



---

# BARBARA DITTRICH

---

STATE REPRESENTATIVE • 38<sup>th</sup> ASSEMBLY DISTRICT

## Assembly Committee on Colleges and Universities

### Testimony on AB 378

October 4, 2023

Good Morning Committee Chair Murphy and members of the Assembly Committee on Colleges and Universities. I appreciate you hearing AB 378 so that Wisconsin women's voices will be heard today. Taking everyone back to when I originally introduced this legislation in 2021, I decided to propose the "Protecting Women in Sports Act" bills, consisting of both K-12 and collegiate level athletics, because of the pleadings of parents whose daughters were competing in sports in my district. As I quickly learned when I agreed to be their champion in the legislature, there is a whole army of women in Wisconsin sports that are fed up with giving their titles and awards to those who were born biological males. Those women along with historic groundbreakers for women's rights in Wisconsin testified on the bills in 2021. These women worked hard and earned accolades in their own right, and they still deserve to have their Title IX rights protected.

What is this Title IX we keep hearing about? On June 23, 1972, Title IX became ensconced in federal civil rights law. That law was historic in its provisions honoring and protecting the abilities and achievements of women in their own divisions in competitive sports. Prior to that time, females were not offered the opportunities to compete in anything other than informal activities, lacking equipment, resources, and scholarships. Since its passage in my youth, Title IX has made a way for women to be inspired by the high achievement of other women. Educational and competitive opportunities have been opened up through scholarships and tournaments.

Now, in a fractured, well-meaning attempt at inclusion, women's achievements have once again been put at great risk of loss. By biological males being permitted to play on women's teams because of gender identity, biological females are once again losing opportunities at titles, scholarships, and even participation. Additionally, by ignoring the scientific, biological fact that males have higher bone density, greater muscle mass, and often greater height, women are being put in physical danger of greater injury in competition.

In fact, much has happened in these past two years since I first introduced this legislation. First off, with a wider public awareness of this issue, Marquette University Law School's latest poll on the matter learned that, "Views concerning sports competition for transgender athletes find a majority, 71%, in favor of requiring that transgender athletes compete on teams that match the

sex they were assigned at birth, not the gender they identify with, while 28% are opposed to this.” Back in 2021, people really hadn’t heard the name “Lia Thomas,” the trans swimmer who didn’t even finish in the top 10 as a male but who stole the top seat from Riley Gaines, who had worked a lifetime to achieve that top spot in swimming. Since that time, a young lady named Payton McNabb has literally been sidelined by a transgender player who spiked the ball during a high school volleyball game. McNabb received head and neck injuries leaving her with headaches, partial paralysis, and impaired vision that make her unable to now play the game at the collegiate level. A transgender athlete injured three female rugby players in April of 2022. In March of this year, Sun Prairie School District had an incident where a student claiming to be trans disrobed in front of showering freshmen females in their locker room. I could continue.

The good news is that many are coming to their senses seeing that something needs to be done to protect and revere females. Unlike many who would like to deny settled biology, we CAN define what a woman is — an adult human female with two XX chromosomes. FINA, the world’s top international swimming association has put restrictions on biological males swimming in women’s categories. The International Rugby League announced in 2022 that it was developing a new policy regarding transgender athletes and suspending biological male competition in the female category. In July of this year, UCI, world cycling’s governing body banned biological males from competing in the female category if they transitioned after puberty. And just like this proposed legislation, the Boston Marathon created a 3<sup>rd</sup> category for competition, a “non-binary” category for transgender and non-binary athletes in 2022.

Ladies and gentlemen, there is a fair way to let everyone have their opportunity to engage and compete in athletics without an unfair advantage. When even members of the LGBTQ community like Martina Navratilova and Caitlyn Jenner, both having won multiple awards for their athletic performances, along with a number of brave doctors say that it’s wrong for transgender women and girls to compete in female sports, we need to wake up! When a female basketball is smaller than a male basketball, we should be foolish to think hormone treatment or surgery can change the advantage of an individual’s hand size. We .CANNOT go back to the days where women were deprived of their equal participation and deprived of the respect they deserve. And at a time where we are all so concerned about trauma and mental health, why are we traumatizing the vast majority of our female athletes like this when it is within our power to peaceably solve this problem in a fair way for all?

My fellow legislators, this is not a matter of transphobia, hate, or any of the false pejoratives thrown at women who wish to stand up for women in sports. This absolutely not a “BAN” as the extreme left has tried to claim. This is a matter of equality and justice. Despite the fact I have transgender acquaintances whom I love does not mean that I need give them the right to steal my competitive accomplishments. That is known as overcompensation. This legislation is a matter of fairness based on facts that cannot be changed by the opinions of special interest groups. This legislation is not, as many have said, exclusionary and putting people into boxes. It is giving us an “ALL” category, ensuring that those who may not fit into their birth category have a home to foster their love of their sport with everyone.

I know there are those on this committee who will not listen, no matter what the facts are. Nevertheless, with my testimony is a handout for all of you on the immutable physiological differences between females and males that exist beyond any medical treatment or procedure.

Those facts cannot be denied. Just like it cannot be denied that this transgender dilemma never seems to impinge upon men's sports.

Colleagues, this challenge has only grown worse since last legislative session. Let's work together to create a fair place for everyone. I want to thank the committee for their time in hearing this bill today. I am happy to answer your questions.

## SOURCES

### Testimony AB 378

October 4, 2023

1. Title IX <https://www.justice.gov/crt/title-ix>
2. Views concerning sports competition for transgender athletes find a majority, 71%, in favor of requiring that transgender athletes compete on teams that match the sex they were assigned at birth, not the gender they identify with, while 28% are opposed to this.  
<https://law.marquette.edu/poll/2023/05/24/new-marquette-law-school-poll-national-survey-finds-trump-and-desantis-leading-biden-in-head-to-head-matches-desantis-losing-ground-to-trump-in-primary-majorities-having-unfavorable-views-of-all-thr/>
3. Doctor's statement on Lia Thomas' unfair advantage <https://www.dailymail.co.uk/news/article-10868453/Mayo-Clinic-doctor-confirms-trans-swimmer-Lia-Thomas-given-unfair-advantage.html>
4. Payton McNabb injury <https://nypost.com/2023/04/21/nc-volleyball-player-urges-transgender-ban-for-schools-female-sports/>
5. Rugby players injured <https://www.washingtonexaminer.com/news/watch-transgender-rugby-player-slams-female-athletes-coach-says-three-injured>
6. Sun Prairie incident <https://www.nbc15.com/2023/04/21/sun-prairie-schools-disputes-claims-girls-locker-room-incident/>
7. FINA decision <https://www.cnn.com/2022/06/19/us/fina-vote-transgender-athletes/index.html>
8. International Rugby League decision <https://www.nbcnewyork.com/news/sports/transgender-athletes-barred-from-international-rugby-league/3741978/>
9. UCI decision <https://www.dailywire.com/news/another-international-sport-bans-biologically-male-trans-athletes-from-competing-against-women>
10. Boston Marathon decision <https://www.reuters.com/lifestyle/sports/boston-marathon-feature-non-binary-category-2023-race-2022-09-13/>
11. Tennis legend Martina Navratilova slams transgender cyclist's race win  
<https://mol.im/a/12048543>
12. Caitlyn Jenner says transgender girls in women's sports is 'unfair'  
<https://www.nbcnews.com/feature/nbc-out/caitlyn-jenner-says-transgender-girls-women-s-sports-unfair-n1266138>



# FAST FACTS SPORTS

The strongest 10% of females can only beat the bottom 10% of men in hand grip tests.<sup>28</sup> Hand grip is one of the most widely-used markers for **strength**.



Men are **faster** than women. In running, swimming, rowing, kayaking, and short distance and long distance, women's speed world records are all about 90% of their



men's speed world records.<sup>29</sup> Each year, **hundreds** of men easily beat the world's best time in the women's marathon.<sup>30</sup>

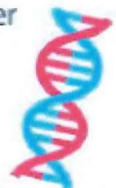
Men have broader shoulders, and larger feet and hands, all of which grant an **advantage** in sports like volleyball, swimming, and basketball.



Male marathon runners have **lower body fat** percentages than female marathon runners.<sup>31</sup>



Men have a greater amount of fast twitch muscle fibers, which give men



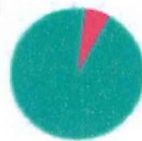
**explosive power**.<sup>32</sup>

On average, men are physically stronger than women.<sup>33</sup>

Men have **66%** more upper-body muscle than women, and **50%** more lower-body muscle.<sup>34</sup>



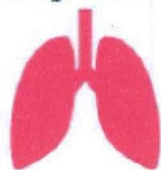
There is a **10%** performance gap between male and female athletes in most sports and it hasn't narrowed as women train harder.<sup>35</sup>



Men have **higher hemoglobin levels**, allowing their body to oxygenate muscles more quickly and efficiently.<sup>36</sup>



Men have **larger hearts and lungs**. A larger heart can pump more blood to the body and larger lungs allow for the body's tissues to receive more oxygen.



Men have bigger and stronger bones. A larger skeletal structure means men's bodies can hold **more muscle** and **larger bones** facilitate leverage.<sup>37</sup>



Men are **taller**, giving them an advantage in sports like basketball or volleyball.





**Assembly Bill 378**  
Public Testimony  
Assembly Committee on Colleges and Universities  
October 4, 2023

Thank you Chairman Murphy and members of the committee for holding this public hearing on Assembly Bill 378.

Assembly Bills 377 and 378 will preserve gender-specific sports categories at the high school and collegiate level, based on the athletes' biological sex, while allowing for the creation of co-ed sports teams. This will ensure that all athletes have equal access to athletic opportunities and fair recognition based on their talents and efforts.

Over 50 years ago, Title IX brought fairness and opportunity to organized sports, which are built on the principle of fair and safe competition. The movement to open female sports to biological males raises legitimate concerns about the inherent physical advantages that males tend to possess. These include differences in muscle mass, bone density, metabolism rates, and lung capacity, which are already emergent by early adolescence. This disparity increases the risk of injury and threatens to diminish the achievements of biological women if traditional gender-specific sports categories are not preserved. Indeed, this has already happened, as you will soon hear in further testimony from people affected by this policy.

Allowing biological males into female sports largely defeats the purpose of Title IX, and changing this arrangement becomes a serious matter when it limits opportunities for female athletes to succeed and advance in their chosen sports.

This legislation has broad bipartisan support in the public. In my 2023 summer survey, I asked constituents the question, "Should someone who is born a biological male be allowed to participate in girls' sports?" An overwhelming 73% of respondents said "No." This aligns with other public polling in Wisconsin and nationwide.

In today's debate about inclusion in athletic competition, we cannot ignore concerns related to fairness, physical advantage, and the preservation of opportunities for female athletes.

Thank you for taking the time to consider this proposed legislation. Representative Dittrich and I would be happy to take any questions you may have.

## **TESTIMONY SUBMITTED BY PAULA SCANLAN**

### **Wisconsin General Assembly Committee on Colleges and Universities**

**Wednesday, Oct 4, 2023**

Good Morning, Honorable Chair Murphy and Committee on Colleges and Universities.

I'm Paula Scanlan, a spokeswoman and advisor for the Independent Women's Voice and a former NCAA athlete. I am here today to share my personal story.

I started swimming at a very young age, by age 8, I was swimming competitively, and by late middle school I was devoting at least 20 hours per week to swimming. I gave up countless Christmas holidays, weekends, and social events to work towards my goal of swimming Division 1. A dream that came true when I began swimming for the University of Pennsylvania.

While I never became an NCAA champion, I proudly hold the New England Independent School League Record in the 400-yard freestyle relay, a record that has stood since March of 2017.

In September 2021, Lia Thomas (formerly Will Thomas) began participating as a member of the Penn Women's Team. On the men's team, Thomas had personal best times in every freestyle event that were faster than the Women's world records. Once the season began, Thomas was leading the country in multiple events. Thomas later became an NCAA Champion in the 500-yard freestyle, the first NCAA champion in our women's team program history.

While many of you already know this, what you do not know is the experiences of the women on the University of Pennsylvania swim team.

My teammates and I were forced to undress alongside Lia Thomas, a six-foot four-inch tall male fully-intact with male genitalia, 18 times per week. Some girls opted to change in bathroom stalls and others used the family bathroom to avoid this. When we tried to voice our concern to the Athletic Department, we were told that sharing the locker room was non-negotiable and we were offered psychological services to attempt to re-educate us to become comfortable with the idea of undressing in front of a male.

To sum up the university's response: we, the women, were the problem, not the victims. We were expected to conform—to move over and shut up. Our feelings didn't matter. The university was gaslighting and fear-mongering women to validate the feelings and identity of a male.

In an attempt to voice my concerns, I wrote an Op-Ed for Daily Pennsylvanian, the University of Pennsylvania student-run newspaper. I approached this from a scientific, statistical perspective where I used my engineering background to discuss how Y-chromosomes cannot be changed by any surgical procedure or hormonal therapy. As a result, males who have experienced puberty have a significant athletic advantage over females that cannot be erased with testosterone suppression and cross-sex hormones.

The DP published my article on the evening of February 10, 2022. Only a few hours later my piece was retracted. I was given no notice, nor reasoning.

Again, I was silenced by my university.

Unfortunately, the canceling and silencing of women who advocate for maintaining the sanctity of women's spaces is becoming commonplace. Those who stand up for privacy, fairness, and equal athletic opportunity are labeled as transphobic, bigoted, and hateful.

But what's bigoted and hateful is the misogynistic attempt to erase women and silence our voices, particularly the voices of women like me who are survivors of sexual assault.

I was able to forgive my attacker, but violence against women still exists. Let us not forget the viral #MeToo movement that empowered female victims to speak up; it cast a spotlight on the widespread prevalence of sexual assault and abuse, including in scholarly and educational institutions. #MeToo gave millions of women who grappled with sexual abuse experiences alone the space to speak up, and on the eve of its upcoming anniversary, still do.

This is one of the many reasons I feel so passionately about this issue.

Unfortunately, Lia Thomas is not the only trans-identified athlete to steal trophies and opportunities to compete from women. And the female swimmers at UPenn are not the only ones forced to share a locker room with biological males without their consent.





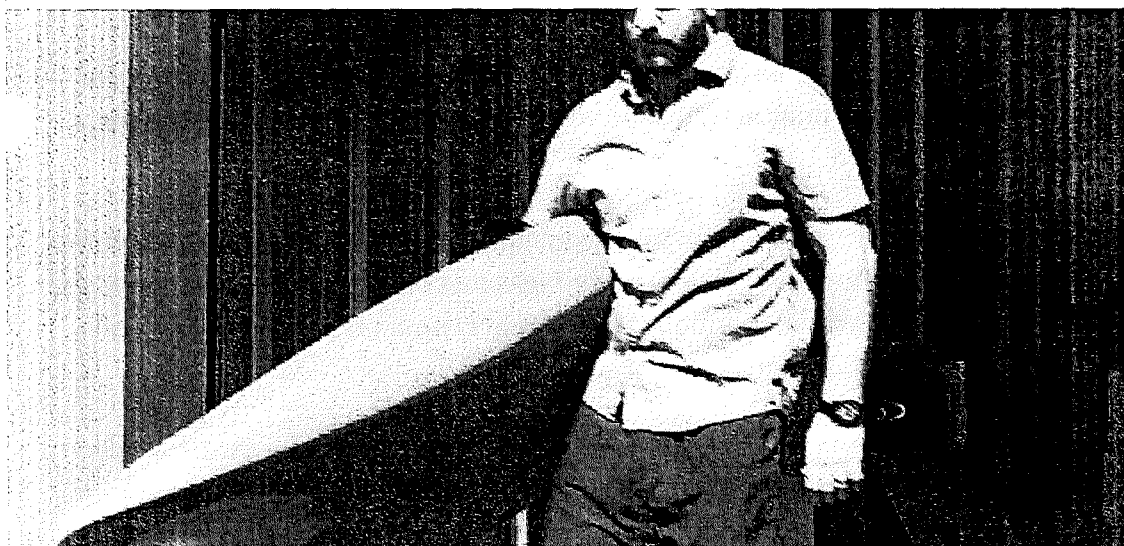
Shared Destiny. Shared Responsibility.

Respect > Diversity + Inclusion

## Teammates say transgender swimmer Lia Thomas has their 'full support'

By [Christie M. Gillin](#) | Feb. 2, 2022 | Feb. 02, 2022

Advertisement. Your video will resume in 14 seconds.



### Story at a glance

Teammates of Lia Thomas, a transgender female swimmer at the University of Pennsylvania, on Tuesday said the athlete had their total support.

The statement is unsigned but was written by “several” members of the team, a Penn spokesperson told Changing America.

**The statement comes less than a week after another team member, speaking anonymously to Fox News, said Thomas has an unfair advantage because she had gone through male puberty.**

---

Members of the University of Pennsylvania's women's swimming and diving team on Tuesday said their teammate Lia Thomas, a transgender woman, has their "full support."

"We want to express our full support for Lia in her transition," the athletes wrote Tuesday in a statement obtained by Changing America. "We value her as a person, teammate, and friend."

The statement is unsigned but was written by "several" members of the team, a Penn spokesperson said.

The statement comes less than a week after one of the university's women's swim team members, speaking anonymously to Fox News, said she believed the school was placing too little value on the rights of athletes assigned female at birth.

---

**America is changing faster than ever! Add Changing America to your Facebook or Twitter feed to stay on top of the news.**

---

The swimmer argued that the university has created an uneven playing field by allowing Thomas to compete against other women because Thomas, assigned male at birth, had gone through male puberty, developing a larger heart and lungs than most other women.

"It's not just the difference between two girls and how one might have slightly larger lungs and that gives them a slight advantage," the swimmer said. "These are monumental advantages that biological males just develop through puberty, and it's not something that a year of [hormone treatments] can suppress because they still have all the muscle mass they had from the last 20 years."

The NCAA last month updated its eligibility criteria for transgender athletes, which will now be determined by the national governing body of each sport. Under the previous policy, first introduced in 2010, female athletes could compete for a collegiate women's sports team after completing a full year of testosterone suppression treatment.

Shortly after the athletic association's announcement, the University of Pennsylvania Athletics Department pledged to support Thomas' participation in the NCAA swimming and diving championships in March. Thomas has qualified for the women's 200-yard, 500-yard and 1,650-yard freestyle events.

Thomas' teammates on Tuesday said the anonymous comments to Fox News were not emblematic of the entire team's feelings toward Thomas' participation and recent success.

"The sentiments put forward by an anonymous member of our team are not representative of the feelings, values, and opinions of the entire Penn team, composed of 39 women with diverse backgrounds," the athletes wrote. "We recognize this is a matter of great controversy and are doing our best to navigate it while still focusing on doing our best in the pool and classroom."

Also on Tuesday, USA Swimming, the sport's governing body, released new guidelines for trans athletes in elite competition.

“At the elite level, a policy has been created for transgender athlete participation in the U.S. that relies on science and medical evidence-based methods to provide a level-playing field for elite cisgender women, and to mitigate the advantages associated with male puberty and physiology,” USA Swimming said Tuesday in a news release.

The policy will be implemented by a panel of three medical experts, according to the governing body, and elite transgender female athletes will have to provide “evidence” that a competitive advantage over cisgender competitors does not exist because of their prior physical development “as a male.”

---

## READ MORE STORIES FROM CHANGING AMERICA

[TEXAS GOV. ABBOTT INTRODUCES NEW ‘PARENTAL BILL OF RIGHTS’](#)

[SCIENTISTS ARE MONITORING A NEW OMICRON SUBVARIANT CALLED BA.2](#)

[HOUSE COMMITTEE IN FLORIDA PASSES ‘DON’T SAY GAY’ BILL](#)

[MAN REPORTEDLY DENIED HEART TRANSPLANT BECAUSE HE’S NOT VACCINATED AGAINST COVID-19](#)

[RESEARCHERS FIND GENETIC LINK TO COVID-19-INDUCED LOSS OF SMELL AND TASTE](#)

---

Copyright 2023 Nexstar Media Inc. All rights reserved. This material may not be published, broadcast, rewritten, or redistributed.

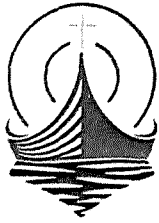


## Most Popular



CLIMATE CHANGE

Survey: Over 70 percent of Americans paid higher power bill due to...



WISCONSIN COUNCIL  
OF CHURCHES  
COURAGE. JUSTICE. HOLY IMAGINATION.

30 W. Mifflin, Suite 602  
Madison, WI 53703

To: Members of the Assembly Committee on Colleges and Universities  
From: Rev. Breanna Illéné, Director of Ecumenical Innovation and Justice Initiatives,  
Wisconsin Council of Churches  
Date: October 4, 2023  
Re: Testimony in opposition to Assembly Bill 378

The Wisconsin Council of Churches (WCC) is a network of Christian churches and faith-based organizations committed to working together across our many differences to promote collective good. We connect 21 Christian traditions, which have within them approximately 2,000 congregations and over one million church members. Exercising holy imagination, we help one another make courageous choices that lead toward peacemaking, social and economic justice for Wisconsin's most vulnerable residents, the vitality of the church, and the well-being of our neighbors.

As a Council, we have adopted a statement on Nonviolence that reminds us that "Faithfulness to its mission requires the Church to speak out against violence, minister to its victims, and work tirelessly to reduce the level of violence in society." We come here today to decry the violence in AB 378.

Transgender individuals are unnecessarily under attack, and this legislation is just one of many items currently before our state legislature that cause undue harm to a marginalized community. The isolation and demonizing that this bill promotes are spiritually harmful, empowering hate speech and hateful action. Transgender individuals are children of God who deserve a dignified existence.

While it may seem strange to have a group of churches and people of faith speaking on sports, the reality is that we share some commonalities. Sports teams, just like our churches, are meant to be shared spaces to bring people together and build people up. They create community and provide outlets for health, wellness, and collaboration. This bill fails to do any of those things. It in fact does quite the opposite, creating needless division and punishing our young people simply for being who they are in the world.

Our faith teaches that God is relentless in pursuit of well-being for the world and its inhabitants. As Christians, we are called to facilitate communities of well-being, and public policy that does not harm. In this spirit of love and accountability, we reject AB 378 on its merits, and we ask this body to do the same.

Thank you for your time.



