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### In Opposition to Ohio House Bill 249

I testify today urging you *not* to pass HB 249, the misleading “Enact the Indecent Exposure Modernization Act.” This blanket ‘crossdressing’ ban is an inflammatory piece of legislation that obfuscates the actual harm being done to children, redirecting time, effort, and budget towards intangible hot button issues like ‘gender ideology’ rather than prioritizing verifiable harm like that done by the co-conspirators of Jeffrey Epstein. It is your responsibility, as the body that represents the people of Ohio, to maintain the right priorities and recognize distractions where they arise. Changes to legislation take an unbelievable amount of time and taxpayer dollars, and to do so needlessly wastes both. Respect for your constituents means a willingness to turn down proposals that fail to do meaningful good for the citizens of Ohio.

The proposed legislation in question, HB249, is a gross overreach of big government into the private lives of its citizens, and a violation of their First Amendment rights. Despite claiming to “target obscenity” and “protect children,” the overly broad language in the proposed additions would instead waste valuable law enforcement resources on policing androgynous individuals over legitimate criminals.

It is an antiquated bill that is unfit for modern times. Not only does the content itself reflect outdated values and practices, as well as having legal precedents that have long since been overturned- the bill is also poorly written, with vague language and broad application that will criminalize many aspects of daily life we currently enjoy. There are many legitimate reasons a person- performer or otherwise- might utilize “clothing, makeup, prosthetic or other breasts or genitals, or other physical markers” associated with their own gender or another. These can include traditional

theatre performances (such as Shakespearean plays, where men historically played all roles), sports (such as WWE), any film or other original acting production that includes costuming and makeup, or even cultural heritage gatherings that feature non-traditional clothing (such as kilts or kimonos). The bill as introduced fails to distinguish between the kind of “obscene” performance it can verifiably show is “harmful to minors” and legitimate use of costuming technology for a role with historical precedent. If passed as-is, Ohio lower courts will inevitably be flooded with challenges working their way up through the appeals courts. This kind of sloppy legislation redirects funding down the drain and wastes law enforcement’s time by sending them after Shakespeare performers and women in suits. Ohio has always strived to innovate, and we cannot innovate if we take our inspiration from the 1800s.

HB249 is clearly written in hopes that humanity is easily divisible into two distinct categories: male and female. Proposed additions specify that biological sex should be in part based upon *nonambiguous* genitalia and sexual characteristics, implying acknowledgment that some characteristics *are* ambiguous and unable to be easily categorized, but the bill never elaborates on that distinction or makes allowances for instances of ambiguous genitalia under the law.

As a post-transition transgender man myself, I pass consistently as male in public. I’ve been taking testosterone hormone replacement therapy for over 6 years, and have been post-top surgery for over 2 years. I have a beard, body hair, and a deep voice. Under this legislation, I would be forced to don traditional drag (the kind HB249 attempts to ban) including makeup, women’s clothing, and potentially prosthetic breasts in order to comply with law in public spaces by dressing according to my biologically assigned sex at birth. Sex is more complicated in real life than the current political climate is willing to acknowledge, and should this bill pass, it *will* cause more problems than solutions for those who passed it. I can guarantee that when bearded transgender men with male pattern baldness and phalloplasty scars are forced to use women’s restrooms, cisgender women will not

feel safer in the restroom than they did before. The data shows that the self-select system we've used up until now in this country works perfectly fine.

Drag will not go away. It will just get weirder and less comfortable for those who already don't like it.