not only the arts and culture of Ohio, but it goes even further to pin gender diversity as a form of obscenity, making the state the arbiter of gender presentations and performances.

I was born and raised in Ohio and have always been queer presenting for as long as I remember. I’ve been doing and practicing drag since the 6th grade at 11 years old on my OWN accord. Nothing sexual, nobody censored me into doing it, just an artful expression that I used to escape and feel myself. This can also be used as a major attack against any trans individual and the rhetoric written in H.B. No. 249 could have anyone just existing in public under the trans umbrella prosecuted and even arrested. I have a full time job in the makeup industry and work as a professional drag entertainer, both intersect with scheduling so many days I have to go into work with a full face of makeup on and hair in my work uniform (covered neck to floor with usually 2-3 layers.) Even if I’m not entertaining in drag I still have a full face of makeup on and my hair done. Just for this I could be attacked under this for simply doing my job and showing I can use and apply the product which is a brand standard. One of the things that makes Ohio what it is today is the massive selection of live performance, including dance, theater, drag performances, live music, and more. Most obviously, HB 249 would severely limit where drag performances could legally take place, essentially defining drag itself as obscene, regardless of the content of any specific performance or performance taking place at all. This not only compromises the ability of drag artists to earn a living in the state of Ohio, but also harms businesses who benefit from hosting drag performances. Drag is a popular art form that harms no one, yet this legislation attempts to construe gender expression itself as obscene or harmful to juveniles when it has been used for centuries dating back to Shakespeare and times before that. This is a violation of the first amendment rights of artists and is completely ignoring history that was written out for us in American school textbooks. We were taught women’s parts were played by younger children born male and even adult men played women’s parts. Any historical research and photo documentation shows Drag shows were hosted during WW2, even encouraged by the American Military to boost morale and had performances that made it all the way to the White House.

This legislation could be applied to theater, contemporary dance, and most upsettingly, it could be applied to literally any transgender artist performing publicly in any of these art forms. In effect, this legislation is another attempt by this Ohio House of Representatives to regulate gender itself, an endeavor to remove transgender, nonbinary, and other gender-nonconforming citizens from public life in Ohio.

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It is a violation of first amendment rights protected by our constitution. And most unacceptably, it is an attempt to prohibit transgender, nonbinary, and gender-nonconforming people from fully participating in the arts and public life.

Respectfully,

Nicholas M. Ciolli