WISCONSIN COALITION AGAINST SEXUAL ASSAULT

---

## Testimony

To: Members of the Assembly Committee on Colleges and Universities  
From: Wisconsin Coalition Against Sexual Assault (WCASA)  
Date: October 4, 2023  
Re: Assembly Bill 378  
Position: Oppose

---

The Wisconsin Coalition Against Sexual Assault (WCASA) appreciates the opportunity to offer this written testimony for your consideration. WCASA is a hybrid organization: functioning both to support member Sexual Assault Service Providers (SASPs), while advancing the anti-sexual assault movement in the state and nationally.

Transgender women participate in college sports for the same reasons as everyone else: to improve overall health and fitness, to be part of a team, and to foster friendships and sense of belonging. Furthermore, studies have demonstrated the benefits of girls participating in sports, including enhancing leadership skills and self-confidence<sup>1</sup>. When we tell transgender women they cannot play women's sports, they miss out on these important experiences and all the lessons they can teach.

25 states have inclusion policies that allow transgender athletes to play sports alongside their peers. Furthermore, the NCAA, the International Olympic Committee (IOC), and USA Gymnastics have also adopted similar policies. Banning transgender women from participating in women's sports teams at University of Wisconsin institutions or technical colleges puts Wisconsin out of step with all these efforts. It could also have negative economic consequences for Wisconsin. The NCAA reaffirmed their commitment to allowing transgender athletes to participate in sports in a letter released on April 12, 2021<sup>2</sup>. In that letter, the NCAA stated that when they are deciding where to hold championship events, only sites that can ensure the safety of athletes and that are free from discrimination will be selected<sup>3</sup>. Passage of this legislation would seriously jeopardize our ability to host NCAA championship events thus eliminating the economic benefits associated with host cities.

Ensuring women's athletics is on a level playing field is an important goal. That is why laws like Title IX have been so important when it comes to women's sports. If we want to meaningfully support women's athletics at the collegiate level, we should focus our efforts on increasing investment in women's coaches and strengthening Title IX to protect female athletes from harassment and abuse. Banning transgender women from participating in university sports does nothing to address these issues.

Furthermore, transgender women vary in athletic ability just like cisgender athletes. Some women excel at soccer, some at volleyball, and some at gymnastics. Simply put, there is no reason why a person's

---

<sup>1</sup> Hinkelman, L. (2016) *The Girls' Index: Girls and Sports Impact Report*. Columbus, OH: Ruling Our eXperiences, Inc. Final Girls & Sports Impact Report (squarespace.com)

<sup>2</sup> NCAA Board of Governors Statement on Transgender Participation | NCAA.org - The Official Site of the NCAA

<sup>3</sup> Ibid.

genetic makeup and reproductive anatomy should be an indicator of athletic performance.<sup>4</sup> According to Dr. Joshua D. Safer, “There is no inherent reason why [a transgender woman’s] physiological characteristics related to athletic performance should be treated differently from the physiological characteristics of a non-transgender woman.”<sup>5</sup> We should not discriminate against women and ban them from playing sports because they are transgender.

This legislation also compounds the discrimination transgender people already experience in their daily lives and sends a dangerous message that they are not welcome on sports teams. For example, transgender people experience higher rates of bullying, anxiety, and depression<sup>6</sup>, all of which will be exacerbated if they are not allowed to participate in sports because of their gender identity. Furthermore, transgender women and girls face discrimination and violence that make it difficult to stay in school. For example, 22% of transgender women who were perceived as transgender in school were harassed to such an extent that they had to leave school because of it.<sup>7</sup> These data contradict the notion that transgender women have an unfair advantage when participating on women’s sports team. Furthermore, forcing transgender women to participate on teams that do not align with their gender exposes them to range of serious negative impacts. This includes gender dysphoria and continually being mis-gendered, which increases the risk of suicide, self-harm, and bullying.

Transgender people are also disproportionately impacted by sexual violence, as nearly half of all transgender adults report experiencing sexual assault<sup>8</sup>. Those rates are even higher for Black and Native American transgender people, who thus experience intersecting discrimination and violence related to race and gender identity/expression<sup>9</sup>. Furthermore, this bill is rooted not just in transphobia, but also racism, as the main cases cited by proponents of similar legislation across the country involve two young Black women athletes in Connecticut. Black women in sports have long been subject to racist depictions about their femininity or been accused of cheating in an effort to keep them from competing. Instead of focusing efforts on keeping transgender athletes from participating in sports, we would be better served by ensuring they are treated with dignity and respect by welcoming them in university athletics.

For the reasons state above, WCASA opposes AB 378, and we urge this committee to take no further action on this legislation. Thank you for your consideration. If you have any questions, you can reach me at [ianh@wcasa.org](mailto:ianh@wcasa.org).

---

<sup>4</sup> Strangio, C., & Arkles, G. “Four Myths About Trans Athletes, Debunked.” [www.aclu.org](http://www.aclu.org), April 30, 2020. [www.aclu.org/news/lgbtq-rights/four-myths-about-trans-athletes-debunked/](http://www.aclu.org/news/lgbtq-rights/four-myths-about-trans-athletes-debunked/)

<sup>5</sup>Ibid.

<sup>6</sup> Turban, Jack L. “Research Review: Gender Identity in Youth: Treatment Paradigms and Controversies.” *The Journal of Child Psychology and Psychiatry*. October 2017.

<sup>7</sup> James, S.E., Herman, J.L., Rankin, S., Keisling, M., Mottet, L., & Anafi, M. (2016). *The Report of the 2015 U.S. Transgender Survey*. Washington, D.C.: National Center for Transgender Equality.

<sup>8</sup> Ibid.

<sup>9</sup> Ibid.



PO Box 7486 • Madison WI 53707-7486  
608-268-5074 (Madison) • 866-849-2536 (toll-free) • 608-256-3370 (fax)  
info@wifamilyaction.org • www.wifamilyaction.org

---

**TESTIMONY IN SUPPORT OF ASSEMBLY BILL 378  
ASSEMBLY COMMITTEE ON COLLEGES AND UNIVERSITIES  
WEDNESDAY, OCTOBER 4, 2023  
SIERRA JOHN**

Thank you, Chairman Murphy and committee members, for holding this hearing on Assembly Bill 378. Wisconsin Family Action supports this bill.

I am Sierra John. At Wisconsin Family Action, I serve as the director of our teen camp, LEAD Wisconsin. Today I am testifying on behalf of Wisconsin Family Action and also as a former NCAA athlete and as a concerned woman. I join many other NCAA & former NCAA athletes such as Riley Gaines and Madison Kenyon who are calling for women's sports to be protected.

I ran collegiate cross-country for all four years. I deeply enjoyed my team, the workouts, and the feeling of success after a competition. But now equal competition for women is at risk. To deny the advantage of a biological man is to deny logic and reality. Biology matters. XY chromosomes versus XX chromosomes matter. To argue that this difference doesn't exist and that if it does exist it isn't severely noticeable, is to deny reality.

From my own experience, this reality is obvious. I had a pretty positive collegiate career, ranking 6<sup>th</sup> fastest 5k time of all-time at my university. I was one of the fastest runners on my team. Some days, during practice, I would run with the men's cross-country team for more of a workout. And it *was* more of a workout, for me, *NOT* them. What was their easy, light run filled with jokes and talking, resulted in me pushing to stay with the group and to even out my breathing. I certainly wasn't talking during the run. This personal anecdote illustrates an obvious everyday point. Men are not women, and men have physical advantages.

To say that the playing field is leveled with the use of testosterone suppressants is severely misguided. Many transgender athletic policies require 1 year of testosterone suppression or, in the case of the International Olympic Committee, less than 10 nanomoles per liter (nmol/l) of testosterone. First, requiring only a year hardly reduces the effects or levels of testosterone. Second, the requirement of less than 10 nanomoles per liter (mol/l) of testosterone is laughable when the average level of testosterone in women is less than 2 nanomoles per liter (nmol/l). But all of this is eclipsed by the physical aspects that are not changed at all with testosterone suppression. Men have larger frames, stronger grip strength, larger cardiovascular systems, and even better spatial ability and perception. All of these remain unchanged with hormone therapy, and all of these provide men with a consistent competitive edge. Science shows that biological differences exist between men and women, even in the presence of hormone treatments.

Allowing men to participate on female sports teams undermines the very purpose of Title IX. It doesn't take much searching to find multiple stories of how a man beat out a woman and stole her chance at going to a state championship or stole her place on the podium or denied her a scholarship. To allow even one man to beat a woman in female sports is to tell *ALL* women that you do not matter, that your feelings aren't as important as a man's. As one female athlete shares about her experience of losing to multiple men, "That's a devastating experience. It tells me that I'm not good enough; that my body isn't good enough; and that no matter how hard I work, I am unlikely to succeed, because I'm a woman."

And in a collegiate experience, you have to think beyond the playing field and into the locker rooms and the hotel rooms. Women are forced to share these personal, vulnerable spaces with men. And for the women to speak out about these feelings is to be called an intolerant transphobic bully, reiterating that she does not matter compared to men. When I joined my women's cross-country team, I did not agree to share my locker room or hotel room with a man. I did not agree to allow a man to see my most vulnerable self, and I did not agree to race against men with little hope of ever winning against them.

I urge you to be truly pro-woman, to defend Title IX, and to tell women that they matter and that their experiences aren't invalid in light of a man's. I urge you to pass this bill. Thank you.



AMERICAN CIVIL LIBERTIES UNION

Wisconsin

207 East Buffalo Street, Ste 325  
Milwaukee, WI 53202  
(414) 272-4032  
aclu-wi.org

October 4, 2023

Chair Murphy, Vice-Chair Nedweski, and Honorable Members of the Assembly Committee on Colleges and Universities:

The American Civil Liberties Union of Wisconsin appreciates the opportunity to provide testimony in opposition to Assembly Bill 378.

Plain and simple, excluding trans students from participating in sports teams consistent with their authentic gender identity is harmful and discriminatory.<sup>1</sup> Bills like AB 377 are part of a nationwide coordinated effort to deny transgender people their freedom, safety, and dignity. In 2023 alone, over 500 anti-LGBTQ bills have been introduced in statehouses across the country.<sup>2</sup>

Transgender students participate in sports for the same reasons other young people do: to challenge themselves, express themselves, and be part of a team. Excluding transgender students from participation just deprives them of opportunities available to their peers and sends the message they are not worthy of a full life.

Transgender athletes' participation is nothing new. Trans people of all ages have been participating in sports consistent with their gender at all levels for years, including at the Olympics since at least since 2004 and in the NCAA since at least 2011. With close to 20 years of clear policies for inclusion of women and girls who are transgender in women's events at the highest level of sport around the world, there has been absolutely no categorical dominance by women and girls who are transgender anywhere.

---

<sup>1</sup> A bill with similar provisions to AB 377 was signed into law in Idaho in March 2020. The ACLU, ACLU of Idaho, Legal Voice, and Cooley LLP filed a lawsuit, and a federal judge issued a temporary injunction blocking implementation of the Idaho law in August 2020, reaching the "inescapable conclusion that the Act discriminates on the basis of transgender status." The court further held that given the small percentage of people who are transgender and the extensive discrimination that transgender people face, "it appears untenable that allowing transgender women to compete on women's teams would substantially displace female athletes." *Hecox v. Little*, No. 1:20-CV-00184-DCN, 2020 WL 4760138, at \*27 (D. Idaho Aug. 17, 2020). On August 17, 2023, the Ninth Circuit Court of Appeals upheld the injunction, finding the Idaho law barring transgender athletes from participating in student athletics likely violates the rights of transgender students under the Equal Protection Clause of the U.S. Constitution by discriminating on the basis of sex and trans status.

[https://wp.api.aclu.org/wp-content/uploads/2023/08/20-35813\\_Documents.pdf](https://wp.api.aclu.org/wp-content/uploads/2023/08/20-35813_Documents.pdf).

<sup>2</sup> "Mapping Attacks on LGBTQ Rights in U.S. State Legislatures," ACLU (Sept. 29, 2023),

<https://www.aclu.org/legislative-attacks-on-lgbtq-rights>.



As the University of Wisconsin Madison and the Wisconsin Intercollegiate Athletic Conference noted in testimony on identical legislation introduced during the 2021-22 legislative session, passage of a bill targeting trans students at the collegiate level would put Wisconsin colleges and universities out of compliance with current NCAA policy and could also subject Wisconsin colleges to an investigation by the U.S. Department of Education's Office of Civil Rights.

Sports governing bodies created existing transgender sports policies for a population that is exceedingly small, and one that already lacks representation in sports due to exorbitant social and socioeconomic disadvantage. Testosterone is one factor of many influencing athletic ability. Trans athletes, like other athletes, do not have a single body type; there is absolutely no merit to the claim that women and girls who are transgender automatically have advantages in sport.<sup>3</sup> In fact, particularly when referring to young people, many trans athletes have physiological characteristics that are typical of peers with their gender identity and not their assigned sex. This means that a girl who is transgender may have more physiological characteristics typical of non-transgender girls than non-transgender boys.<sup>4</sup> Thus, any data purporting to compare the relative athletic abilities typical of non-transgender girls and non-transgender boys simply do not apply to most transgender youth.

For youth, advantage comes largely from proximity to privilege.<sup>5</sup> The average parent of a child in youth sports spends \$883 per single season of participation.<sup>6</sup> Meanwhile, disparities faced by the transgender community begin at a young age and impact all facets of life including sports access. Transgender youth are 9 times more likely to experience homelessness and associated poverty.<sup>7</sup> Sixty-eight percent experience bullying in middle school and high school.<sup>8</sup> In 2015, 22% of transgender women surveyed stated they were bullied so badly in school that they dropped out.<sup>9</sup>

---

<sup>3</sup> Declaration of Helen Carroll from *Hecox v. Little*, [https://www.aclu.org/sites/default/files/field\\_document/hecox\\_v\\_little\\_-\\_carroll\\_declaration.pdf](https://www.aclu.org/sites/default/files/field_document/hecox_v_little_-_carroll_declaration.pdf).

<sup>4</sup> See, e.g., *Hecox v. Little*, No. 1:20-CV-00184-DCN, 2020 WL 4760138, at \*31 (D. Idaho Aug. 17, 2020)(finding that “there is a population of transgender girls who, as a result of puberty blockers at the start of puberty and gender affirming hormone therapy afterward, never go through a typical male puberty at all”).

<sup>5</sup> “The Making of a College Athlete: High School Experiences, Socioeconomic Advantages, and the Likelihood of Playing College Sports,” *Sociology of Sport Journal* (Aug. 2021), <https://journals.humankinetics.com/view/journals/ssj/39/2/article-p129.xml>.

<sup>6</sup> “Youth Sports Facts: Challenges,” Project Play, <https://projectplay.org/youth-sports/facts/challenges>.

<sup>7</sup> “Student Homelessness: Lessons from the Youth Risk Behavior Survey,” School House Connection (June 2021), <https://schoolhouseconnection.org/wp-content/uploads/2021/06/YRBS-Part-III-Sexual-Orientation-and-Gender-Identity-Equity.pdf>.

<sup>8</sup> “Bullying and Suicide Risk among LGBTQ Youth,” The Trevor Project (Oct. 14, 2021), <https://www.thetrevorproject.org/research-briefs/bullying-and-suicide-risk-among-lgbtq-youth/>.

<sup>9</sup> “The Report of the 2015 U.S. Transgender Survey,” National Center for Transgender Equality (Dec. 2016), <https://transequality.org/sites/default/files/docs/usts/USTS-Full-Report-Dec17.pdf>.

Without supportive services to help transgender students navigate these additional challenges, it's tougher for them than their peers to make it through class, let alone onto a soccer field. Efforts to ban transgender girls from participating in girls' sports jeopardize their mental health, physical well-being and ability to access education opportunities comparable to their peers. Having the opportunity to participate in sports results in positive outcomes for students — better grades, greater homework completion, higher educational and occupational aspirations, and improved self-esteem.<sup>10</sup> We should want that for all Wisconsin students.

Effective solutions to promote sporting fairness and equity do exist, like ensuring equal pay and opportunity for women's leagues and providing equal funding for athletic programs at less wealthy public schools. Targeting transgender women is not one of them.

---

<sup>10</sup> Expert Declaration of Dr. Mary Fry from *Hecox v. Little*, [https://www.aclu.org/sites/default/files/field\\_document/hecox\\_v\\_little\\_-\\_fry\\_declaration.pdf](https://www.aclu.org/sites/default/files/field_document/hecox_v_little_-_fry_declaration.pdf).

Chair Murphy, Vice Chair Nedewski and members of the committee,

My Name is Matthew Lehner. I am a leader and activist from Eau Claire Wisconsin where I additionally have the honor and privilege of serving my fellow students at the University of Wisconsin Eau Claire as a Student Senator. Today I rise in Strong opposition to Assembly Bill 378 which will effectively ban trans athletes from participating in college sports.

Well, folks, here we go again. Another day in Madison. Another day of this illegitimate, out of touch gerrymandered Republican majority attempting to pass homophobic and transphobic pieces of legislation directed at the thriving and vibrant community of queer young people that call our state home, a community which I am damn proud to be a part of. I should be in school today, but I simply can't stay at home and allow you all to attack my community

But, friends, why should we be surprised? After all, this Republican majority hasn't been working to solve our problems. Nothing of substance, just pieces of legislation that attempt to address their chronic obsessions with the private parts of young people. And, consider the source... one of the authors of this legislation equated folks participating in pride in the park in Watertown to the Neo Nazi's who showed up to intimidate people at the event in the tweet.

This bill is disgusting for many reasons. To begin, it includes several times the transphobic trope prohibiting "males from participating in female sports"... goodness, you all must think we are dumb. I think we all know what this means and the transphobic nature of it. Secondly, If enacted, this will put us in direct contradiction of NCAA policy, which has taken appropriate measures and steps to ensure fair competition and the inclusion of trans athletes. It won't matter whether a trans athlete meets their criteria. No... they have to meet your transphobic and misguided criteria. Lastly, if Enacted, this change will be taking place next semester. Seriously guys? Have you no shame? Way to tailor this policy around students.

I'll end by saying this, and I know, it might blow your close minded republican brains to bits but here I go: Trans men are men. Trans women are women. It doesn't matter what policy or bill you write or what you try to do to change reality. This will always be the truth. I'm proud to stand on the right side of history today. No matter how upset or triggered it makes you. I know you won't, but please vote down this misguided bill, and start working to solve actual problems that the people of Wisconsin face, but I know you won't do that either.

Thank you for your time and attention.

Sincerely,

A handwritten signature in black ink, appearing to read 'Matthew Lehner', written in a cursive style.

Matthew Lehner

Student Senator at the University of Wisconsin Eau Claire

## CIVIL RIGHTS & LIBERTIES SECTION

---

To: Members, Assembly Committee on Colleges and Universities  
From: Civil Rights & Liberties Section, State Bar of Wisconsin  
Date: October 4, 2023  
Re: AB 378 – prohibiting transgender females from participating in college women’s sports

---

The State Bar of Wisconsin’s Civil Rights & Liberties Section opposes AB 378, prohibiting transgender female athletes from participating in sports designated for women within the UW or technical college system.

In *Bostock v. Clayton County*, the US Supreme Court interpreted discrimination against transgender individuals as sex discrimination. Based on that decision, and subsequent interpretation and application, the Civil Rights & Liberties section believes this legislation violates the Equal Protection Clause of the 14<sup>th</sup> Amendment as it would discriminate against transgender female athletes.

In addition, the Section believes excluding any students from participating in athletic events consistent with their authentic gender is harmful and stokes anti-transgender fears. Defining a person's sex as that which is determined at birth by a physician is outdated and has no scientific basis. Further, sex determined at birth tells nothing about the athletic ability of the players.

Evidence shows that transgender females do not have an inherent advantage over cisgender females. The reality is that there are hundreds, possibly thousands, of trans women competing in sports, yet only a handful have had any success at the collegiate level. Women’s sports have continued to grow and thrive in states with policies that allow trans student athletes to compete. There is no evidence that any legislative action is necessary to maintain a level playing field.

Lastly, major medical and mental health associations have found that affirming trans young adults in their gender is a critical part of improving physical and mental health outcomes for this population. Therefore, this legislation would be damaging to trans young adults, by disaffirming their gender.

For these reasons, the Civil Rights & Liberties section opposes AB 378.

For more information, please contact our Government Relations Lobbyist, Lynne Davis, [ldavis@wisbar.org](mailto:ldavis@wisbar.org) or 608.852.3603.

*The State Bar of Wisconsin establishes and maintains sections for carrying on the work of the association, each within its proper field of study defined in its bylaws. Each section consists of members who voluntarily enroll in the section because of a special interest in the particular field of law to which the section is dedicated. Section positions are taken on behalf of the section only.*

*The views expressed on this issue have not been approved by the Board of Governors of the State Bar of Wisconsin and are not the views of the State Bar as a whole. These views are those of the Section alone.*



STATE BAR OF WISCONSIN

My name is Emmett Lockwood, I play on the University of Wisconsin - Madison Men's Water Polo team, I am a transgender man, and I was Assigned Female at Birth. But more importantly I have been playing water polo since I fell in love with the sport in 2013. I love the high energy and chlorine filled nature of water polo even when I miss shots or am out of breath trying to swim fast enough to get back on defense, maybe even especially then. This past weekend UW Men's Water Polo won our Western Division Big 10 Tournament and while my teammates are taking this time to prepare for our tournament Big 10 crossover tournament this weekend in Michigan I am here pleading with you all to let me play the sport I love. While AB 378 claims it seeks to construct a definitions gender in college sports that link gender to sex assigned at birth, this bill amounts to an outright ban of transgender college athletes participation in sports. I have been on hormone replacement therapy since 2021, two months before my 18th birthday, under the supervision of my endocrinologist in New Hampshire, Dr. Benjamin Boh. The passing of AB 378 would cause me to enter an appeal to the Collegiate Water Polo Association about whether they could discount my hormone levels and allow me to play on the women's team whilst still seeking gender affirming care. This bill if passed will either require me, and individual who has been on testosterone for 2.5 years to play on a women's team or would likely force me to cease playing water polo entirely because of exclusion from CWPA and this legislative body. AB 378 claims to be in protection of assigned female at birth athletes such as myself and I am here to tell you I don't need protection from my teammates. Maybe this body should turn it's efforts to the player on the University of Iowa team who wasn't able to score because I blocked his ability to receive a pass on defense. This body should focus more on his damaged ego than whatever you are trying to protect me from. But, in all seriousness if this legislative body was truly interested in furthering athletic opportunity for cis women and cis girls along with for women and girls more generally, you would increase funding to collegiate women's athletics. As someone who was the first man to be the President of my High School Women's Water Polo team at Phillips Exeter Academy I faced the disparities in acclaim and funding of what we call women's and girl's sports teams first hand. The Women's Sports Foundation lists barriers to a fair playfield in women's sports including lack of women in sports leadership, finances, and lack of adequate media coverage. The inclusion of trans women and trans men in collegiate sports does not come up

on the list. I plead with you again to make use of your time to actually address financial disparities in collegiate athletics rather than ~~enacting your~~ <sup>pushing trans</sup> ~~transphobic~~ <sup>students out</sup> agenda. Trans people belong in the pool, in the rink, on the court, and on all athletic teams.



**Alder MGR Govindarajan**  
**Eighth District**

City-County Building, Room 417  
210 Martin Luther King, Jr. Blvd.  
Madison, WI 53703  
Phone: (608) 509-9119

[district8@cityofmadison.com](mailto:district8@cityofmadison.com)  
[www.cityofmadison.com/council/district8](http://www.cityofmadison.com/council/district8)

**Assembly Committee on Colleges and Universities**  
**2023 Assembly Bill 378**

*Designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants*

October 4<sup>th</sup>, 2023

Chair Murphy and Members of the Assembly Committee on Colleges and Universities:

Thank you for the opportunity to provide written testimony on Assembly Bill 378, relating to the designation of University of Wisconsin sports and athletics teams based on the sex of the participants. My name is MGR Govindarajan, I serve as the City of Madison Alder representing the UW-Madison campus and portions of off-campus student residents. More importantly, I'm an undergraduate student at this University. On behalf of my constituents, I write in opposition to the passage of AB 378 for the reasons discussed below.

First and foremost, AB 378 overlooks the complex and evolving nature of gender identity. Gender is not solely determined by a doctor at birth, and this bill's reliance on birth certificates fails to acknowledge the lived experiences of transgender and non-binary individuals. It is important that we create an inclusive and welcoming environment for all students, but instead this bill would marginalize those who do not fit into the rigid traditional gender categories.

Furthermore, this bill will have detrimental effects on the athletic opportunities for transgender students. Denying a transgender female student, the ability to compete on a women's sports team is both discriminatory and exclusionary. It is essential that we support all students in their pursuit of athletic excellence and personal growth, irrespective of their gender identity.

I have trouble attempting to understand the need for a bill of this nature. I understand that some of you grew up in a time where this was not so widely talked about, but I want to be clear – just because the topic of gender fluidity was not talked about does not mean those conversations did not exist. Transgender and non-binary people are real, with real lives, stories, and experiences, and this committee should treat them with the respect they deserve: as a person.

I urge this committee to refocus its attention where it should be, addressing the real needs of students. As a student, I wake up facing rising costs in rent, I face increasing tuition, I face food hardships, I face talented professors being whisked away to out of state Universities that provide better pay. I face these problems every single day, and so do the thousands of other students I represent. The purpose of this committee is to improve the lives of us students, but unfortunately this bill does nothing but create an environment of unwelcomeness within our universities.

October 4, 2023

Page 2

In conclusion, I respectfully request that you oppose Assembly Bill 378 in its current form and work towards a more equitable and inclusive solution that respects the rights and dignity of all individuals. Thank you for your time and consideration.

Sincerely,  
MGR Govindarajan, District 8 Alder  
City of Madison, WI





---

## WISCONSIN EDUCATION ASSOCIATION COUNCIL

---

an NEA affiliate

### Memo

To: Members, Assembly Colleges and Universities Committee  
From: Wisconsin Education Association Council  
Re: Testimony in opposition to AB 378, designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants  
Date: October 4, 2023

---

The Wisconsin Education Association Council (WEAC) represents teachers and other public school employees in every part of Wisconsin. As professionals on the front lines of public education, WEAC members are committed to working with parents, administrators, and school boards to promote safe, healthy, and effective learning environments.

Educators work every day to ensure all students are safe and supported so they can learn – no exceptions. Bills such as AB 378 harm queer and transgender youth, worsening for many an already declining state of mental health. About four in 10 LGBTQ+ students say they have considered suicide in the past year, and the pain inflicted on families and loved ones of those who attempt or commit suicide is everlasting.

Wisconsin public school educators have long advocated for increased mental health services in schools, including personnel such as school nurses, psychologists, social workers and others to identify and intervene when youth are struggling. Equally as long, we have opposed any effort to single out any group of students through targeted legislation outlawing opportunities. Students, rightly so, see efforts by legislators to place a wedge between students in their schools as another in a long line of personal attacks by bullies. Attacking youth for their sexuality will not make them change who they are.

Instead of spending time devising laws to marginalize students, Wisconsin's public school educators urge you to embrace solutions for bringing them together. Please reflect on your personal motivation for supporting or rejecting this legislation. Are you standing for inclusion and protection of your constituents who only want to be accepted for who they are and what they can contribute to their college team?

As educators, we will always stand for LGBTQ+ students. We will never condone bullying and will do everything in our power to make sure trans and gender non-conforming youth know they are seen, heard, and valued.

We invite committee members to join us in our stand. Please reject AB 378.

Peggy Wirtz-Olsen, President  
Bob Baxter, Executive Director

AB-378 (college sports bill)

Dear committee,

My name is Eli Rittenhouse, and I use he/they pronouns. As a transgender Wisconsinite, I urge you to oppose AB-378.

AB-378 wrongly discriminates against transgender athletes in sports. This bill threatens to not only demonize and weaponize transness, but also legally enforces the policing of ALL athletes' bodies in sport. As has been shown by other states who have passed this dangerous model legislation, this bill also has consequences for the economy and tourism of the state as well. Despite the fact that the National Collegiate Athletic Association (NCAA), the International Olympic Committee (IOC) and several professional sports leagues allow transgender athletes to compete in accordance with their gender identity, these bills are still being introduced, and that is beyond shameful. Trans athletes belong in sport.

I urge you to oppose AB 378.

Thank you,

Eli Rittenhouse  
910 N Garfield Dr  
Janesville WI 53546



## WISCONSIN CATHOLIC CONFERENCE

TO: Representative David Murphy, Chair  
Members, Assembly Committee on Colleges and Universities

FROM: David Earleywine, Associate Director for Education

DATE: October 4, 2023

RE: Support for Assembly Bill 378 College and Universities Sports Participants

---

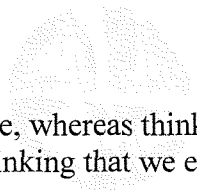
The Wisconsin Catholic Conference (WCC), the public policy voice of the Catholic bishops of Wisconsin, appreciates the opportunity to offer testimony in support of Assembly Bill 377.

This bill impacts University of Wisconsin institution and technical colleges that operate intercollegiate, intramural, or club athletic team or sports designate the athletic team or sport as falling into one of three categories based on the sex of the participating students: 1) participants who are males or men; 2) participants who are females or women; 3) coed or mixed-sex. The bill defines “sex” as the sex determined at birth by a physician and reflected on the birth certificate. The bill also requires the educational institution to prohibit a male pupil from participating on an athletic team or in a sport designed for females. Lastly, the bill requires the educational institution to notify students who are eligible if it intends to change a designation for an athletic team or sport.

Pope Francis has said that “The Church is interested in sport because the person is at her heart, the whole person, and she recognizes that sports activity affects the formation, relations and spirituality of a person.” However, while every person should be given the opportunity to take part in sport, it does not follow that every team must be open to all who wish to join, especially when basic fairness and dignity are at stake.

The United States Conference of Catholic Bishops (USCCB) has affirmed that “[i]n education and in sports, we must seek to avoid anything that debases human dignity, including rejection of a person’s body or unequal treatment between men and women. This has particular relevance in athletics, where male competition in activities designated for women and girls can be both unfair and, especially in high-contact sports, unsafe. It is true that some women have excelled in these events with men. But any time a policy facilitating such male competition takes an athletic opportunity away from a female, it is a loss for basic fairness and the spirit of Title IX.”

As Catholics, we believe that every human being is made in the image and likeness of God and is deserving of dignity, respect, and compassion. We know that each person has been given a natural body that is either male or female. And we affirm, as Pope Francis has written, that “[t]he acceptance of our bodies as God’s gift is vital for welcoming and accepting the entire world as a



gift from the Father and our common home, whereas thinking that we enjoy absolute power over our own bodies turns, often subtly, into thinking that we enjoy absolute power over creation.”

We know that some will feel hurt by this legislation. Even as we support this bill and urge its passage, we ask everyone to see each other as members of one human family. We need to listen to one another and to search for ways that bring about unity and mutual respect.

Thank you for your time today.

October 4, 2023

Christina Mitchell  
Canton, Connecticut  
Testimony in Support of AB 378  
Wisconsin Committee on Colleges and Universities

My name is Christy Mitchell, and I am the mother of three female athletes from Connecticut. Soccer, basketball, and track have been a huge part of our lives from the time our girls were just little. My oldest daughter was a Division III track and field athlete. My youngest daughter is a senior in high school and a varsity soccer and track athlete. They are talented athletes who work hard and love to compete.

My middle daughter, though, has proven herself to be an exceptional athlete. Chelsea was among the best sprinters in New England during her high school years. Those years, however, were marked with controversy, stress, and heartbreak. In 2019, despite being the first female finisher in the 55m, 100m, and 200m at the Connecticut state championships, Chelsea was deprived of the gold medals and state titles she had earned in those races. That recognition went to a male instead.

The Connecticut policy, which categorizes sports participation by gender identity instead of sex, has been devastating for female athletes. I have stood alongside the track and watched as two males were awarded girls' state championship titles 15 different times. One of the males went on to win seven New England championship titles. This athlete had competed on the boys' team for the three prior seasons and did not even rank in the top 100 among male sprinters in our state. The sudden switch to the girls' team in 2018 brought this male a stack of gold medals and championship titles.

The female athletes from our region worked hard to be the very best at their sport – yet they were deprived of fair competition, the thrill of victory, and the honor of being a champion. They missed out on media interviews and recognition of their accomplishments that they rightfully deserve. And they couldn't inform college coaches that they had just won a championship title. These things matter to a young girl, as do the scholarships and career opportunities that can flow from that success. I can promise you this: losing the state championship to a male four times – that mattered to my daughter.

She's not alone – hundreds of girls in Connecticut and throughout New England lost championships, awards, and their chance to compete because biological sex categories in sport were abandoned. In the years since, examples like ours have become all too common and unfortunately girls in some states continue to be sidelined from their own sports.

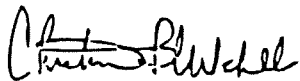
We have also seen great progress in the past few years with many states taking steps to protect the female category. Chelsea is now a senior in college and competing at a school in a state that protects female sports at both the high school and collegiate level. They have responded to the very clear scientific research and overwhelming consensus that a protected female category is the right approach. Female athletes in Wisconsin deserve safe and fair competition too, and you have the opportunity to take a stand on their behalf and protect their rights.

People often try to ignore our story or say that what happened in Connecticut wasn't a big deal. That is untrue. It was a very big deal to many young athletes like my daughter Chelsea. I had a front row seat to the devastating impacts, and I am sharing our story in hopes that this doesn't have to happen to anyone in your state.

At the age of seventeen, Chelsea had to speak up and take a stand because the state of Connecticut would not. It is a heavy lift for a teenager, I assure you. I ask you to stand up for the rights and welfare of your female athletes, so that the weight of this issue is carried by you, rather than placed on the shoulders of the young girls in Wisconsin.

Please pass AB 378.

Respectfully,

A handwritten signature in black ink, appearing to read "Christina Mitchell". The signature is fluid and cursive, with the first name "Christina" written in a larger, more prominent script than the last name "Mitchell".

Christina Mitchell



# WISCONSIN LEGISLATURE

P.O. BOX 7882 • MADISON, WI 53707-7882

**To:** Assembly Committee on Colleges and Universities

**From:** Senator Mark Spreitzer, Senator Tim Carpenter, Representative Greta Neubauer, and Representative Lee Snodgrass

**RE:** Assembly Bill 378

**Date:** October 4, 2023

Chair Murphy and committee members:

As members of the Wisconsin Legislative LGBTQ+ Caucus, we are submitting written testimony today in opposition to Assembly Bill 378. We ask that our testimony be shared with all members of the committee, and be entered into the committee record for this bill.

This bill discriminates against transgender students in Wisconsin by denying transgender women the opportunity to participate in women's sports. All young people should have the opportunity to participate in school-sponsored athletics consistent with their gender identity.

Categorical exclusion of transgender women from participating in school sports alongside their peers is harmful because it singles out transgender youth and denies them the opportunities provided by organized sports and being part of a team. Studies have shown that participating in youth sports can lead to lifelong, positive impacts on a child's physical, mental, emotional, and social health. In addition to helping students stay fit and build physical activity into their lives, youth sports allow students to develop deep and lasting friendships with their peers. Athletes learn life skills such as empathy, leadership, perseverance, and teamwork that will help them throughout the rest of their lives. We know that access to youth sports is crucially important to every student's success.

This bill also likely violates federal law. In 2020, the U.S. Supreme Court ruled in *Bostock v. Clayton County* that federal bans on sex discrimination must be read to prohibit discrimination on the basis of gender identity. This means that where the federal government bans discrimination on the basis of sex, it also bans discrimination against transgender people. The U.S. Department of Education is currently engaged in federal rulemaking to make clear that categorical, one-size-fits-all restrictions on transgender students participating in organized school athletics violate Title IX of the Education Amendments of 1972.

Assembly Bill 378 was previously introduced in the 2021-2022 legislative session as 2021 Assembly Bill 195. Last session, members of this committee heard hours of testimony from those who shared how this



# WISCONSIN LEGISLATURE

P.O. BOX 7882 • MADISON, WI 53707-7882

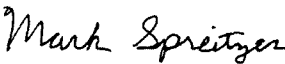



bill would discriminate against and stigmatize transgender and nonbinary college students in Wisconsin. Students, parents, teachers, coaches, and others shared last session – and will share again this session – how the introduction of this bill is harmful and ostracizing to members of the LGBTQ+ community.

Although this bill will not become law in our state, its reintroduction alone is harmful. Recent national surveys have shown that 86% of transgender and nonbinary youth reported negative impacts to their mental health from the introduction of anti-transgender bills, with nearly 1 in 3 LGBTQ+ young people stating that their mental health was poor “always” or “most of the time” due to anti-LGBTQ+ policies and legislation.

Assembly Bill 378 would further stigmatize and isolate transgender youth, who are already vulnerable. A recent national survey by the Trevor Project found that half of transgender and nonbinary young people seriously considered attempting suicide in the past year, and a 2022 study in the Journal of Interpersonal Violence found that 86% of transgender youth reported suicidality with 56% reporting a previous suicide attempt. This bill will put the physical and mental health of transgender youth in Wisconsin at risk.

We ask that you not schedule Assembly Bill 378 for a vote. If AB 378 comes before you for a vote in this committee or on the Assembly floor, we ask that you vote no. This bill is deeply harmful, unnecessary, and dangerous. We hope that you will join us in telling transgender and nonbinary youth in our state that they are seen, are loved, and that they belong here in Wisconsin.

Sincerely,

			
Mark Spreitzer	Tim Carpenter	Greta Neubauer	Lee Snodgrass
State Senator	State Senator	State Representative	State Representative
15th Senate District	3rd Senate District	66th Assembly District	57th Assembly District





October 4, 2023

Dear Wisconsin State Legislature,

The Wisconsin Intercollegiate Athletic Conference has been a member of the National Collegiate Athletic Association for almost 40 years and has won more national championships than any other Division III conference. As members of the association, the WIAC and its UW member institutions adhere to all policies and procedures set forth by the NCAA.

Since 2011, the NCAA has provided guidance for transgendered student-athletes to access collegiate sports teams based on medical and legal knowledge from a board of experts. The NCAA policy strikes a balance between respecting student-athletes' gender identity and ensuring competitive integrity by basing eligibility for participation on hormonal treatment for gender transition. Specifically, trans female student-athletes are permitted to compete on women's teams after completing one calendar year of testosterone suppression treatment. Additionally trans female student-athletes' testosterone levels are tested prior to the start of their playing and practice season as well as prior to NCAA post season competition. As a result, the NCAA has required sport-by-sport testosterone levels that each trans female student-athlete is required to meet in order to remain eligible.

The recent bill, Assembly Bill 378/Senate Bill 377, that has been proposed by the Wisconsin State Legislature, if adopted, could have serious ramifications to the WIAC and its institutions' membership status with the NCAA.

The legislature should be aware that if these bills were adopted, the WIAC and UW member institutions would be out of compliance with the NCAA policy. Consequently, the NCAA would have the authority to prevent WIAC institutions as well as other NCAA member colleges and universities in the state of Wisconsin from hosting post-season events such as tournament games and championships. The inability to host post-season events could have a direct adverse impact on WIAC collegiate sport teams' competitiveness, institutional revenues, and tourism dollars our communities generate when thousands of student-athletes travel to the state for athletic competition.

A recent example of this set of consequences came to fruition when North Carolina passed HB2 in 2017. As a result of that law, the NCAA banned all colleges and universities in the state from hosting post-season events and moved previously scheduled post-season events out of the state, which had a severe economic impact with total loss estimated in the millions of dollars.

An additional consequence that our WIAC institutions may incur if Assembly Bill 378/Senate Bill 377 is adopted is the potential for an investigation by the Department of Education's Office of Civil Rights, which could lead to findings and penalties that may endanger our institutions' ability to award federal financial aid to its student body.

Ultimately, as members of the NCAA, which has already assessed and set parameters for transgender student-athletes and their participation on collegiate sports teams in an equitable fashion, the WIAC and UW member institutions are compliant and will continue to comply with the NCAA's policy.

Sincerely,

Danielle Harris  
WIAC Commissioner



# Women's Declaration International

Testimony of Kerri Bruss  
Before the House Colleges and Universities Committee  
Wisconsin Assembly Bill 378  
October 3, 2023

## SUPPORT

Thank you, members of the House Colleges and Universities Committee, for allowing me the opportunity to provide written testimony in support of Assembly Bill 378. My name is Kerri Bruss and I reside in Waukesha County, Wisconsin.

Women's Declaration International (WDI) is a global, nonpartisan group of volunteer women dedicated to protecting women's sex-based rights. WDI USA is its U.S. chapter. WDI is based on the Declaration on Women's Sex-Based Rights, which has 35,000 signatures globally. WDI USA urges you to support this bill on the basis of Article 7 of the Declaration, "Reaffirming women's rights to the same opportunities as men to participate actively in sports and physical education," an Article which is consistent with Article 10 (g) of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), as well as with the Title IX Education Amendments of 1972.

In recent years, there has been an incursion of men and boys into women's and girls' athletic competitions on the basis of so-called "gender identity," a linguistic mechanism by which men and boys claim the identity of women and girls. This claim has no basis in observable material reality.

The provision of single-sex sports is necessary if women and girls are to have opportunities that are on a par with those of men and boys. As Eric Vilain, a professor of human genetics at UCLA and consultant to the IOC medical commission has noted, "We separate men and women into categories because we want women to be able to win some competitions. There is a 10% to 12% difference between male and female athletic performance." Significant differences in the average bone density, heart size, lung volume, hemoglobin levels, and muscle development of men and women, among other physical differences, result in men being able to generate higher speed and power during physical activity. Even after two years of testosterone suppression, males retain physical advantage over females, especially when it comes to speed.

If sex segregation in sports continues to be eroded, more and more women and girls will lose their spots on teams and podiums to males. This is in direct opposition to Title IX, as well as common sense and the principles of fairness in athletic competitions. It is fairness – a level playing field – that must prevail over arguments about the inclusion of males as females, if women's and girls' sports are to exist as legitimate competitions. I urge you to support this bill and help save women's sports in Wisconsin.

Kerri Bruss  
Signatory to the Declaration on Women's Sex-Based Rights  
Country Contact WDI USA



## **Assembly Committee on Colleges & Universities**

2023 Assembly Bill 378

*Designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants*

October 4, 2023

Chairman Murphy and members of the Assembly Committee on Colleges & Universities:

The University of Wisconsin-Madison thanks the committee for the opportunity to provide written testimony on Assembly Bill 378, relating to designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants.

UW-Madison and Wisconsin Athletics are committed to creating an inclusive and welcoming environment for our student athletes and support the opportunity for transgender student athletes to participate in college sports. We oppose the legislation to restrict or ban transgender athletes from participating on college sports teams solely on the basis of sex.

As proposed, Assembly Bill 378 would require University of Wisconsin campuses to designate categories of sports by sex (defined as sex assigned to an individual at birth by a physician) and prohibit transgender women (who were assigned male at birth) from participating on a sports team that is designated for females. If adopted, this would put UW-Madison and other institutions of higher education in Wisconsin out of compliance with current NCAA policy. As you know the NCAA (National Collegiate Athletic Association) is the governing body for college athletics. The organization includes over 1,000 member institutions and over 100 athletic conferences, including Division I schools like the University of Wisconsin-Madison.

The NCAA has an existing policy that addresses transgender participation in college sports by requiring hormone suppression treatment for transgender women to compete in women's sports. This policy is in line with policies of the International Olympic Committee and the U.S. Olympic and Paralympic Committee. Recently, the NCAA announced that when selecting host locations for tournaments and events, it will consider any actions that may allow for discrimination of certain student athletes. In fact, the NCAA prohibited North Carolina teams from hosting any post-season tournaments and events in the state. Passage of this legislation would have serious financial and reputational consequences for Wisconsin college teams.

Passage of Assembly Bill 378 may also subject UW-Madison to investigation and enforcement action by the Office of Civil Rights, the enforcement arm of the U.S. Department of Education. UW-Madison may also face injunctive relief and damages as a result of litigation alleging that the University's compliance with Assembly Bill 378 constitutes discrimination against transgender students.

Feedback from our student athletes and coaches indicates that the current NCAA policy is functioning well and promoting an environment that is fair and inclusive to all athletes. We have no indication that additional legislation is necessary or beneficial.

In fact, Assembly Bill 378 would negatively impact students by depriving them of the opportunity to compete in collegiate athletics despite meeting NCAA criteria to do so. The benefits of college athletics extend beyond the playing field – participation provides a supportive community and opportunities for service and leadership development.

Thank you for the opportunity to submit written testimony on the impact this legislation would have on UW-Madison and Wisconsin Athletics. If you have any questions, please reach out to UW-Madison Senior Director of State Relations Crystal Potts ([crystal.potts@wisc.edu](mailto:crystal.potts@wisc.edu); 608-265-4105).

**Pratt, Laura**

---

**From:** Reggie Steurer <reggiesteurer@gmail.com>  
**Sent:** Monday, October 2, 2023 11:23 PM  
**To:** Pratt, Laura  
**Subject:** Anti-Trans bill hearings

Hello there,

My name is Reggie Steurer. Although you may not know me, I'm a transgender youth who lives in Janesville Wisconsin. I'm not able to attend the hearing but I thought being able to put a word in would be useful.

--

Passing these anti-trans bills across the nation is not only showing the blatant disregard for basic human rights, but it's an outright attack against my community. What does me being born in the wrong body have to do with the older generations of America? Why does the concept of gender, an entirely made up social construct, have to be any of your concern. Transgender people of all labels have been around for centuries upon centuries. People want to claim that people only began coming out now, but you have to realize that it's not that more people are "chasing a trend", it's that we as a society have been creating an environment where people felt comfortable to come out. That environment has been stripped away from us along with our rights. Being able to be open about the LGBTQ+ community as a whole allows people not only to feel safe in a world where we all have to co-exist, but it brings awareness of the history and the hardships that we witnessed and continue to go through. Taking away gender affirming care for me and so many other individuals is going to be catastrophic. Gender affirming care saves lives. It is a scientific fact that suicide rates for transgender youth goes down when they receive the gender affirming care they need. Why strip that away from us? These bills are being passed by the minds and opinions of Cisgendered people, people who have never once experienced what it's like to wake up every single day and know you aren't who you're supposed to be. This is not fair. This is not the kind of world we should be living in. I should not be scared that when I wake up, I will have less rights than I did yesterday simply for existing in the wrong body. Put yourself in my shoes for once. Look at this whole situation from my stand point. Please. I don't want to live in fear anymore.

October 4, 2023

Testimony in Support of AB 378, Committee on Colleges and Universities  
Independent Council on Women's Sports (ICONS)  
[www.iconswomen.com](http://www.iconswomen.com)

Members of the Committee on Colleges and Universities,

The Independent Council on Women's Sports (ICONS) submits this testimony in strong support of AB 378.

ICONS is a network and advocacy group comprised of current and former collegiate and professional women athletes, their families and supporters who believe the next generation of women and girls deserve the chance to be champions and to see an expanded and celebrated world of women's sports. Our network spans all levels of sport and includes hundreds of Olympians and professional athletes, high school and collegiate athletes, parents of young girls, and coaches and administrators. Our goal is to protect the female category for every girl, at every level, in every sport.

Recognizing biological differences between the sexes and protecting women's spaces from male intrusion are foundational for women to succeed in sports and in life. Laws giving women and girls the opportunity to take part in and succeed in sport are essential to the advancement of women and depend on the law's basic ability to distinguish between women and men. AB 378 succeeds at making this distinction.

Protections for women at the collegiate level are necessary and should not be left to the whims of the NCAA or delayed until they reach the professional ranks. It is a misguided, objectifying, and patently discriminatory trope that girls and women are undeserving of protection until they reach an elite level in sport, as if women are not worthy of protection until they prove themselves world class athletes. Failure to protect the female category will lead to loss of scholarships and will encourage recruiting tactics that undermine opportunities for women.

Overwhelming scientific evidence demonstrates male-female performance differences exist from the earliest stages, including in youth sports. Study after peer-reviewed study has shown clear performance advantages for males in sport *pre-puberty*. Further studies clearly show that male advantage continues to exist even after attempts to suppress testosterone. The only way sport can be fair and equal for women and girls is with a protected women's category that excludes competitors with male advantage.

As stated by ICONS co-founder Marshi Smith – “The women's category in sport has tremendous value for women. Separating girls from boys is the indispensable key to unlocking the transformative power of sport to change young girls' lives.” You hold that key in your hand, please don't throw it away. We urge Wisconsin to pass AB 378.

Respectfully,

ICONS Co-Founders  
Kim Jones and Marshi Smith

**Note to Committee:** this testimony highlights the arguments put forth in the ICONS amicus brief filed in the Ninth Circuit in support of the Arizona Save Women's Sports Act. Also included in the brief are personal testimonies of four decorated female athletes and members of the ICONS network. We are submitting the full brief for your review along with this testimony.

No. 23-16026

---

IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

---

HELEN DOE, parent and next friend of Jane Does, *et al.*,

*Plaintiffs-Appellees*

v.

THOMAS C. HORNE, in his official capacity as  
State Superintendent of Public Instruction, *et al.*,

*Defendant-Appellant,*

and

WARREN PETERSEN, Senator, President of the Arizona State Senate;  
BEN TOMA, Representative, Speaker of the Arizona House of Representatives,

*Intervenors-Defendants-Appellants.*

---

Appeal from the United States District Court  
District of Arizona

---

**BRIEF OF INDEPENDENT COUNCIL ON WOMEN'S SPORT  
AS *AMICI CURIAE* IN SUPPORT OF APPELLANTS**

---

WILLIAM BOCK, III  
KROGER GARDIS & REGAS, LLP  
111 Monument Circle, Suite 900  
Indianapolis, IN 46204  
Telephone: 317-692-9000  
Fax Number: 317-264-6832  
[wbock@kgrlaw.com](mailto:wbock@kgrlaw.com)

Counsel for *Amici Curiae*



**CORPORATE DISCLOSURE STATEMENT**

The undersigned counsel confirms that neither the Independent Council on Women's Sport (ICONS), nor any of its members has a parent corporation and no publicly held corporation owns 10% or more of the stock of ICONS of any of its members.

**TABLE OF CONTENTS**

CORPORATE DISCLOSURE STATEMENT ..... i

TABLE OF AUTHORITIES ..... iv

INTEREST OF *AMICI CURIAE* ..... 1

ARGUMENT ..... 3

I. EXPERIENCE OF INDIVIDUAL *AMICI*..... 3

A. Lauren Bondly, Age-Group National Champion Triathlete, U.S. National Team Member, Engineer ..... 3

B. Jennifer Sey, U.S. National Champion Gymnast, U.S. National Team Member First Female Global Brand President at Levi Strauss & Co., Producer of Emmy Award Winning Documentary on Abuse of U.S. Gymnasts ..... 5

C. Janel Jorgensen McArdle, Olympic Silver Medalist, Chief Operating Officer Swim Across America ..... 9

D. Marshi Smith, NCAA Champion, Medical Device Sales Representative, ICONS Co-Founder ..... 12

II. SEX IS A BIOLOGICAL FACT AND ATHLETIC PERFORMANCE IS TIED DIRECTLY TO SEX ..... 15

A. The District Court’s Opinion Overly Simplifies the Scientific Issues and Places Undue Reliance on the District Court Decision in *Hecox* ..... 15

B. Male Sport Performance Advantage is Clearly Apparent at Every Age, Even Pre-Puberty ..... 19

C. Male Advantage Exists Even After Attempts to Suppress Testosterone Levels..... 25

III. SEX SEPARATION IS ESSENTIAL TO PRESERVING FEMALE OPPORTUNITIES IN SPORT..... 26

A. A Category for Female Athletes Based on Sex is How Women Participate in Sport Equally to Men..... 26

B. Without Protection of the Girl’s Category Girls Will Drop Out of Competitive Sport..... 26

C. Requiring Sport to Accept Eligibility Rules Not Based on Objective Criteria Harms Both Women and Sport..... 27

IV. CONCLUSION..... 28

CERTIFICATE OF SERVICE .....31  
CERTIFICATE OF COMPLIANCE.....32

**TABLE OF AUTHORITIES**

## Cases

<i>A.M. by E.M. v. Indianapolis Pub. Sch.</i> , 617 F. Supp. 3d 950 (S.D. Ind. 2022) .....	20, 21, 22, 23
<i>Hecox v. Little</i> , 479 F. Supp.3d 930 (D. Idaho 2020) .....	15, 16

## Rules

Fed. R. App. P. 32 (a)(5).....	32
Fed. R. App. P. 32(a)(6).....	32
Fed. R. App. P. 32(f).....	32

## Other Authorities

Becker et al., 2015. Hormonal ‘minipuberty’ influences the somatic development of boys but not of girls up to the age of 6 years. <i>Clinical Endocrinology</i> 83: 694-701 .....	23
Bidlingmaier, F., Dorr, H.G., Eisenmenger, W., Kuhnle, U., Knorr, D., “Contribution of the adrenal gland to the production of androstenedione and testosterone during the first two years of life,” <i>J Clin Endocrinol Metab.</i> 1986 62:331–335.....	22
Boogers <i>et al.</i> , 2022. Trans girls grow tall: adult height is unaffected by GnRH analogue and estradiol treatment. <i>Journal of Clinical Endocrinology and Metabolism</i> .....	26
<i>British Journal of Sports Medicine</i> 55(15): 865-872 .....	25
Catley MJ, Tomkinson GR. Normative health-related fitness values for children: analysis of 85347 test results on 9-17-year-old Australians since 1985. <i>Br J Sports Med.</i> 2013 Jan;47(2):98-108 .....	19
Gilsanz, V., Kovanlikaya, A., Costin, G., Roe, T.F., Sayre, J., Kaufman F., “Differential Effect of Gender on the Sizes of the Bones in the Axial and Appendicular Skeletons,” <i>Journ. of Clinical Endocrin. &amp; Metabolism</i> , Volume 82, Issue 5, 1 May 1997, Pa .....	23
Handelsman, D.J., Hirschberg, A.L., Bermon, S., “Circulating Testosterone as the Hormonal Basis of Sex Differences in Athletic Performance,” <i>Endocr. Rev.</i> 2018 Oct; 39(5): 803-829.....	27
Kiviranta et al., 2016. Transient Postnatal Gonadal Activation and Growth Velocity in Infancy. <i>Pediatrics</i> 138(1): e20153561 .....	23
Lanciotti L, Cofini M, Leonardi A, Penta L, Esposito S. Up-To-Date Review	

About Minipuberty and Overview on Hypothalamic-Pituitary-Gonadal Axis Activation in Fetal and Neonatal Life. *Front Endocrinol (Lausanne)*. 2018 Jul 23;9:410 .....23

Pang, S., Levine, L.S., Chow, D., Sagiani, F., Saenger, P., New, M.I., “Dihydrotestosterone and its relationship to testosterone in infancy and childhood,” *J Clin Endocrinol Metab*. 1979 48:821–826 .....22

Pedersen, 1980. Ultrasound evidence of sexual difference in fetal size in first trimester. *British Medical Journal* 281(6250): 1253.....21

Schwartzler et al., 2004. Sex-specific antenatal reference growth charts for uncomplicated singleton pregnancies at 15–40 weeks of gestation. *Ultrasound in Obstetrics and Gynaecology* 23(1): 23-29 .....22

Tambalis KD, Panagiotakos DB, Psarra G, Daskalakis S, Kavouras SA, Geladas N, Tokmakidis S, Sidossis LS. Physical fitness normative values for 6-18-year-old Greek boys and girls, using the empirical distribution and the lambda, mu, and sigma statistical .....20

### **INTEREST OF *AMICI CURIAE*<sup>1</sup>**

*Amici* are the Independent Council on Women’s Sport (ICONS) and its members identified in Section I below. ICONS is a network and advocacy group comprised of current and former collegiate and professional women<sup>2</sup> athletes, their families and supporters who believe the next generation of women and girls deserve the chance to be champions and to see an expanded and celebrated world of women’s sports. Reflecting their experience, *amici* have an interest in the preservation of the female category in sport.

### **PARTIES’ CONSENT TO FILING AMICUS BRIEF**

The undersigned counsel has contacted counsel for all parties in this appeal and received confirmation that no party objects to the filing of this amicus brief.

### **SUMMARY**

Recognizing biological differences between the sexes and protecting women’s spaces from male intrusion are foundational for women to succeed in sports and in life. It is the experience of *Amici* that legal protections giving women

---

<sup>1</sup> In accordance with Appellate Rule 29(a)(4)(E), counsel affirms the undersigned counsel authored this brief, no counsel for any party authored this brief in whole or in part, and no party, party’s counsel, or person other than the *amicus curiae*, its members, or counsel, contributed money intended to fund preparing or submitting this brief.

<sup>2</sup> As used herein the terms “male” “female” “man” “woman” “men” “women” and “girls” and “boys” are used to refer to members of the male or female sex without regard to gender identification.

the opportunity to take part in and succeed in sport are essential to the advancement of women and depend on the law's basic ability to distinguish between women and men and courts' capacity to evaluate, compare, and equalize the opportunities of the former in comparison to those of the latter.

In contrast, the arguments of Plaintiffs below diminish irreplaceable and life changing opportunities and degrade legal protections for women by falsely equating gender identity to sex, ignoring the history and purposes of Title IX, and understating harm their arguments inflict on women and girls.

*Amici* explain why protection against male advantage afforded girls in the earliest stages of youth and developmental sport is just as vital as protection in elite sport. Rather than diminished, protections for girls should be upheld, not deferred to some later time such as post puberty. It is a misguided, objectifying, and patently discriminatory trope that girls are undeserving of protection until they reach an elite level in sport, as if women are not worthy of protection until they prove themselves world class athletes. Deferring protection of girls will cause them to leave competitive sport, never learning to love it or discovering the benefits it can provide them.

## ARGUMENT

### I. EXPERIENCE OF INDIVIDUAL *AMICI*

Sex separated sport is necessary for girls to develop a healthy view of their own bodies. For many girls, lessons learned in sport are vital to overcoming obstacles and succeeding in life. Yet, due to male biological advantages, failing to protect the girls' category will cause girls to leave sport. Therefore, protecting sex separation in girls' sports is foundational to the health, happiness, and success of future generations of women.

#### A. **Lauren Bondly, Age-Group National Champion Triathlete, U.S. National Team Member, Engineer**

Lauren Bondly explains why participation in sex separated sport is vital to women developing a healthy view of their own bodies:

“It is impossible for me to overstate the importance competitive sport has played in my life. I can say without risk of hyperbole it saved my life and career.

“Like many young women, I suffered from anorexia in my late teens and early twenties. I began running to burn calories and create another means to control my compulsive weight loss. One day I entered a local 5k road race and in part because I had given myself permission to eat a full meal the night before – just for this special occasion – I ended up winning my age group. This was the turning point in my illness.

“Anorexia deceives sufferers into believing it is virtuous to be hungry, that



each lower number on the scale is an accomplishment – no matter how low it goes. But at that race, I had achieved a real accomplishment more powerful than the fake self-esteem boosts anorexia offered. I looked at the women’s podium, at strong, incredible female bodies and realized they were not all that different from mine. All I had to do was get healthy, redirect my obsessive tendencies and one day that could be me on the overall women’s podium. Now on occasion – it is. Through sport, I re-learned my relationship with food and my body; I don't know if I would have otherwise.

“Fast forward to graduation from college with a degree in engineering, I soon learned why my chosen career has the reputation it does. Years at my first company were full of unwanted sexual advances and some of the most inappropriate comments imaginable until I left for a company where I was initially treated like a secretary instead of an engineer. In the middle of that period, I switched to triathlon needing something more challenging to convince myself of my capability in the face of so many claiming I was incapable. If I did not have that one outlet where I could count on having a fair chance to succeed, I would have thrown my diploma in the trash and quit engineering. Today I am happy and satisfied with my career, but it would have been unbearable to continue facing unfairness and humiliation day after day in those earlier years if I had not had competitive sport to balance it out.

“Sport is not just a game. I have witnessed the desire to be the best motivate women to quit alcohol and drugs, to leave abusive relationships, and like me, to overcome mental health issues and foster the fortitude to endure and overcome injustice.

Sport is too important to turn it into a tool that teaches girls to get comfortable being on the receiving end of injustice, or that hard work and overcoming adversity is futile. We cannot replace the strong female bodies on the women’s podium with impossibly unattainable male bodies and pretend that will have no effect on young girls and women who need strong female role models.

Finally, sport must be about fairness. If women do not deserve and receive fairness in the one place where ‘fair play’ is supposed to be ensured and upheld, what chance do women have in business or elsewhere where women are treated unfairly, and are told to, and expected to, just accept it?”

**B. Jennifer Sey, U.S. National Champion Gymnast, U.S. National Team Member First Female Global Brand President at Levi Strauss & Co., Producer of Emmy Award Winning Documentary on Abuse of U.S. Gymnasts**

Sport is integral to girls overcoming obstacles and succeeding in life. From age 6 Jennifer Sey pursued her dream of competing on the U.S. gymnastics team and winning a national championship, a goal she realized after more than 10 years of dedication and hard work.

The determination developed as an athlete fueled a pioneering career in business and led her to stand up for the rights of marginalized individuals. Jennifer began working as an entry level employee at Levi Strauss & Co. in 1999, eventually becoming chief marketing officer and then the first female brand president, never losing focus on a desire to use her opportunities as a platform to help others.

Jennifer experienced abusive training practices as an elite gymnast which she wrote about in her 2009 autobiography, *Chalked Up*, a book other gymnasts would point to as giving them courage to speak up. In 2017 Jennifer became an executive co-sponsor of the first black employees' group at Levi's, engaging the company in improving racial diversity. She was a producer of *Athlete A*, a documentary on the Larry Nassar scandal at USA Gymnastics which won an Emmy as the 2020 Outstanding Investigative Documentary.<sup>3</sup>

In 2021 Jennifer told NBC commentator and Know Your Value founder Mika Brzezinski, "I suffered from imposter syndrome probably up until about last year. . . I went to Stanford coming out of gymnastics. I was convinced that at any moment, somebody was going to pop out from behind the curtain and tell me I didn't belong. A lot of women . . . have this."<sup>4</sup> Jennifer explained her experiences

---

<sup>3</sup> See <https://www.indystar.com/story/news/local/2021/10/01/athlete-a-wins-emmy-outstanding-investigative-documentary/5945215001/>.

<sup>4</sup> See <https://www.nbcnews.com/know-your-value/feature/how-i-went-elite->

in competitive gymnastics helped find her voice and shape her leadership style, telling Brzezinski, “I’ve learned that your life and journey is not a straight line, and you will get knocked down. When you advocate for yourself, it’s not always going to go the way that you want. But you keep going.”<sup>5</sup>

Jennifer’s path to career success flowed directly from lessons learned as a female athlete, and she is concerned that allowing males to compete in the female category of sport will deprive girls of opportunities to compete on a level playing field. She explains:

“I started gymnastics in 1975, at 6 years old, just three years after the passage of Title IX. In 1976 Nadia Comaneci won the Olympics. Accelerated by the passage of Title IX, gyms started popping up all over the United States – and active little girls like me took to them in droves. With the promise of college scholarships, sport – and gymnastics in particular – gave little girls a chance to thrive.

“By age 10 I made my first National Team. And in 1986, just 9 months after fracturing my femur at the World Championships, I became the National Champion. Gymnastics taught me the values of perseverance, hard work, and discipline. Ultimately, I learned that never giving up meant I could achieve

---

[gymnast-global-brand-president-levi-s-ncna1272382/](https://www.levi-s-ncna.com/2023/09/15/2023-levi-s-ncna-president-levi-s-ncna/).

<sup>5</sup> *Id.*

mastery; I learned applying my passion for sport could make me a champion; and I learned directing my commitment could result in a hard-won sense of personal fulfillment.

“After leaving competitive sport, I applied these lessons to my career in business. I started at Levi’s in 1999 as an entry level assistant. Corporate America was then rife with sexism and sexual harassment. I put my head down and worked hard. I was highly coachable, and I never gave up, always wanting to get better at my craft. Ultimately, in 2020 I became Levi’s first female Global Brand President after years as an award-winning Chief Marketing Officer.

“My time as an elite athlete was invaluable, honing the perseverance required to succeed in business. Knowing I could compete on an even playing field against other fiercely dedicated girls and succeed amidst injuries, losses, and other setbacks, shaped me, and enabled my success as a woman in business.

“Recent developments in U.S. sport cause me concern. I see the opportunities of fiercely dedicated girls and young women to compete on a level playing field being sacrificed to a view that says the opportunities of women must take second place to the feelings of males seeking validation through playing women’s sport. The idea that the rights of girls must be sacrificed to make others feel better about themselves must be fought vigorously. If it is not, it will lead directly to the feelings of inadequacy and helplessness that plague young girls and

against which I have been fighting all my life.”

**C. Janel Jorgensen McArdle, Olympic Silver Medalist, Chief Operating Officer Swim Across America**

Janel Jorgensen McArdle knows that protecting sex separated sport is essential to girls remaining in sport. She speaks from the experiences of a life at the highest levels of competitive sport and sport-based philanthropy and as a woman heading a national organization with thousands of volunteers that has raised over \$100 million for cancer research, prevention, and treatment.

Janel first faced unfair competition when she reached the pinnacle of her sport, competing against the East Germans at the Seoul Olympics in 1988. She explains, “We all knew what was happening and we knew we were robbed of a gold medal we deserved. We were told to be silent, to not risk being called poor losers. Now, decades later, it’s well understood the East Germans were doping, and East German victory was tainted.

“Testosterone and androgenizing drugs were given in large quantities to East German athletes, creating an unfair advantage clean athletes could not overcome. The East German scandal was enormous and remains a black mark on the history of women’s sport. Yet, the scandal we are creating in women’s sports today is even worse. I had the benefit of sex-testing, a cheek swab to verify my biology. I knew with full confidence the athletes I was racing were women, even if some were artificially enhanced with male androgens.

“However, despite every possible effort to enhance their performance with drugs, East German women could not have qualified to compete with the men. But now, by allowing male bodies in women’s sport we are taking unfairness to another level, not even hiding the intent to make women face an insurmountable physical obstacle, barely debating how much unfairness women in sport will face.

“Today, we do not ask women to compete against women who have taken drugs, we ask women to compete against the biological advantage of being born male that even women on drugs could not overcome. There is no excuse for asking female athletes, of any age, to compete with less talented versions of male biology.

“I left the Olympics with a silver medal at 17 and continued my swimming career, winning 17 National Championships at Stanford, wrapping up a career that gave me amazing opportunities, friendships, and skills. Then, I went to work in the corporate world, and 13 years later, with my father facing cancer, an opportunity came to lead Swim Across America, a non-profit dedicated to raising money and awareness for cancer research, treatment, and prevention.

“Working at Swim Across America has been a way that a sport so impactful and important in shaping my life has helped me benefit the lives of others. I have been involved with Swim Across America for over 35 years in many roles: Olympian, swimmer, board member, COO, and CEO, and repeatedly seen how my sport of swimming has changed, and in some cases saved, people’s lives.

“Yet, for as much as I love swimming, I know that if I had been faced with gross unfairness in my sport early on or repeatedly, I would not have continued. If I stood on the block next to a male body that I knew I could not beat, the frustration would have forced me to quit. Had that happened my life may have had fewer meaningful and significant opportunities to impact others.

“I want sport for girls growing up today to be what it was for me until I got to the Olympics . . . an amazing environment where I learned confidence, perseverance, and grit. I know what it feels like to step up to the starting block and know that even if I were given a head start, I couldn’t compete against the illegal drugs pulsing through my competitor’s veins. I know what it feels like to be a 17-year-old girl standing on the Olympic podium holding the wrong-colored medal because it wasn’t a fair race. I don’t want other young girls and women to endure similar experiences, but I see that they are, and with increasing regularity. There is no excuse for perpetuating this injustice. Our girls deserve fair and equal opportunities in sports.

“After all the progress women have made in recent decades, I do not understand why so many people are turning a blind eye to injustice and to the history of what women have fought for. Of course, boys and men facing gender dysphoria should be cared for, however, allowing them to compete in the women’s category only unjustly shifts pain and unfairness to girls and women who will



throughout their lives in sport face a deficit far greater than I faced in the starting blocks in Seoul when lining up against the East Germans.

“Some say sport only needs to be fair at the highest, most elite levels. I emphatically disagree. Girls need to know they don’t have to reach elite levels to be worthy of fair treatment and fair competition. If rules and laws do not clearly convey that girls deserve fair sports at every level, many will forsake athletic opportunities. But we also risk something even worse, adults communicating to girls that fairness is not really a concept that applies to them.”

**D. Marshi Smith, NCAA Champion, Medical Device Sales Representative, ICONS Co-Founder**

Marshi Smith explains why protecting girls’ sport is essential to future generations of women – “I started my career in sales shortly after graduating from the University of Arizona. My Olympic dreams had been torn away from me by a training-induced, shoulder injury the year after winning a NCAA backstroke title. Heartbroken, I found myself suddenly sitting across a desk from managers asking me to convince them to hire me with exactly zero hours of work experience on my resume. I stepped into the interview underqualified on my resume but extremely confident in my own ability to learn and thrive. When the management team asked me about my work experience, I told them the story of my junior year on the swim team.

“At the start of that season, I told myself and my coach I had decided to win an NCAA title. I wrote a goal sheet outlining the race to achieve my goal time, 52.82 a time I chose to break my school record by .01 seconds. I described my devotion to reaching that goal from swimming sets before dawn to running hundreds of grueling stadium steps and always drifting to sleep believing my dream was achievable...52.82...52.82...52.82. I talked about walking onto the pool deck at the NCAA Championships that year knowing nobody could possibly want to win more than I did. And then I did. I touched the wall in 52.82 exactly to the hundredth of a second. I broke my school record. I won a national title. The manager hired me on the spot.

“At the time I was one of only two women working for the company in a national sales position. I stood on the national stage as a top sales representative several times in my career, often as one of very few women. They say, ‘a picture is worth a thousand words.’ Below is a picture of the 2017 National Sales Meeting ‘Territory of the Year’ Award winners from my company. It won’t be difficult for the reader to pick me out in the picture. Yet, I know my life would not have led to that stage had men been allowed to compete against me in sport.

“Although my goal has changed, I have equal passion and devotion today to what I had on my college pool deck. My new goal sheet commits to preserving the equal chance for my seven-year-old daughter to see herself as a champion. She has

just begun her swim lessons and deserves the same opportunity to participate and win in her sport that my son does. I cannot sit by and accept that I may have been one of the last generations of women with the right to fair treatment and equal opportunity in sport. This generation and the next deserve to tell the stories that launch careers.

“The women’s category in sport has tremendous value for women. Separating girls from boys is the indispensable key to unlocking the transformative power of sport to change young girls’ lives. If legal decisions throw away that key, it will place the dreams of millions of young girls outside their reach and communicate that young girls, unlike boys, are not deserving full protection even from a law that was meant to protect them.”



## **II. SEX IS A BIOLOGICAL FACT AND ATHLETIC PERFORMANCE IS TIED DIRECTLY TO SEX**

### **A. The District Court’s Opinion Overly Simplifies the Scientific Issues and Places Undue Reliance on the District Court Decision in *Hecox***

The lynchpin of the district court’s decision is its erroneous conclusion that, “the well-established scientific consensus is that, before puberty, there are no significant physiological differences in athletic performance between boys and girls.” Order on Motion for Preliminary Injunction, Doc. 127 (“Order”), p. 28, ¶153. This finding regarding an alleged “well-established scientific consensus” was the basis on which the lower court concluded the Save Women’s Sports Act (the “Act”) could not survive heightened scrutiny because the legislature’s goal of “promot[ing] equality and equity in athletic opportunities,” ¶152 was purportedly not supported by “persuasive evidence.” ¶158.

However, the supposed “well-established scientific consensus” that underlies the court’s key holding does not exist. In fact, the court’s conclusion regarding the alleged absence of evidence male performance before puberty is not even supported by the trial court record.

Rather, the court below disregarded substantial scientific evidence that significant physiological differences in males and females at birth lead to clear differences in sport performance well before puberty. Abundant evidence was presented to the trial court of the pre-puberty sport performance advantages of

boys over girls. *See, e.g., Declaration of Dr. Gregory A. Brown*, Doc. 38-3, pp. 33–53, ¶¶ 77-125 (“It is often said or assumed that boys enjoy no significant athletic advantage over girls before puberty. However, this is not true.”/Citing dozens of peer reviewed papers and data compilations thoroughly documenting pre-puberty performance advantage for males); *Expert Witness Statement of Emma Hilton, PhD*, Doc. 92-8, pp. 8/66, 11/66–14/66, 18/66–27/66, ¶¶ 2.2, 4.1-5.6, 7.1-7.22; Order, ¶154 (acknowledging “testimony by Drs Brown and Hilton that boys have some biological advantages related to physical fitness before puberty”).

Even worse, instead of basing its finding on evidence in the case, the court relied on factual findings made by the district court in *Hecox v. Little*, 479 F. Supp.3d 930 (D. Idaho 2020) *Hecox v. Little* that “transgender girls who do not experience male puberty ‘do not have an ascertainable advantage over cisgender female athletes.’” Opinion, ¶156, (quoting *Hecox v. Little*, 479 F. Supp. 3d 930, 981 (D. Idaho 2020), *aff’d*, No. 20-35813, 2023 WL 1097255 (9th Cir. Jan. 30, 2023) (affirming plaintiff’s claims were not moot), and *aff’d*, No. 20-35813, 2023 WL 5283127 (9th Cir. Aug. 17, 2023) (affirming preliminary injunction ruling). As this Court recently said in affirming the preliminary injunction in *Hecox*, “courts ‘must accord substantial deference to the predictive judgments’ of legislative bodies.” *Hecox*, 2023 WL 5283127, at \*17 quoting *Turner Broad. Sys., Inc. v. FCC*, 512 U.S. 622, 665 (1994). Thus, the credible record evidence in this

case of pre-puberty male advantage provides a sufficient factual basis for the Act, demonstrating the Act is substantially related to the goal of providing fair and equal playing opportunities for girls and should have resulted in the Act being upheld.

The district court's error regarding whether pre-puberty sport performance differences exist between boys and girls flowed from a further error made in its factual findings where the court found, "[t]he Plaintiffs' experts' opinions are based on the scientific consensus that the biological cause of average differences in athletic performance between men and women is caused by the presence of circulating levels of testosterone beginning with male puberty." Order, ¶97 (citing expert reports that rely on a 2018 paper by Dr. David Handelsman); *see also* Order, ¶101 (basing same conclusion on Plaintiff's expert who relies on a 2017 paper by Dr. Handelsman). However, this conclusion results from a misunderstanding of Dr. Handelsman's papers.

Dr. Handelsman is a well-known endocrinologist frequently engaged to assist governing bodies in elite sport such as the World Anti-Doping Agency and the International Association of Athletics Federations (renamed World Athletics), the international governing body for track and field. *See* <https://worldathletics.org/news/press-release/cas-dsd-experts>; <https://www.wada-ama.org/sites/default/files/resources/files/wada-medical-information-list-of->

contributors\_en.pdf; <https://www.wada-ama.org/en/prohibited-list-expert-advisory-group>. Naturally his research papers focus primarily on questions relevant to elite sport and not upon pre-pubertal development of athletes.

Furthermore, the Handelsman research papers relied on by the trial court do not support the idea that sport performance differences between men and women only emerge at puberty. For instance, the 2018 paper is plainly focused on “elite sports” and does not include significant data from pre-pubertal athletes.

Handelsman, et al, *Circulating Testosterone as the Hormonal Basis of Sex Differences in Athletic Performance*, Doc. 87-25. The 2017 paper summarizes data from four previously published studies and discussed sex differences in performance coinciding with the onset of puberty. *Sex differences in athletic performance emerge coinciding with the onset of male puberty*, Doc. 87-26. No one disputes, that the widest divergence between male and female sport performance emerges at puberty. However, Handelsman’s 2017 paper did not suggest that no performance differences exist prior to puberty. Rather, research Handelsman relied on found male advantage of 3% pre-puberty in running and 5.8% in jumping. *Id.*, p.3. Thus, the Handelsman papers are fully consistent with the record testimony of Drs. Brown and Hilton and do not support the conclusions reached by the district court.

**B. Male Sport Performance Advantage is Clearly Apparent at Every Age, Even Pre-Puberty**

Contrary to the findings of the district court, overwhelming scientific evidence demonstrates male-female performance differences exist from the earliest stages, including in youth sports. Study after peer-reviewed study has shown clear performance advantages for males in sport *pre-puberty*.<sup>6</sup>

For instance, a comprehensive review of fitness data from over 85,000 Australian children aged 9-17 years showed that compared to 9-year-old females, 9-year-old males were faster at short sprints (9.8%) and one mile (16.6%), could jump 9.5% further from a standing position (a test of explosive strength), could complete 33% more push-ups in 30 seconds and had a 13.8% stronger grip.<sup>7</sup> A similarly large advantage for males was found in a study of Greek children, in which 6-year-old males, compared to 6-year-old females, completed 16.6% more shuttle runs in a given time and could jump 9.7% further from a standing position. In terms of aerobic endurance capacity, 6–7-year-old males were shown to have higher absolute and relative (to body mass) maximum oxygen uptake than 6–7-

---

<sup>6</sup> See, e.g., age group standards in USA swimming reflective of male advantage at every age, distance and stroke, available at: <https://www.usaswimming.org/docs/default-source/timesdocuments/time-standards/2024/2021-2024-national-age-group-motivational-times.pdf>.

<sup>7</sup> Catley MJ, Tomkinson GR. Normative health-related fitness values for children: analysis of 85347 test results on 9-17-year-old Australians since 1985. *Br J Sports Med.* 2013 Jan;47(2):98-108.



year-old females.<sup>8</sup> Numerous similar peer reviewed studies were cited in expert reports of Dr. Tommy Lundberg of the Karolinska Institute in Stockholm and of Dr. Emma Hilton of the University of Manchester, UK,<sup>9</sup> at the injunction phase in the case of *A.M. by E.M. v. Indianapolis Pub. Sch.*, 617 F. Supp. 3d 950 (S.D. Ind. 2022), appeal dismissed sub nom. *A.M. by E.M. v. Indianapolis Pub. Sch. & Superintendent*, No. 22-2332, 2023 WL 371646 (7th Cir. Jan. 19, 2023) (“*A.M. case*”).<sup>10</sup>

Although the district court here and other courts have relied upon the *A.M.* decision, *see* Order, ¶¶ 147, 169, 182, such reliance is not warranted. Not only was the case withdrawn on appeal, but the district judge did not consider expert evidence in reaching her findings. *See A.M.*, 617 F.Supp.3d at 958 (“the Court need not consider opinions regarding whether differences between the sexes in athletic performance exist before the onset of puberty in order to decide *A.M.*’s Motion for Preliminary Injunction”). Ironically, the district court relied on *A.M.*, *a case in which no expert testimony was considered by the court* as support for the

---

<sup>8</sup> Tambalis KD, Panagiotakos DB, Psarra G, Daskalakis S, Kavouras SA, Geladas N, Tokmakidis S, Sidossis LS. Physical fitness normative values for 6-18-year-old Greek boys and girls, using the empirical distribution and the lambda, mu, and sigma statistical method. *Eur J Sport Sci.* 2016 Sep;16(6):736-46.

<sup>9</sup> *A.M. by E.M. v. Indianapolis Pub. Sch.*, Case No. 1:22-cv-01075-JMS-DLP (S.D. Ind. 2022), Dkt. Nos. 36-6, 36-7, 57-1, 57-2 (available on Pacer).

<sup>10</sup> The *A.M.* case was voluntarily withdrawn when the 10-year-old plaintiff who wanted to play girls softball transferred to another school.

proposition that, “[t]he alleged harm to Defendants and Intervenors—“that biological girls will be forced to compete against transgender girls who allegedly have an athletic advantage”—is unsupported by the record.” Order, ¶ 182, citing *A.M.*, 617 F.Supp. 3d at 968.

### **1. Higher Androgen Levels in Male Infants**

Megan Roe contends that hormone suppressing “medication has prevented her from undergoing male puberty”<sup>11</sup> and as a result her expert concludes Roe has no residual performance advantage from being born male. This is wrong as the studies cited below make clear. In fact, to fully mitigate the performance enhancing effects of testosterone on Doe and Roe hormone intervention would had to have commenced at birth if not in the womb.

Differences in average body length (measured as head-bottom length) can be detected by ultrasound from the first trimester of pregnancy, with males already longer than females.<sup>12</sup> Larger average skull diameter in male fetuses at twenty weeks has been reported.<sup>13</sup> Gestational growth charts track not just higher male values for skull diameter but also abdominal circumference and estimated fetal

---

<sup>11</sup> Complaint, Doc. 1, ¶ 59.

<sup>12</sup> Pedersen, 1980. Ultrasound evidence of sexual difference in fetal size in first trimester. *British Medical Journal* 281(6250): 1253.

<sup>13</sup> Persson et al., 1978. Impact of fetal and maternal factors on the normal growth of the biparietal diameter. *Scandinavian Association of Obstetricians and Gynaecologists* 78: 21-27.

weight.<sup>14</sup> The expert reports of Drs. Lundberg and Hilton in the *A.M.* case detail these and other significant differences in biological development between males and females.

Research has established the existence of higher levels of androgens in infant boys during the first six months of their development.<sup>15</sup> For instance, “[t]esticular testosterone concentrations were [found to be] maximal in boys 1-3 months of age, with peak values similar to those in pubertal or even adult testes.”<sup>16</sup> At the same time, it was found that the adrenal glands were important “as a source of androstene-dione [another anabolic agent similar to testosterone] in male infancy.”<sup>17</sup> “Testosterone and dihydrotestosterone [another steroid] levels in [umbilical] cord blood are higher in males than in females. The presence of dihydrotestosterone suggests that there is active fetal peripheral metabolism of testosterone to dihydrotestosterone [during fetal development].”<sup>18</sup>

---

<sup>14</sup> Schwartzler et al., 2004. Sex-specific antenatal reference growth charts for uncomplicated singleton pregnancies at 15–40 weeks of gestation. *Ultrasound in Obstetrics and Gynaecology* 23(1): 23-29.

<sup>15</sup> Bidlingmaier, F., Dorr, H.G., Eisenmenger, W., Kuhnle, U., Knorr, D., “Contribution of the adrenal gland to the production of androstenedione and testosterone during the first two years of life,” *J Clin Endocrinol Metab.* 1986 62:331–335, available at: [https://core.ac.uk/reader/12168690?utm\\_source=linkout](https://core.ac.uk/reader/12168690?utm_source=linkout)

<sup>16</sup> *Id.* at 331.

<sup>17</sup> *Id.* at 334.

<sup>18</sup> Pang, S., Levine, L.S., Chow, D., Sagiani, F., Saenger, P., New, M.I., “Dihydrotestosterone and its relationship to testosterone in infancy and childhood,” *J Clin Endocrinol Metab.* 1979 48:821–826, available at: <https://academic.oup.com/jcem/article->

Increased testosterone levels during this “mini-puberty” phase in males aged 1-6 months may be correlated with a faster growth rate and an “imprinting effect” on body mass index and body weight.<sup>19</sup> This burst of testosterone is associated with higher growth velocity for males in the first six months of life,<sup>20</sup> higher weight gain, lower acquisition of body fat and lower body mass index.<sup>21</sup> Such data led Dr. Hilton to opine in the *A.M.* case that “transient exposure to testosterone in mini-puberty thus seems to underpin the well-established structural differences between males and females in childhood.”<sup>22</sup>

## 2. Differences in Pre-Pubertal Skeletal Size and Strength

As noted above, there are differences in male skeletal structure compared to females. In one study of pre-pubertal subjects, the “cross-sectional areas of [the lumbar spine] were significantly smaller in girls than in boys.”<sup>23</sup> The difference

---

[abstract/48/5/821/2679038?redirectedFrom=fulltext&login=false](#)

<sup>19</sup> Lanciotti L, Cofini M, Leonardi A, Penta L, Esposito S. Up-To-Date Review About Minipuberty and Overview on Hypothalamic-Pituitary-Gonadal Axis Activation in Fetal and Neonatal Life. *Front Endocrinol (Lausanne)*. 2018 Jul 23;9:410.

<sup>20</sup> Kiviranta et al., 2016. Transient Postnatal Gonadal Activation and Growth Velocity in Infancy. *Pediatrics* 138(1): e20153561.

<sup>21</sup> Becker et al., 2015. Hormonal ‘minipuberty’ influences the somatic development of boys but not of girls up to the age of 6 years. *Clinical Endocrinology* 83: 694-701.

<sup>22</sup> *A.M.* case, Dkt. No. 36-6, ¶ 3.5.

<sup>23</sup> Gilsanz, V., Kovanlikaya, A., Costin, G., Roe, T.F., Sayre, J., Kaufman F., “Differential Effect of Gender on the Sizes of the Bones in the Axial and Appendicular Skeletons,” *Journ. of Clinical Endocrin. & Metabolism*, Volume 82, Issue 5, 1 May 1997, Pages 1603–1607 available at:

between the prepubertal boys and girls spine width was found to be 11%.<sup>24</sup> These researchers observed that because “only prepubertal children were studied, . . . our results cannot be attributed to gender differences in the heights of upper skeletal segments, as sitting heights and the heights of the lumbar vertebrae were similar in boys and girls.”<sup>25</sup>

### **3. Male-Female Differences Elude Complete Description in any Space Limited Survey**

Dr. Hilton reports “analysis of sex-specific genetic architecture in adults reveals some 6500 differences in gene expression, likely to influence development and function outside of hormone effects.”<sup>26</sup> She also observed that, “male advantage over females is not limited to those physical and functional differences conferred by male morphology, shape and size. Most obviously, female athletes must typically deal with the effects of the menstrual cycle and the cyclical effects of hormones on training capacity and performance. The menstrual cycle is known to affect cardiovascular, respiratory, brain function, response to ergogenic aids, orthopedics, and metabolic parameters, and represents a barrier to athletic capacity

---

<https://academic.oup.com/jcem/article/82/5/1603/2823501?login=false>

<sup>24</sup> *Id.*

<sup>25</sup> *Id.*

<sup>26</sup> *A.M. case*, Dkt. No. 36-6, ¶ 3.2, citing Gershoni and Pietrokovski, 2017. The landscape of sex-differential transcriptome and its consequent selection in human adults. *BMC Biology* 15(1): 7.

not experienced by males.”<sup>27</sup> In short, male-female differences impacting sport performance are so extensive they cannot be fully described in a brief.

**C. Male Advantage Exists Even After Attempts to Suppress Testosterone Levels**

To test the idea that testosterone suppression and feminizing hormones would eliminate male advantages in sport Drs. Hilton and Lundberg reviewed *eleven published, peer-reviewed original studies* in male individuals identifying as transgender who had undergone at least 12 months of testosterone suppression. They found a unified consensus that muscle mass and strength measurements remained far higher than in female reference subjects. Hilton & Lundberg, *Female Category of Sport*. Their conclusions were supported by transgender runner and scientist Joanna Harper in a second review of the same dataset who concluded while “hormone therapy decreases strength, LBM and muscle area, yet values remain above that observed in cisgender women, even after 36 months.”<sup>28</sup>

In another recent study, boys self-identifying as girls who had received puberty blockers from around 13 years of age, then cross-sex hormones at 16 years of age grew to an average adult height (180.4cm) far larger than the population

---

<sup>27</sup> *A.M. case*, Dkt. No. 36-6, ¶ 4.5.

<sup>28</sup> Harper *et al.*, 2021. How does hormone transition in transgender women change body composition, muscle strength and haemoglobin? Systematic review with a focus on the implications for sport participation. *British Journal of Sports Medicine* 55(15): 865-872.

female average (170.7cm) and closer to the population male average (183.8cm).<sup>29</sup>

### **III. SEX SEPARATION IS ESSENTIAL TO PRESERVING FEMALE OPPORTUNITIES IN SPORT**

#### **A. A Category for Female Athletes Based on Sex is How Women Participate in Sport Equally to Men**

As *Amici* explain, the only way sport can be fair and equal for women is with a protected women's category that excludes competitors with male advantage. Title IX was enacted in part to advance just such sex separation in sport that advances women.

Recently established eligibility rules which limit or prohibit transgender eligibility in the women's category have recently won back ground preserving female opportunities in some Olympic sports. However, several court decisions permitting males to compete in the female category have turned Title IX on its head displacing women.

#### **B. Without Protection of the Girl's Category Girls Will Drop Out of Competitive Sport**

*Amici* Janel Jorgensen McArdle explained that had she been confronted with doping in her sport before she reached the Olympics she likely would have dropped out and expects this may happen to girls forced to compete against boys.

---

<sup>29</sup> Boogers *et al.*, 2022. Trans girls grow tall: adult height is unaffected by GnRH analogue and estradiol treatment. *Journal of Clinical Endocrinology and Metabolism*.

Her concerns are substantiated by reports of women in other sports who chose not to compete against males because they understand they “have zero chance, so what is the point of wasting our money on registration fees?”<sup>30</sup>

**C. Requiring Sport to Accept Eligibility Rules Not Based on Objective Criteria Harms Both Women and Sport**

Fixed rules are “fundamental in representing the boundaries of fair sporting competition.”<sup>31</sup> To facilitate competitive fairness, increase sport opportunities and protect the safety of athletes, objective sport eligibility rules such as age limits, amateurism rules, anti-doping rules, paralympic disability classifications, qualifying standards, senior classifications, weight categories and sex-based categories are essential.

Until recently objective rules have not been considered subject to an athlete’s decision to opt out of compliance. Wrestlers and boxers for instance are still not able to self-declare their preferred weight class. Adults may not compete in junior categories no matter how unskilled the adult or how much better it might make them feel to compete with the children they may wish they were. Yet, whenever objective criteria are abandoned in favor of self-defined entry criteria the results tend to be unfair, administratively unworkable, and destructive to sport.<sup>32</sup>

---

<sup>30</sup> See, e.g., <https://quillette.com/2022/09/28/is-this-the-lia-thomas-of-disc-golf/>.

<sup>31</sup> Handelsman, *et al.*, *Sex Differences in Athletic Performance*, p. 806.

<sup>32</sup> For instance, the former head of the International Paralympic Committee (IPC) recently called for reform to save the integrity of the Games due to Paralympians



The same is true for allowing males to self-designate into the female category.

#### IV. CONCLUSION

The crowning achievement of Title IX has been its capacity to propel women to success in male dominated businesses.<sup>33</sup> The reason for this, of course, is because Title IX's *raison d'etre* has always been to fight discrimination *against* women. This rationale is turned on its head, however, by efforts to convert the statute into means by which girls are required to face boys in competition to remedy boys who identify as transgender having been “discriminate[d] against.” Order, ¶ 146.

As *Amici* point out, Title IX cannot simultaneously do two things at once. It cannot both provide opportunities to girls in sport at the same time it schizophrenically enables boys to compete against and displace girls, particularly

---

self-declaring disability. See <https://www.abc.net.au/news/2023-04-03/paralympic-games-classification-system-exploited-australian/102165924>.

<sup>33</sup> See “Ernst & Young Studies The Connection Between Female Executives And Sports,” (“90% of the women surveyed had played sports . . . with this proportion rising to 96% among C-suite women”), *available at*: <https://www.forbes.com/sites/alanaglass/2013/06/24/ernst-young-studies-the-connection-between-female-executives-and-sports/?sh=7338319633a2>; Stevenson, B., “Beyond the Classroom: Using Title IX to Measure the Return to High School Sports,” National Bureau Of Economic Research (“a 10-percentage point rise in state-level female sports participation generates a 1 percentage point increase in female college attendance and a 1 to 2 percentage point rise in female labor force participation . . . greater opportunities to play sports leads to greater female participation in previously male-dominated occupations”), *available at*: [https://www.nber.org/system/files/working\\_papers/w15728/w15728.pdf](https://www.nber.org/system/files/working_papers/w15728/w15728.pdf).

when the very biological factors which justified Title IX's embrace of sex-separation in sport persist.

It would be nice if Title IX were magic dust that could make all things work out well in the end. Title IX is not, however, magic dust to be sprinkled on a problem to make it go away. Title IX is instead a statute drafted to protect women and girls, that uses terms such as "women," "men" "girls" and "boys" with fixed meanings rooted in biology and what English language dictionaries for centuries have said they mean. Only if those terms are given their fixed, original meaning can the statute do its job and only if Title IX is interpreted as protecting "women" and "girls" will it cease being a sword that harms them.

Only if Title IX is interpreted correctly will it confer the benefits *Amici* have experienced as Title IX was intended to do and long did so well, providing opportunities to girls and women, helping them overcome discrimination, prosper and succeed.

The district court misinterpreted Title IX and found pivotal facts without an adequate basis in the record to substitute its opinion for that of the Arizona Legislature. The district court's decision should be reversed.

Respectfully Submitted,

/s/ William Bock, III

William Bock, III, Atty. No. 14777-49

KROGER, GARDIS & REGAS, LLP

111 Monument Circle, Suite 900

Indianapolis, IN 46204

Phone: (317) 692-9000

Counsel for *Amici Curiae*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 15, 2023, I electronically filed the foregoing document with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the CM/ECF system. Participants in this case who are registered CM/ECF users will be served by the CM/ECF system.

/s/ William Bock, III

William Bock, III  
KROGER, GARDIS & REGAS, LLP  
111 Monument Circle, Suite 900  
Indianapolis, IN 46204  
Phone: (317) 692-9000

Counsel for *Amici Curiae*

**CERTIFICATE OF COMPLIANCE**

1. This brief complies with the type-volume limit of Circuit Rule 35-4 because it contains 6,678 words, excluding the portions exempted by Fed. R. App. P. 32(f), according to Microsoft Word.

2. This brief also complies with the typeface requirements of Fed. R. App. P. 32 (a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this brief has been prepared in a proportionally spaced typeface using Microsoft Word in 14-point Times New Roman font.

/s/ William Bock, III

William Bock, III, Atty. No. 14777-49  
KROGER, GARDIS & REGAS, LLP  
111 Monument Circle, Suite 900  
Indianapolis, IN 46204  
Phone: (317) 692-9000

Counsel for *Amici Curiae*



# DAVE MAXEY

STATE REPRESENTATIVE • 15<sup>TH</sup> ASSEMBLY DISTRICT

---

*Testimony before the Assembly Committee on colleges and Universities*

*Representative Dave Maxey*

*October 4, 2023*

Chairman Murphy and members of the Assembly Committee on Colleges and Universities, thank you for hearing my testimony in support of Assembly Bill 378, which seeks to protect women's sports.

Title IX was enacted in 1972 to ensure that women would have equal opportunities to participate in athletics. When Title IX was enacted, the majority of Americans could not have foreseen what we are witnessing today. Throughout history, the commonly accepted scientific theory has been that the biological components of males are vastly different from those of females. However, we have come to a point in our history where some have decided that biological males should be allowed to participate in women's sports.

We have all witnessed the consequences when biological males are allowed to compete in women's athletics, whether it's breaking a world record in marathon time by two minutes, shattering powerlifting records, or winning a National Title in Division I women's swimming. Women throughout history have fought for the right to earn equal opportunities in the workforce, education, and athletics. Today, it seems that the struggle to earn equal opportunities has been forgotten, and the spirit and intent of Title IX are dwindling.

Assembly Bill 378 would require each school in the University of Wisconsin System or Technical College that sponsors any intercollegiate, intramural, club athletic team, or sport to classify any athletic team or sport as either male, female, or coed. A key component of this legislation is the way in which "sex" is defined. This definition follows the science and ensures that "sex" in statute is defined as the sex determined by a physician at birth and reflected on the birth certificate. This definition has been commonly accepted throughout time.

As a father, I do not want my daughters to have equal opportunities in athletics ripped away from them by allowing biological males to participate in women's athletics. Thank you once again, members of the Assembly Committee on Colleges and Universities, for hearing my testimony on Assembly Bill 378. I look forward to your support and recommendation for the passage of this bill.



## Testimony from the Wisconsin LGBT Chamber of Commerce on Assembly Bills 377 and 378

On behalf of our nearly 700 business members from around the state, the Wisconsin LGBT Chamber of Commerce stands adamantly opposed to Assembly Bills 377 and 378.

Wisconsin's economy thrives when businesses champion diversity, equity, and inclusion. Wisconsin's vibrant business community has made significant strides in creating an inclusive environment where everyone, regardless of their gender identity or expression, is free to be their authentic selves. This is not just a matter of principle; it's a strategic advantage.

This bill puts this progress at risk. By sanctioning discriminatory practices in the public school system, it sends a detrimental message that Wisconsin is no longer the welcoming, inclusive state we have been working diligently to become. It damages Wisconsin's reputation as a hub for innovation, creativity, and economic growth and harms our ability to compete in the marketplace by discriminating against LGBTQ+ individuals. These restrictions would have a chilling effect and prevent Wisconsin from attracting and retaining top talent, who value diversity and inclusion.

We implore you to prioritize Wisconsin's economic interests and the principles of diversity and inclusion that have bolstered our state's strength. We are stronger when we embrace diversity, and we at the Chamber are unwavering in our commitment to creating a Wisconsin where everyone can thrive.

My name is Chez Dickson, I'm cisgender, meaning I'm a woman, who was assigned female at birth, living in Madison, WI. I have been involved with Madison Roller Derby for 16 years as an athlete, manager, and coach. Our league has one of the most inclusive gender policies in the country. My life is infinitely richer by being engaged in a diverse, welcoming, and inclusive athletic space.

Our league hasn't always been inclusive of transgender athletes. When we first started to discuss IF and how to be inclusive, there was a lot of fear and anxiety. I myself, had questions around safety and fairness. After transgender athletes were explicitly welcomed in our league and game play, those fears and concerns were COMPLETELY alleviated. We learned that being transgender did not guarantee an athletic advantage. There is a wide range of skill, strength, and ability among transgender athletes. I also considered this: There aren't that many transgender people playing our sport. If our league didn't allow them to play, where will they go? If they're even ABLE to create a new team, they'll likely be under-resourced and required to 'out' themselves. How could our organization exclude people who didn't have a reasonable alternative space to play this sport?

Last year, I launched a sports non-profit. My experience with Madison Roller Derby's inclusive and empowering community inspired me to create sports environments that are accessible to everyone. Through working with our program participants, I have learned that LGBTQ+ youth and adults will avoid certain sports entirely if they are not inclusive of their identity. Yet, research has shown that sports contribute to mental, emotional, social, and physical health. Why would we deny members of our community access to a healthy and rich life experience?

Ultimately, as one of my teammates reminded me, it's better to be inclusive than exclusive. I am urging the committee, for the sake of ALL athletes, do not pass AB 378, banning transgender participation in K-12 schools. An exclusive and divisive policy harms everyone. Thank you.



From: **Sachi&Laura Komai** <anthologymadison@gmail.com>

Date: Wed, Oct 4, 2023 at 9:52 AM

Subject: objection to AB 378, AB 377, AB 465

To: <testimony@fairwisconsin.com>

---

Dear committee members:

I am writing as a Wisconsin business owner and mostly lifetime resident of Wisconsin (we moved here when I was a baby in the 1970s). I object to the bills being considered that targets the individual liberty of citizens of our state. Before I became a business owner, I believed the mythology of the rugged American business owner, toughing it out and doing it all on their own, and then I became a business owner and I realized that all of my work is for nothing if I don't have the customers, and if my customers do not have a life that allows them to treat themselves to stickers and to send thank-you notes and otherwise support my business. I have a hard time understanding how a political party which brags about small government and fiscal responsibility can be so small-minded as to think that meddling in the ways a trans person lives their life is at all beneficial to our community. People should be able to live their lives to the fullest potential - that is not a threat to us, that is what benefits all of us. Please redirect your focus to actions that benefit the majority of citizens you are supposed to be serving: funding for public schools, improving air and water quality, strengthening infrastructure, and finding solutions for homelessness and poverty.

May your pledge to serve this state turn into action that actually serves it so that we move forward together.

Laura Komai, co-owner  
5335 Brody Drive #202  
Madison, WI 53705

—  
Anthology  
230 State Street. Stop 1  
Madison, Wisconsin 53703  
on FB and IG @Anthology230  
[anthologymadison.com](http://anthologymadison.com)  
608-204-2644

I am writing to express my strong opposition to the proposed ban on gender-affirming healthcare and the ban of trans K-12 & College Athletes in our state. As a therapist specializing in LGBTQ+ mental health, and an advocate for equal healthcare access, I believe it is crucial to prioritize the well-being and rights of transgender individuals in Wisconsin.

Gender-affirming healthcare is a lifeline for transgender people, especially individuals like my clients. Denying them access to essential medical care, such as hormone therapy or gender-affirming surgeries, would not only be discriminatory but also detrimental to their mental and physical health. Studies have consistently shown that gender-affirming care significantly reduces the risk of depression, anxiety, and suicide among transgender individuals.

Furthermore, as a therapist who has witnessed the positive impact of gender-affirming healthcare on my clients, I can attest to the importance of allowing medical professionals to provide evidence-based care tailored to each individual's unique needs. Banning these treatments would not only infringe on the doctor-patient relationship but also hinder our state's ability to provide comprehensive healthcare for all and support our state motto of "Forward." Banning gender-affirming care would be a huge step backward.

It is crucial to emphasize that gender-affirming care is not only about medical procedures; it's about affirming someone's identity and promoting a sense of dignity, respect, and self-acceptance. Denying transgender people the right to access the care they need sends a harmful message that their identities are not valid or deserving of support.

The bans on trans youth and young adults in sports also causes this damage. Sports are a place for students to build relationships, cooperation and responsibility. To deprive a student of that opportunity for reasons that are mostly fear mongering is wrong. According to scientific research, an example being, the British Journal of Sports Medicine, "After 4 months of hormone therapy, transwomen have Hgb/HCT levels equivalent to those of cisgender women. After 12 months of hormone therapy, significant decreases in measures of strength, LBM and muscle area are observed." This means that Trans Women would not have a major physical advantage to their peers. To deprive a student of a sport that can bring them joy, social connection, positive mental health & physical benefits and meaning is cruel and unjustified by science.

I urge you to reconsider this proposed ban and, instead, support policies that prioritize the health and well-being of all Wisconsin residents, regardless of their gender identity. Let us stand together as a state that values diversity, inclusivity, and the fundamental right to healthcare.

Thank you for your time and consideration. I hope that you will make the right choice in supporting gender-affirming healthcare and ensuring a brighter, more equitable future for all.

Sincerely,

Taylor Clark-Condon, MSW, LCSW  
She/Her/Hers  
Psychotherapist/ Owner & Director  
Nova Mental Health Services, LLC  
4465 N. Oakland Ave. Suite 360  
Shorewood, WI 53211

**Wyn Helming**  
**Regarding AB378**  
**October 4th, 2023**

My name is Wyn Helming and I am a concerned Wisconsin resident. I am providing written testimony against Assembly Bill 378 and all other anti-trans bills. This bill is another example of the rampant and increasing violence against all trans people.

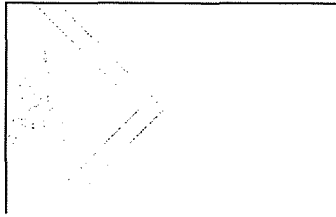
~\*~

Transgender athletes are already moderated by the WIAA in Wisconsin schools. Pushing a ban such as this one displays your intent to eradicate transgender people from public life.

Bills like this one, as well as anti-trans rhetoric pushed by those who create and support these bills have increased the disdain and vitriol for trans people. These bills further push misconceptions that make life for all queer students so much harder.

Instead of devoting time to create bills that sow division in our country, focus on helping the working people of Wisconsin. Even better, actually include transgender and nonbinary people in the decision-making process of bills that would directly affect them. I implore those who are scared of transgender people to actually talk to us in good faith. Treat us like human beings, because we are.

Thank you to those who read this testimony with an open mind. Please vote against assembly bill 378.



October 4, 2023

Esteemed Committee Members:

As co-leaders of the Grace Church Pride Committee, we are writing on behalf of the congregation of Grace Episcopal Church in Madison, Wisconsin. As an inclusive Faith Community, we oppose **Assembly Bill 378** College Athlete Ban, **Assembly Bill 377** K-12 Athlete Ban, and **Assembly Bill 465** Medical Care Ban. We also stand in opposition of **Senate Bill 480** - Medical Care Ban and **Senate Bill 479** - Criminalization of Doctors.

Members of the LGBTQ+ community have the same rights, privileges, and responsibilities as any other members of society. This also includes our youth, under the guidance of their medical providers and parents/guardians. In particular, young people need nurturing and support as they grow in their authentic identities into the people they are meant to be. Education, not hateful legislation is the best way to inform those who are uncertain about how to engage with people who are different from themselves.

Governor Evers has already pledged to veto any bills limiting the rights of the LGBTQ+ community. However, we know his veto won't reduce the harm caused by this needless and cynical legislation. The Trevor Project's 2023 Youth Mental Health Survey found that nearly 1 in 3 LGBTQ+ young people said their mental health was poor "most of the time or always," due to anti-LGBTQ+ policies and legislation.

We believe that Christ calls us to embody an inclusive community of differing views and perspectives, united by our shared experience of Christ's love and our coming together as one body in the Eucharistic feast. By modeling that inclusion, we may be a witness of God's love and God's beloved community in our deeply divided culture.

Again, we ask you to oppose Assembly Bills 378, 377 and 465. Thank you for your time and consideration.

*Shelley & Olwen Hansen-Blake,*

Co-Leaders, Grace Church Pride Committee  
Grace Episcopal Church  
116 W. Washington Ave.  
Madison, WI 53703



Dear members of the Assembly Committee on Colleges and Universities,

My name is Jessie Chmell, and I am a resident of Madison. I've lived in Wisconsin for 20 years, am a parent of two children and a hospice social worker.

I am writing to urge you to vote NO on Assembly Bill # AB 378. As a Wisconsinite, I am opposed to this bill because it is based on hate and exclusion. As the parent of a child who identifies as non-binary and is an athlete, I have seen the positive impact sports can have on a child's life. Sports teams have created a safe space with a welcoming community where my child is able to reap the many benefits of being in sports. Our youth need these positive opportunities to grow and flourish, especially at a time when teenage mental health needs continue to increase.

If passed, this bill will cost lives. At a time when LGBTQ+ youth (and young adults) are already struggling with harassment and discrimination, we should be making it clear that they are safe and welcome in Wisconsin.

There are real issues that we need your help tackling with gender parity in sports, including unequal funding, resources, pay equity, and more. Promoting baseless fears about trans athletes does nothing to address these fundamental problems. Excluding trans students from participating in sports teams consistent with their authentic gender identity is unfair and discriminatory. I believe college and university sports should be inclusive for all students.

Sincerely,  
Jessie Chmell

Dear members of the Assembly Committee on Colleges and Universities

My name is Christiam Joseph, and I am a resident of Madison of Dane County. I've lived in Wisconsin for 9 years and I work as a psychotherapist in this community, as well as have kids whom these bills can affect negatively.

I am writing to urge you to vote NO on Assembly Bill #AB 378 Trans Athlete Ban. As a Wisconsinite, I am opposed to this bill for various reasons, but I will speak as a professional and as a parent. As a professional I have had the pleasure of working with youth who identify as other than their birth assigned gender. This alone poses a tremendous amount of stress on these individuals. The stress is compounded exponentially when those around them do not support them and is even worse when society as a whole ostracizes them for whom they are. The danger is grave for these young people as they internalize this hate and often times end up attempting or completing suicide. Legislation like these pose a grave danger to the lives of these individuals. As a parent I see the impact on my kids that a hateful and unsupportive society has. They often ask questions about rules and laws that are not inclusive and supportive and I cannot find ways to justify such a society that wants to inflict danger and pain on others. So the long term impact that bills like these has on my kids and the larger society as a whole is a perpetuation of negativity and seclusion and oppression and violence against others. And I cannot imagine that you want this to be the outcome if you agree with these bills so please reject this emphatically.

If passed, this bill will cost lives. At a time when LGBTQ+ youth are already struggling with harassment and discrimination, we should be making it clear that they are safe and welcome in Wisconsin.

I don't believe politicians should interfere with personal, private medical decisions that should only be made between patients, their doctors, and their families.

Sincerely,

Christiam Joseph

*Christiam Joseph*

Madison WI 53711

Dear Committee on Colleges and Universities,

My name is Lindsey Kourafas, and I am currently pursuing a Bachelor of Science in Education Policy at the University of Wisconsin-Madison. Regrettably, I must draw your attention to a disconcerting matter at hand. Republicans within the State Legislature have orchestrated no less than THREE distinct committee hearings to convene on Wednesday, October 4th. These hearings are to deliberate upon the state's disconcerting anti-LGBTQ+ bills.

It is imperative to recognize that educational opportunity stands as a paramount determinant of health well-being within the United States. To contemplate the passage of legislation that inhibits the success and fulfillment of all Americans—particularly by means of prohibitive measures aimed at transgender athletes and medical care—would etch a deeply regrettable scar upon our nation's history. I strongly encourage you to take a resolute stance against these prohibitive measures. Transgender individuals residing in Wisconsin must be granted nothing less than the sanctity of their privacy, absolute bodily autonomy, and unimpeded access to essential healthcare.

Your conscientious attention to this matter is greatly appreciated, and I thank you for your consideration of these pressing concerns.

Sincerely  
Lindsey Kourafas

My name is Eli Rittenhouse, I use he/they pronouns, and as a transgender Wisconsinite, I urge you to oppose AB 377, AB 378, and AB 465.

AB 465 puts trans youth at risk. Research clearly shows that gender-affirming healthcare saves lives. Criminalizing providing healthcare for trans youth is inhumane, dehumanizing, and will put trans youth at immense risk. This is clear discrimination against trans people, which is unconstitutional. Trans people deserve equal rights and autonomy in healthcare. These are important decisions to be made between a medical provider, a parent or guardian, and a patient— we don't need lawmakers to chime in.

**Get the facts about gender-affirming care:**

- Every credible medical organization – representing over 1.3 million doctors in the United States – calls for age-appropriate gender-affirming care for transgender and non-binary people.
- Gender transition is a personal process that can include changing clothes, names, and hairstyles to fit a person's gender identity.
  - Some people take medication, and some do not; some adults have surgeries, and others do not. How someone transitions is their choice, to be made with their family and their doctor.
  - Therapists, parents and health care providers work together to determine which changes to make at a given time that are in the best interest of the child.
  - In most young children, this care can be entirely social. This means:
    - New name
    - New hairstyle
    - New clothing
    - None of this care is irreversible.

Please vote against AB 465 to protect all trans people in Wisconsin.

Next, I'll share my concerns around AB 377 and 378. This legislation sets a dangerous precedent in our public schools and attacks one of the most vulnerable groups in the state, namely, transgender, non-binary and gender non-conforming youth. As has been shown by other states who have passed this dangerous model legislation, this bill also has consequences for the economy and tourism of the state as well.

Both AB 377 and AB 378 wrongly discriminate against transgender athletes in sports. These bills threaten to not only demonize and weaponize transness but also legally enforces the policing of athletes' bodies in sport.

According to an article by the American Center for Progress, surveys and research studies have shown that where transgender youth encounter accepting and affirming policies, including trans-affirming sports policies, their risk of poor mental health, addiction, victimization, and suicide is drastically reduced.

Let trans kids play, dream, learn, make friends, and live their lives to the fullest. This community is already under attack, and sports are a beautiful and fulfilling outlet that all human beings deserve to be able to enjoy.

Please vote against bills AB 377 and AB 378.

I urge you to do all you can to ensure all three of these bills do not progress any further!

Thank you,  
Eli Rittenhouse, 53546



Dear Committee on Colleges and Universities,

Do NOT let AB 378 pass. Protect the rights of our LGBTQ+ youth!

Elli Johnson, La Crosse

Dear Chair Murphy, Vice Chair Nedweski, and members of the Assembly Committee on Colleges and Universities,

I am writing to ask you to please oppose any bills that discriminate against transgender people. This includes efforts to retract access to affirming healthcare, sports, and public facilities that match their gender identity. Discriminatory efforts like these are deeply harmful to already at-risk trans children.

Specifically, I write today in opposition to AB378.

As a mom, I work hard to model how we treat others with respect and how we greet differences with curiosity rather than judgment. As a public health professional, I understand that trans children are already disproportionately at-risk of depression, anxiety, and suicidal ideation. As a community, we should be doing all we can to create spaces where trans children feel a sense of acceptance and belonging. As elected officials, it is your responsibility to protect these children. Instead, actions like AB378 perpetuate othering and model bullying. I urge you to vote against this legislation.

I will be watching closely to see what you do to protect trans rights, and I will cast future votes accordingly. Thank you for your time and support.

Sincerely,  
Karen Odegaard, MPH  
3614 Busse St  
Madison, WI 53714

Hello.

Please share my testimony with all committees.

I would like to state my formal opposition to the following bills:

Assembly Bill 378 (College trans athlete ban)

Assembly Bill 377 (K-12 trans athlete ban)

Assembly Bill 465 (Trans youth healthcare ban)

These bills are not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life saving effects of trans health care, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All these bills will do is isolate and vilify a vulnerable community.

I beg you, please voice your strong opposition to these bills.

Sincerely,

Your Constituent,  
Carolyn Hammer

To the Members of the Committee on Colleges and Universities:

I'm writing to express my opposition to AB 378 and to any bill that would prohibit people from participating in sports consistent with their gender identity. As a high school teacher, I have seen firsthand how transgender youth can flourish when they are able to embrace their full identity, as well as the damage done when youth are shamed for being themselves. This bill violates the right to privacy and the right to bodily autonomy, it's damaging to youth mental health, and I urge you to oppose AB378.

--

Brenda Morris  
Madison, WI

I am aghast at the proposed bill AB378

When were students ever asked to show birth certificates to participate in school events? My children were never asked for school sports. And what happens when a child, born in a state that allows non-gender identification, appears with their birth certificate? So school sports can now not include anyone born in the several states that allow no gender identification? If I were bearing a child now, I would make sure not to ID their gender, if I were in a state where that was allowed.

And why do legislators think they are appropriate team coaches? That they can make decisions about the best team structure when coaches are, necessarily, attentive to community standards as well as governing body rules.

This legislation will be another step towards encouraging parents NOT to identify gender at birth.

Please vote this down.

Sincerely,  
Karen Holden  
Madison, WI

To Representative Dittrich, Senator Knodl, Representative Murphy (Chair), Representative Nedweski (Vice-Chair), Representative Moses, Representative Wittke, Representative Krug, Representative Goeben, Representative Schutt, Representative S. Johnson, Representative Michalski, Representative O'Connor, Representative Emerson, Representative Stubbs, Representative Joers, Representative Shankland, Representative J. Anderson, Steve Knudson, Emily Hicks

**Regarding** Assembly Bill 378 relating to designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants:

I oppose this discriminatory, waste of time, energy and resources of a bill. First of all, it directs attention away from that which would be more beneficially spent elsewhere on issues that affect your constituents' daily livelihood such as cost of living, working class wages, transportation, housing, food insecurity, healthcare, etc. According to nationwide surveys, 1% or less of our population identifies as transgender in the first place. While I'm not saying that this population isn't worthy of care and attention, perhaps legislative energy would be better directed to problems of the majority of our population, or at least alleviating the historic and systemic issues of oppressed peoples considered to be in the minority of our population rather than increasing said oppression.

Secondly, there are few studies indicating that a "biological advantage" even exists of "males" over "females" and such wording assumes females to be an inferior sex. If that were indeed the case, why do coed sports exist at all? This is short-sighted, and lacks basis in actual science and reality. Furthermore, actual examples of "biological advantages" have and continue to exist in the sports world, but we don't direct legislation towards them. Michael Phelps, Olympic Champion Swimmer, is not disparaged for being taller or having extra skin between the digits of his limbs, yet they provide an advantage in the swimming world. Basketball players are not disparaged or excluded for being taller. There are so many examples of "advantages" that are celebrated rather than used as exclusionary measures. All of this also denies the development of strategy and skill that our athletes train so hard for. What statement are we making of brains and brawn?

Finally, there are plenty of studies regarding the impacts to the mental health of students and athletes in relation to being excluded by peers and institutions on the basis of sex and sexual orientation. According to the Trevor Projects National Survey on LGBTQ+ mental health, more than half of transgender and non-binary youth have seriously considered suicide. 40% of respondents reported being physically harmed or threatened because of their orientation. These numbers are unacceptable, and we can absolutely do better for youth, collegiate students, and the general population.

Oppose this bill and direct your time and energy instead to measures that will actually help your constituents live meaningful lives. Thank you for your consideration.

—Alexa Priebe  
Madison, 53704

To whom it may concern,

My name is Elle Hutto, a resident of Janesville, WI, and I am writing to express my strong opposition to AB 378, the College Athlete Ban bill. As a trans nonbinary individual, I firmly believe that this legislation, like all others designed to discriminate against transgender and LGBTQIA+ individuals, is unjust and unnecessary.

The argument that trans people pose a threat in sports is unfounded and rooted in misconceptions. Sports, by their very nature, carry inherent risks, and athletes of all genders and identities face those risks equally. The notion that trans women endanger other women while participating in sports is simply untrue. In fact, transgender athletes have been competing at various levels for years without causing any harm or disruption.

It is important to recognize that inclusion and diversity enrich our society, including the world of sports. The efforts to ban trans college athletes not only perpetuate harmful stereotypes but also deny talented individuals the opportunity to participate fully in their chosen sport. By embracing inclusivity, we can foster an environment where everyone can compete and thrive based on their skills, dedication, and passion, rather than their gender identity.

As a constituent, I urge you to reject AB 378 and any other legislation that seeks to discriminate against transgender and LGBTQIA+ individuals. Let us work towards a future that celebrates diversity, promotes equality, and ensures that every person, regardless of their identity, has the chance to pursue their dreams and contribute to our society.

Sincerely,

Elle Hutto

Hello, my name is Ash. I am a very concerned U.S. citizen. I identify myself as non-binary and deaf. I am currently taking medications to treat Polycystic Ovary Syndrome (PCOS). One of them is a critical medication, in a birth control form, that prevents the worst types of cancers—ovarian cancer is one of them AND they do help with other symptoms. The primary reason I am sharing my testimony is because I am in this fight helping fight to protect the non-binary, intersex, and transgender individuals and their rights. Every day I deal with people making assumptions and judging my body assuming that I am transitioning. I ask people to please stop outing non-binary, intersex, transgender, and women who have Polycystic Ovary Syndrome (PCOS) and judging them based on how they are perceived. I support bodily autonomy and the freedom to access healthcare.

I, Ash Radonski, oppose the AB 465, AB 378, and AB 377 bills. Thank you!



**TO: Assembly Committee on Colleges and Universities**

**FROM: Rev. Douglas Clement, United Methodist Pastor**

**DATE: October 2, 2023**

**RE: Assembly Bill 378 – designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants**

My name is Rev. Douglas Clement, my pronouns are he/him/his, and I am an ordained United Methodist pastor serving in the state of Wisconsin. I am writing in opposition to the proposed AB 378.

Growing up, I was taught that being a Christian and being an American meant embracing the wide diversity of thought, practice, and personhood that exists in our communities. I remember learning how Jesus told us we were to “love one another” (John 13:34) and how, as people living in the United States, we had the right to “life, liberty, and the pursuit of happiness”. While there have certainly been times when we haven’t always lived up to these ideals, the act of striving for them (and of believing they should be for all people) were (as I understood it) fundamental to who we are.

As a United Methodist, I am part of a tradition and a movement that has fought throughout our history to make this a reality. Our own Social Principles call us to “work toward societies in which each person’s value is recognized, maintained, and strengthened” and to “deplore acts of hate or violence against groups or persons based on race, color, national origin, ethnicity, age, gender, disability, status, economic condition, sexual orientation, gender identity, or religious affiliation.” (§162, *The United Methodist Book of Discipline, 2016*). Which is why I feel compelled to speak out against these bills.

AB 378 seeks to amend statute 36.12, carving out from the broader “No student may be denied admission to, participation in or the benefits of, or be discriminated against in any service, program, course or facility...” an exception to bar transgender students from participating according to their gender identity. By singling them out because they are transgender, this bill gives credence to the falsehood that they are somehow “dangerous” and “unsafe to be around”. It gives space for hateful rhetoric, for bullying behavior, and for discriminatory practice. In fact, it *requires it* (by prohibiting these individuals from participating in athletics and other extracurriculars according to their gender identity).

There are multiple instances, both in scripture and in the history of our nation, where we have witnessed the consequences of our failure to include and care for those on the margins. As the Apostle Paul observed in his letter to the churches in Corinth, we are all members of one body (i.e. community). “If one member suffers, all suffer together with it; if one member is honored, all rejoice together with it.” (1 Corinthians 12:26). Yet, rather than encouraging this kind of relationship and community-building, proposed AB 378 creates further division among young transgender folks and their peers, and puts them at greater risk for lasting harm.

The truth is, our brothers, sisters, siblings who are transgender are made in the image of God, same as you or me. They deserve the same love, acceptance, and affirmation. They deserve the same chance to be able to share their skills, talents, and passions. And they deserve to participate with their peers *according to their gender identity*.

I ask you to give them the same opportunities that have been afforded to generations of young folks. Vote “no” on AB378.

Regarding AB 378,

I am a Wisconsin resident and have been almost my entire life (a few months in Chicago and I came running back), and I am disappointed to see bill AB 378 introduced. It is based on prejudice and disrespect, inserts the government where it is not needed, and targets a vulnerable population to distract from real problems this state has. I am against it, and do not wish to see it move forward.

A ban on trans athletes collegiately is unnecessarily harmful and not needed. The university or athletic conference should handle these determinations, not a broad state ban without nuance. Sports are a wonderful part of young-adulthood, and all should have the option to participate. Any concerns brought up with a student-athlete should be handled with care and significant consideration by the specific governing body, not a broad ban by our state government.

Please do not advance this bill. Don't let this wonderful state be stained by this hate-filled bill.

Thank you,  
Ben Helming  
he/him

Hello,

I would like to state my formal opposition to Assembly Bill 378. This bill is not based on science, and numerous peer reviewed studies have shown that there is a minimal to non-existent advantage of trans athletes in competition with their cis peers. Most importantly, all this bill does is others a group that is already vulnerable. Trans people make up a beautiful part of our Wisconsin community, and this bill hurts people I care about – and probably that you care about. I plead you to oppose this bill, and focus your time and energy on supporting communities instead of hurting them.

Sincerely,

Spencer Bierman

He/Him/His

Dear lawmakers of the state of Wisconsin,

I have lived in this state my entire life, it is my home that I love, and that I know you care about as well. I can say without a shadow of a doubt that the bills being introduced today are a slap in the face to someone who so deeply loves Wisconsin. The bills before you today are nothing but blatant attacks at a group of people who are only trying to live their lives. What does it say to these kids that lawmakers want to *prevent them from playing a sport simply because of their sex at birth*? Why are you so obsessed with the gender identity of children and young adults that you would strip them of the opportunity to play sports? Why do you feel the need to ban them from healthcare that could save their lives? Who has hurt you so deeply that you feel the need to punch down at children whose lives could be saved with gender affirming care? Would you be against this bill if it was your child? Imagine your child's face right now, imagine telling them you voted this bill into law and now they can't play on their team, their dreams of playing on their college team are crushed, their healthcare is gone and you are the one who took it from them. The children and young adults you are attacking are a constantly trodden on group, people who only ever wanted to live and be happy like anyone else. A recent study shows that 82% of transgender individuals have considered suicide at some point and 40% attempting, with the highest number being among transgender youth. By continuing your attack on transgender youth and young adults, you are guaranteeing a spike in suicide attempts and successes. Think of your own child, about how you would feel if they made that choice. If you pass these bills, you are personally responsible for the pain and suffering countless families will face when their child would rather die than live in a state that clearly does not care for them. Make the right decision, do not pass these bills.

Thank you,

A trans Wisconsinite

Hello,

My name is Thunder and I am a 26 year old transgender man. I live in Madison and am unable to make the protest on Wednesday 10/4. I am appalled that Republicans are trying to pass a bill that would directly discriminate against trans students. One's gender identity should not impact whether or not that student is allowed to compete in athletics. Trans people should be allowed to play on the team that they identify as.

There are bigger issues Republicans should be focusing on such as climate change action, stricter gun safety laws, inflation and the rise of the cost of living. Trans student athletes have no "upperhand" just because they were born a certain way. I urge WI legislature to vote no to this discriminatory ban.

Thank you,

Thunder Tomcheck  
He/They  
2941 Fish Hatchery Rd  
Madison, WI 53713

I demand that Wisconsin politicians stop playing political games with the lives of trans youth. They deserve to live their lives freely. The trans community demands to be treated fairly like anybody else. I oppose the Medical Care Ban and Trans Athlete Ban.

Krista Eastman  
Madison, WI 53715

Hello,

I would like to state my formal opposition to the following bills:

Assembly Bill 378 (College trans athlete ban)  
Assembly Bill 377 (K-12 trans athlete ban)  
Assembly Bill 465 (Trans youth healthcare ban)

These bills are not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life-saving effects of trans healthcare, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All these bills will do is isolate and vilify a vulnerable community.

I beg you, please voice your strong opposition to these bills.

Sincerely,  
Your Constituent,  
Allondra Woods

Dear Committee on Colleges and Universities,

My name is Allison Lindsay, I live at 1111 E Johnson St, Madison, WI 53703. I'm writing in regards to the anti-LGBTQ+ bill currently being discussed. I want to make clear that I DO NOT support these bills in any way, and find them inhumane. I AM in FULL SUPPORT of ALL humans having the right to privacy, bodily autonomy, the right to play organized sports with the gender they identify with, and the freedom to access healthcare. Most importantly, I absolutely believe this IS a MUST for trans and non-binary youth.

PLEASE DO NOT PASS THIS BILL!!

Sincerely,  
Allie Lindsay



To the Committee on Colleges and Universities,

I'm a constituent from LaCrosse, WI, and the last year of government interference within the LGBTQ+ has been very scary. Please consider keeping the government out of individuals' rights for bodily autonomy. We're at a critical point in our history where our actions could change everything and with over 500+ anti-LGBTQ+ bills being brought to the floor this year, I ask that you seriously consider how many of those you're putting in harm's way by continuing to back fear-mongering, white Christian nationalist's agenda.

Healthcare is something that should be kept out of this arena. There is too much at stake and too many lives that you're endangering.

We don't have much time left. Please, if you do care for your brothers and sisters in this community, you will do the right thing.

Katie Bakalars  
2104 Travis Street  
LaCrosse, WI 54601

Dear colleagues, friends, legislators,

I am writing to offer a testimony in opposition to bills 377, 378, and 465.

These bills are harmful and discriminatory and exist for no reason other than to cause pain and hurt. There is no evidence that allowing trans kids to participate in sports is harmful to anyone. However, there are mountains of evidence that show that trans kids experience much higher rates of mental health crises. Participation in athletics is such an important way of building, confidence, social connections, and a healthy relationship with one's body. These are things that all kids, and perhaps, especially trans kids, need for healthy growth and development. To ban participation is to actively choose to hurt young people when they are most in need of support and affirmation.

I am also opposed to bill 465, which prohibits medical intervention for gender transition for people under 18. I am shocked and horrified that the legislature would choose to intervene in the lives and decisions of individual families in this way. How could members of the Wisconsin state assembly possibly know more about the best choices for a young person? Then they themselves and their families could? It is not the role of the assembly to make such decisions.

All three of these bills actively seek to do harm to young people. The role of the legislature should be to positively support the growth of individuals and communities in Wisconsin, not harm those same people. I strongly oppose all three of these bills.

Jessica Courtier  
3837 Dennett Dr  
Madison WI 53714

What is your concern?

1. Are you worried that a man may pretend to be a woman so that he can win women's sports? No man trying to boost his ego or feel better about himself is going to think that will happen by winning in women's sport.

2. Are you afraid of cisgender men masquerading as women to win women's sports? Because, spoiler, you're afraid of cisgender men, not trans women.

3. Are you afraid of an unfair advantage? Biological diversity exists everywhere in humans, in every demographic (including cisgender men and cisgender women). When these biological diversity occur in cis men, we almost always celebrate this (Michael Phelps with his height and huge wingspan, basketball players with 12" handspan, football players that can accelerate extremely fast). It's always met with adoration and celebration. But this isn't the case for cis women. If women are "too strong" or "too masculine" and do not conform to the western standards of what women should look like, then there is a bias against them (Simone Biles, Caster Semenya, Serena Williams).

4. Are you "protecting" girls in sports? If you want to exclude trans girls from girls sports, you have to know who is a trans girl and who is not. How do you propose you undertake this? Body examinations??? At what point is a girl too tall and will be accused of being trans? When is a girl not feminine enough in appearance and will be accused of being trans? Where is the line if a girl is too strong? Her hands too big? When is a girl too good at sports and will be accused of being trans gender? You are legally enforcing what a girls body is allowed to look like and perform.

You are fear mongering by supporting these attacks on trans people.

If you want to protect women, start by protecting all women, including trans women.

Trans people are real people. Trans women are real people. Trans kids are real people. These are real people with real feelings, and the amount of hatred thrown at them is appalling.

Heather Biesik  
Appleton, WI

I am writing to state my strong opposition to AB 378.

I play roller derby in Madison, WI. I play seriously, practicing multiple times a week, traveling for tournaments, etc. Roller derby is one of the most trans inclusive sports in the world. I have leaguemates who are trans. I play against teams who have trans players. So my opinion is based on my loved experience.

Trans women belong in women's roller derby, and in women's sports in general. People belong in the sport that aligns with their gender.

The hand-wringing about this issue is just anti-trans rhetoric designed to try to convince otherwise reasonable people that trans people are something to be feared, something "other." It's hateful and infuriating.

Elizabeth Holden  
Madison, WI

Dear members of the Assembly Committee on AB378,

My name is Kennedy Crouch, and I am a resident of Fitchburg. I've lived in Wisconsin for three years and I'm a biological scientist working with ThermoFisher Scientific.

I am writing to urge you to vote NO on Assembly Bill #AB378. As a Wisconsinite, I am opposed to this bill because I am opposed to the unscientific and irrational discrimination against people based on their gender identity. Furthermore, the idea of mandatory genital inspection for participation in sporting events (which is fundamentally what this bill would represent) abhorrent.

If passed, this bill will cost lives. At a time when LGBTQ+ youth are already struggling with harassment and discrimination, we should be making it clear that they are safe and welcome in Wisconsin.

I don't believe politicians should interfere with personal, private medical decisions that should only be made between patients, their doctors, and their families.

Sincerely,

Kennedy Crouch

Fitchburg, WI

Priscilla Rose Bort  
2233 N Summit Ave Apt 713  
Milwaukee, WI 53202

**TO: Committee on Colleges and Universities**  
**SUBJ: Opposing AB378**

I am submitting written testimony against AB378 - Designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants.

Transgender students, really all students, look to sports for many reasons - to find friends, to have an outlet for their energy, to do something for fun - the list goes on and on. We are practicing full-on discrimination by seeking to ban transgender students from participating in the same activities as their cisgender peers. All students are looking to belong - transgender students and cisgender students alike. Let all students play, and let them play sports with other students of their own identified gender. Studies already show that transgender students have a higher risk of death by suicide - by excluding them from everyday activities like this, that number will just go up. Spend the time that is being spent to ban these students on helping them instead - work to fund their schools, guidance counselors, psychologists, librarians, and art teachers instead. Wisconsin does not need a K-12 Athlete Ban or College Athlete Ban.

Members of the committee;

I am saddened to see the continual effort to further alienate individuals. As a parent of a nonbinary child I have extra worries that they will have to face unnecessary challenges in order to find their way in the world. Nonbinary people, such as my child and their friends, have many internal challenges to overcome. Many nonbinary people already feel alienated and have other negative feelings that limit their ability to find a happy and safe place where they can be themselves. The role of the government should be to protect people from the types of unnecessary struggles other minorities have and continue to face. History has demonstrated many times over that a lack of unity or excessive divisions only lead to failure. We may all take different paths, but are generally headed to the same destination.

On a side note we extremely grateful for the health care assistance we have and continue to receive. This assistance has afforded us the ability to help him on his journey (not only physical, but mental as well) much more than we could have on our own.

I kindly request that you oppose AB 377, AB 378, and AB 465 as well as SB 479 and 480.

Thank you for your time.

Sincerely,

Brian Valiquette

1111 Stonewood Xing

Sun prairie, WI 53590

Best Regards,  
Brian

Dear members of the Assembly Committee,

My name is Lilith Pieper, and I am a resident of Dane County. I've lived in Wisconsin for 2 years and have been living in the Wisconsin area, as an active community member for my entire 26 years.

I am writing to urge you to vote NO on Assembly Bill #AB 388, AB 378, and AB 465. As a Wisconsinite, I am opposed to this bill because I find that this is a reactionary cause that was never rooted in support of any of the activities, but in providing a barrier to transgendered individuals from having similar access as cisgendered students. I as a transgender person, I never felt safe or accepted enough to come out with my actual gender, and the fact that this same discrimination and hate has continued for almost an entire decade when we should have been past this nonsense by now is infuriating.

If passed, this bill will cost lives. At a time when LGBTQ+ youth are already struggling with harassment and discrimination, we should be making it clear that they are safe and welcome in Wisconsin.

I don't believe politicians should interfere with personal, private medical decisions that should only be made between patients, their doctors, and their families.

Sincerely,

Lilith Pieper

Dane County, 53713



Dear members of the Assembly Committee on Colleges and Universities,

My name is Coree Van Thiel, and I am a resident of Oshkosh. I was raised in Wisconsin and graduated from Neenah High School. My husband and I have lived all over the country, and have chosen to come back home to raise our three kids here.

I am a mother to three amazing children - ages 17, 13 and 11. We've been lucky enough to find a community that embraces us wholeheartedly. We are surrounded by family and friends that provide love and support, helping to insulate us from the hate and vitriol that can be directed our way because of how we choose to live. My younger two children are transgender, and unconditionally supported by us and those in our lives. While it is a part of who they are, it is not the only part that defines them. They are incredibly intelligent critical thinkers, empathetic friends and good citizens in their community, driven by their passions - all traits we would wish for in any generation poised for success.

I am writing to urge you to vote NO on Assembly Bill #AB378. As a Wisconsinite, I am opposed to this bill. Our state constitution should be protecting rights and expanding opportunities for residents of our state. When you vote to take away rights of young adults who only want what everyone wants - to be seen, to belong - you are not only setting an example of exclusionary practices, but you are putting a target on their backs. Creating such hostile divisiveness over an issue that has historically had little to no negative impact on collegiate athletics is irresponsible and dangerous.

If passed, this bill will cost lives. At a time when LGBTQ+ youth are already struggling with harassment and discrimination, we should be making it clear that they are safe and welcome in Wisconsin.

Sincerely,

Coree Van Thiel

Oshkosh, 54901

Dear members of the Assembly Committee on Colleges and Universities,

My name is Barb Farrar, and I am a resident of Racine. I've lived in Wisconsin for 14 years. I am also the Executive Director of the LGBT Center of SE Wisconsin. The Center exists in part to protect our transgender and non-binary community who experience discrimination daily.

I urge you to vote NO on Assembly Bill #378. As a Wisconsinite, I am opposed to this bill because it is discriminatory. Rather than moving legislation towards equity for everyone, this bill divides us in new and disturbing ways.

College athletics is about inclusivity, setting individual goals, working as a team, and creating confidence and a sense of well-being. If we think that winning is the only goal of college athletics, we have lost the purpose of 18-21-year-olds competing in sports.

Trans athletes deserve the same access to sports as everyone. No one should be denied the experience of being involved with a team, to grow their self-confidence and physical and emotional health. Trans athletes can only truly enjoy sports if they participate on teams that align with their gender identity.

If passed, this bill will hurt everyone, including those team members who will be denied the experience of being on a team with a trans person. It would be a missed opportunity for inclusion, acceptance, and learning to celebrate differences if trans people were alienated from collegiate sports.

This bill would also disproportionately affect transgender and cisgender youth's privacy. No one should have to go through the scrutiny of their sex and sex characteristics to play soccer in Wisconsin. That would leave our youth vulnerable on many levels.

Vote no on AB 378.

Sincerely,

Barb Farrar (she/her)

Racine, 53403

To the Committee on Colleges and Universities,

My name is Natalie Hoffman and I live at 559 Rothe St Apt 9 in Green Bay, WI. I am writing to you today to express my strong opposition to AB 378. This bill is actively harmful to the students you claim to want to protect. It will have a drastic negative impact on students' mental health, and it will increase their risk of suicide. Trans college students deserve the same rights to play sports as every other student, and barring them from doing so is immoral. We do NOT want these transphobic bills here in Wisconsin. I urge you to vote against this disgusting bill and let students play sports!

Thank you for your time.

Natalie Hoffman

Hello

To the committee, regarding AB 378, a bill which seeks to interfere with the ability of trans athletes to play in collegiate sports, I would address the following message. Your intentions with this bill are obvious. In attempting to define sex as being both purely binary and purely defined by a physician at birth you have fallen in line with many other legislators across this country seeking to make the lives of transgender people difficult, and to intimidate us out of participation in the public sphere. These sorts of measures, often disguised as attempts to protect women in sports, are well known as introductory measures to achieve even more villainous feats. Professionals commentating on the matter of transgender people playing in sports largely agree that there is no statistically significant advantage or disadvantage obtained by transgender individuals who decide to participate in sports teams which align with their chosen genders. If this bill were to pass into law the effect would be purely to deny transgender athletes their ability to interact socially with their peers, and pursue their hobbies with the same level of freedom granted to cisgender athletes. *I beg of you, do not allow this bill to pass into law. Do not allow our state of Wisconsin to begin down this path of bigotry that so many other states have decided to pursue.* Transgender people deserve to be allowed to live our lives as we choose, with all the same rights and freedoms afforded to our cisgender peers.

Luke Eisner  
11010 W Glendale Ave. Wauwatosa WI

Hello

To the committee, regarding AB 378, a bill which seeks to interfere with the ability of transgender children from participation in sports, I would address the following message. This bill is harmful, bigoted, and wholly ridiculous. I struggle to even imagine for what reason this bill would be considered worthy of legitimate consideration for law. Even were I to agree with commonly held arguments regarding the separation of adult transgender athletes from sports teams aligning with their chosen genders, the idea that such athletes receive either unfair advantages or disadvantages relating to their sex assigned at birth, such arguments would not even be relevant for the actual children this bill would apply to. Students in K-12 schools will not even have reached puberty, the primary biological differences between so called "male" and "female" bodies have not yet emerged. What possible motivation am I to imagine must have spawned this bill other than the despisement of transgender individuals. In your attempt to lay the groundwork for legal recognition of sex as being purely binary and purely defined by a physician at birth, you would drag even children into your political machinations. These transgender children only wish to be able to participate in sports and to socialize with peers in the exact same way as their cisgender peers. Do not allow this bill to pass into law. Let transgender people live full and complete lives, and leave children alone in your pursuit of political gain.

Luke Eisner  
11010 W Glendale Ave. Wauwatosa WI

Greetings,

I am writing to express my strong opposition to AB 378 this bill would ban transgender and non-binary students at UW schools and technical colleges from playing on the sports teams that align with their gender identity, essentially banning them from sports altogether. This is antithetical to the rights that have been protected since title 9.

Sophia Kennedy Schmit  
She/Her/Hers  
Madison, Wisconsin, USA

Dear Entire Committee,

My name is Ellen Sweeney. I'm 41 years old and I am a cis gender female. I grew up in Chippewa Falls, WI and now live in Oregon, WI (104 Elm Street, Oregon, WI 53575). Just to establish character: I played many sports growing up including soccer of which I was the captain of the varsity women's soccer team at Chi-Hi. I graduated college with honors with a BFA in Interior Design. I pay a lot in taxes and have an excellent credit score. When I'm not working my super cool job in interior design, I enjoy quilting, golfing, playing cards, cooking, and spending time with family and friends. Hopefully that establishes my character. My step-brother Andrew Cray passed away from cancer in 2014 at the age of 28. He was an incredible individual.... Humble, intelligent, gregarious, hilarious. .... High-School Valedictorian, did his undergrad at Northwestern, and Law School at University of Michigan.... then worked in Washington DC as a lawyer supporting Human Rights until his death in 2014. Look him up on Wikipedia to see all of the awesome work he did. Andy was transgender. Perhaps you know or have heard of Sarah McBride. She married my step-brother Andy and she is my sister-in-law. She is a member of the Delaware Senate (1st District of the Delaware State Senate). Sarah is currently running for Congress. How amazing would that be for Sarah McBride to be the first openly transgender member of Congress!

Not trying to brag, but I know a lot of transgender people ranging in age from grade school to people in their 70's. Every single transgender person I know are the most authentic human beings. They are "normal" people "just like us". Kids who want to play sports with their friends..... humans who need healthcare. Literally we are all just HUMAN. This legislation is misguided and is simply hateful and harmful discrimination. I'm curious to know if anyone supporting this legislation is related to someone who is transgender? Do they have any transgender friends? Have they even talked to someone who is transgender? The people pushing this legislation are not qualified on the topic and should not be making these decisions. This is not the way. If you are concerned about transgender individuals taking over in the sports world you are simply delusional. Banning 100% of a group of individuals from playing sports due to the small fraction of a percentage that there is the possibility of an advantage is crazy. Some individuals are born more athletically gifted than others. If you are concerned about individual physical advantage, then figure out another way to even the playing field (one suggestion: perhaps limit the circumference of their biceps?). Please let all the humans play all the sports.

I oppose this Bill. Please Vote NO on the college athletic ban AB 378.

Thank you,  
Ellen Sweeney (she/her/hers)

To the Committee on Colleges and Universities,

I am writing today in opposition to AB 378. It is cruel and unnecessary to restrict participation in intercollegiate, intramural, and club athletic teams and sports.

With love,

Amanda Werhane  
1615 E. Marion St.  
Shorewood, WI 53211



Good morning committee members,

My name is Alyssa Stowe, I live at 151 E Wilson St, just two blocks away. I vehemently oppose the amendments to designate sports teams in college and university based on sex assigned at birth.

These bills are built on lies, and this is not an opinion, it's a fact. No one's feelings on these subjects matter when it comes to dictating law. Research time and time again has proven the myth surrounding trans women athletes in sports to be just that: myth. You can try as hard as you want, but your feelings will not change this. You can believe it's fake and made up until you are blue in the face, but fact will always remain fact. These discriminatory bills hurt everyone, not just the trans folks you desperately want to disappear.

By policing people's bodies in this way strips everyone's right to privacy and bodily autonomy. It invites gender policing that could subject any woman to invasive tests or accusations of being "too masculine" or "too good" at their sport to be a "real" woman. Furthermore, the differences physiologically between trans and cis athletes are no different from the differences between cis athletes. People are born taller or heavier or lighter, whatever characteristic could possibly be an advantage in any sport within cis athletes. For a trans woman athlete who meets NCAA standards, there is no inherent reason why her physiological characteristics related to athletic performance should be treated differently from the physiological characteristics of a non-transgender woman.

The logic to separate athletes based on physiological characteristics alone falls apart as soon as you apply it to everyone.

The famous case of swimming star Lia Thomas is a good example of how conservatives have been picking the parts of reality to better fit their narrative. Lia Thomas won first place in the NCAA first division swimming championship. Despite her swimming times being average among most cis swimmers, despite not breaking any major records, despite the amount of times she LOST before that point, transphobic people want to believe she had an advantage. If the medical professionals who set standards for these sports say it's fair and acceptable for a trans-woman who's been receiving HRT for a certain amount of time to compete at any level of collegiate sport, then the discussion is over. You were wrong, and I really don't care how that makes you feel. That can be your opinion, but your opinion doesn't get to govern real lives.

Thank you for your time. I hope you vote with reason and empathy.

Alyssa Stowe

## Gender Bans Have Failed Histories

Michael Burch, Madison

I am a non-profit Executive Director for an organization that services UW-Madison. I am also a former NCAA Division I men's and women's wrestling coach. I can only speak to the proposed WI state bill that targets trans youth from my personal experience. My coaching experience teaches me that the concern about transgender student-athletes is misguided and mired in irrational anxiety, rather than rooted in a genuine concern for fostering healthy and productive education.

I coached student athletes over a 25-year period in high schools, the Pac 12, The Big 10, and the Ivy League between 1988-2013. I, along with my coaching staff, started the first NCAA women's wrestling program in the United States. However, my coaching peers, the Athletic Director, and the general public were highly critical of females in men's wrestling spaces. They complained bitterly about how "unnatural" it was for females to wrestle. It was even said to be unfair to males. There was little doubt that the notion of one gender entering a space that had been historically reserved exclusively for another gender, was offensive. In fact, eventually, all of the women were permanently removed from my team by administrators of the University. They were banned and I was terminated. It was stunning short sightedness on the part of administrators, especially as we now watch women wrestlers from many countries compete in the Olympics. We rightfully sued and won three federal cases, opening the door for girls and women's wrestling (even in Wisconsin high schools 25 years later). In other words, already, history has shown that the detractors had gotten it very wrong.

Some may be thinking that I have missed the whole point about fairness and protecting females from having to compete against transitioned females. I have not. I understand and respect these real complexities. The issue is that this bill's proponents do not appear to have scratched the surface on navigating the fair play aspect before they started banning and punishing. These are signs of reactionary fear rather than of people forging new paths on behalf of sincere, pioneering youth. It's reminiscent of how little listening there was when the "wrong gender" wanted to wrestle in the 1990's.

My coaching experiences have a relevant message for this current debate. Our gender rigidity cannot be forcefully sustained at the expense of children and youth who are simply and authentically in pursuit of their passions and dreams. Let's be clear; this bill is against trans student-athletes, who are first, *students* seeking an education before they are athletes seeking contracts or gold medals. The "student-athlete," is our agreed upon template. The bill's proponents, perhaps unwittingly, seek to undo the student-first prerogative in athletics, prohibit learning, stifle education and dismiss human self-discovery. We can do better and we don't need 25 years to figure it out.

Michael Burch (he, him, his)  
Executive Director

The Crossing, Inc.  
1127 University Ave.  
Madison, WI 53715

Good morning, Committee on Colleges and Universities,

My name is Sarah Loecher, I am a first-year student at the University of Wisconsin Eau-Claire, 105 Garfield Ave. Eau Claire, WI 54701. I grew up in Madison Wisconsin, it shatters my heart that this bill is being considered in a place that I called home. If this bill passes, Future Transgender college students will be denied the opportunity to participate on the athletic teams that correlate with their gender identity. Current transgender athletes who have trained all their life to make it to the collegiate level will have opportunities stripped away from them. Doors that were once wide open will be slammed in their face. This will cause extreme mental distress for transgender athletes across the board.

The decision you make regarding transgender athletes speaks volumes about what future legislation will look like regarding transgender college students, and transgender people in general. If you strip the rights of transgender students away now, it will create a domino effect of more legislation against transgender people to be passed. Do not allow the state of Wisconsin to become a place that is unsafe for its Transgender citizens. Do not let today be a turning point for the worst. If this bill passes, Wisconsin is contributing to what has already been one of the worst years for anti-trans legislation. When I am writing this testimony, 83 bills have been passed throughout the country that endanger the lives of transgender people. I am begging you, do not let this become the 84<sup>th</sup>. Please Protect your citizens and do what is right.

Dear members of the committee,

My name is Erik Franze, and I reside at 315 S. Hartwell Ave., in Waukesha. I write to you today to firmly oppose Assembly Bill 378, that would penalize, ostracize, and criminalize trans people across Wisconsin's higher education institutions for simply existing and wishing to play sports. It has been scientifically proven that there is no advantage that trans people have in athletic competitions, and any information influencing the course of this bill to the contrary is rooted in faulty studies and hateful pseudo science. In a similar fashion to Assembly Bill 377, which I understand to be having a hearing simultaneously to this one, AB 378 targets a vulnerable population further and promotes myths of physical superiority, all the while ignoring what is really needed for trans people at colleges and universities around the state; policies that uplift and support. Instead of seeking to eliminate players from the game, I suggest the committee consider ways in which to provide more robust resources for mental and physical health. Trans people deserve to pursue athletic activities, not be excluded from them. Vote no on AB 378!

Thanks,

Erik Franze

My name is Rev. John Francis Maher, III. I am the Associate Rector for Grace Episcopal Church in Madison, 53704. I am pastor and priest for transgender individuals. I am called to protect the dignity and identity of all persons, including members of the transgender community. Transgender people are often the most vulnerable members of our society, and therefore need the deepest and broadest care.

Please oppose Assembly Bills AB 378/ AB 377/ AB 465. Thank you for your time and attention in this matter.

Hello,

I would like to state my formal opposition to the following bills:

Assembly Bill 378 (College trans athlete ban)

Assembly Bill 377 (K-12 trans athlete ban)

Assembly Bill 465 (Trans youth healthcare ban)

These bills are not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life saving effects of trans health care, and issues of fairness in school athletics cannot be resolved with an overly broad, one size fits all blanket ban. If these bills become laws, all they will do is isolate and vilify a vulnerable community.

I beg you, please voice your strong opposition to these bills. I love Wisconsin, and I don't want it to become a place where children are scared to be themselves.

Sincerely,  
Jessamyn Pratt

To the members of the Committee on Colleges and Universities,

I am writing as a teacher and mom to voice my opposition to AB 378. All athletes, including transgender and nonbinary athletes, should be allowed to compete on sports teams which best align with their gender.

The NCAA already has a policy in place regulating the participation of trans student-athletes that "preserves opportunity for transgender student-athletes while balancing fairness, inclusion and safety for all who compete" (<https://www.ncaa.org/sports/2022/1/27/transgender-participation-policy.aspx>); Wisconsin lawmakers have no reason to interfere with the existing practices, much less in a way that would result in the exclusion and discrimination of its citizens.

During their time on the team, college athletes develop lifelong skills - physical well-being, self-confidence, lasting friendships, challenging limits, healthy competition, work ethic - while also accessing a college education. All athletes who rise to the level of college competition, including trans and non-binary athletes, deserve to access these lifelong benefits.

Please, do not legislate the exclusion of any Wisconsinite: Vote no on AB 378. Discrimination and exclusion have absolutely no place in our universities, on our courts, or on our fields. Trans athletes, like athletes of all genders, deserve access to play college sports. Trans men are men. Trans women are women. Let them play.

Sincerely,  
Kristen Scott  
Madison, WI 53711

Dear Representative Murphy and Nedweski and the Wisconsin Committee on Colleges and Universities,

I am writing to express my strong opposition to Assembly Bill 378, the proposed categorization of transgender athletes participating in collegiate sports based on their sex assigned at birth. As a state employee who values equality and inclusion, I firmly believe that such measures, which seek to classify individuals solely based on their assigned sex at birth, undermine the principles of fairness, equality, and the rights of transgender individuals. Moreover, enforcing assigned sexual categorization perpetuates harmful stereotypes and stigmas for all Wisconsinites. It fosters an environment of exclusion and discrimination, sending a message that some gender identities are not valid. This not only impacts the mental and emotional well-being of transgender athletes but also contributes to broader societal misunderstandings about gender diversity.

I implore you to oppose any legislation or policy that seeks to enforce the forced sexual categorization or banning of transgender athletes. Let us work towards fostering a sporting environment that is truly inclusive, respectful of diversity, and upholds the principles of fairness and equality.

Thank you for your time and attention.

Sincerely,

Emily Latham  
Madison, WI 53705



October 4, 2023

9:00am - AB 378 - Committee on Colleges and Universities- Room 412 E. **(Trans Athlete Ban)**

10:00am - AB 377 - Committee on Education - Room 417 N. GAR **(Trans Athlete Ban)**

Re: In opposition of AB 378/377

Dear Committee Members,

My name is Reiko Ramos and I am a resident of Appleton, WI. I have over a decade of experience working with the LGBTQ community, most of which time has been dedicated to supporting queer and Trans youth. I currently serve as Statewide Director of LGBTQ Anti-Violence Programs at Diverse & Resilient. I am providing this written testimony in opposition to AB377/388 because of the harmful impact it will have on Trans youth.

In a nationwide survey of LGBTQ+ teens and young adults in late 2022, the Trevor Project found that 86% of transgender and nonbinary youth said anti-trans bills negatively impacted their mental health.

Our organization serves hundreds of LGBTQ+ people across the state of Wisconsin each year. When local elected officials at any level say harmful things about the Trans community or introduce legislation that will impact their rights, we see an increase in Trans people and their loved ones reaching out to us for support. We know through experience that the data is accurate: legislation like this has a serious negative impact on the mental health and wellbeing of Trans people in our state.

Transgender youth should get to play sports and have access to the same benefits of participation afforded to all youth, such as being part of a team where they feel like they belong, building relationships & camaraderie, and physical activity. These are all things that are linked to improved health and mental health outcomes regardless of age or gender identity, but are particularly relevant, as national data also tells us that acceptance and belonging are powerful protective factors for LGBTQ+ youth.

Please support the wellbeing of young Trans people across Wisconsin; do NOT move forward with AB377/378.

Respectfully,



Reiko Ramos  
400 N Richmond St, Suite F  
Appleton, WI 54911

Dear Committee on Colleges and Universities,

My name is John Siewert and I live at 1264 Deming Way in Madison, WI. I am opposed to bill AB 378. By the time one gets to college, if they choose to play on a sports team, they are already a fairly elite athlete. They should be allowed to participate in their chosen sport without being discriminated against simply because they are trans. We should celebrate diversity on sports teams, and allow young adults to compete.

Thank you,

John Siewert

Dear members of the Committee on Colleges and Universities,

My name is Staci Marrese-Wheeler, and I am a resident of McFarland. I've lived in Wisconsin for 51 years and have served as an ordained, Christian minister for 30 years.

I am writing to urge you to vote NO on Assembly Bill #AB 378. As a Wisconsinite, I am opposed to this bill because it is discriminatory, dangerous and unwise policy.

Most colleges and universities are currently acknowledging gender identity in healthy ways in all aspects of institutional life. This bill is completely out of touch with how college and university student communities are adapting and functioning to be more inclusive. Collegiate sports organizations will deal with the issues around inclusion for institutional teams that are competitive. A bill like this is counterproductive and will only serve to exclude people from healthy activities that help with wellness and building community on campuses. A bill like this will make some of the most vulnerable students more vulnerable and at a pivotal time of growth in their lives.

If passed, this bill will cost lives. At a time when LGBTQ+ youth are already struggling with harassment and discrimination, we should be making it clear that they are safe and welcome in Wisconsin.

Sincerely,

Staci Marrese-Wheeler,  
McFarland, WI 53558

Dear Committee on Colleges and Universities,

I am writing to express my immense opposition to AB378. Trans athletes do not have an unfair advantage against cis athletes of their same gender, and they deserve to be able to play the sports they want.

Thank you,

Samantha Bister  
Verona, WI 53593

Greetings Wisconsin State Assembly,

My name is Karen Polnitz and I am the proud mother of a gender expansive child. I do not know who they will become as they grow, but I do know that it is all of our duty to build a world that is loving towards and inclusive of the diverse identities of all of our children.

We know that trans and nonbinary youth experience increased levels of mental health challenges, especially when they are not supported. However, when their communities come together to show them that they are wholly loved, exactly as they are, for all of who they are, we know they can thrive.

What you decide here today sends a message to our children about belonging. Will you tell our children that they have a place here, that they belong in the sports and activities they love? Will you affirm their right to health care that meets all of their needs with scientific research, upholds bodily autonomy, and offers them life-saving medical care?

Or will you let fear and misinformation allow you to cast a vote of exclusion? Will you let bias send a message that they are not welcome as they are? Will your actions be the reason a child thinks this life is no longer worth living?

I hope you will vote on the side of love. On the side that will give our children the freedom and the care they need to thrive. May your decisions build a foundation of trust so that these same children can look up to you with respect for the ways you built belonging for them at this hour.

Please oppose Assembly Bills 377, 378, and 465.

In Community,

Karen Polnitz  
Madison, WI  
53704

Daniel Atwater  
523 Grand Oak Trl #208  
Madison, WI 53714

Committee Members,

I am OPPOSED to AB 378, which would create and amend statutes designating University of Wisconsin and technical college sports and athletic teams based on the sex of the participants. The proposed bill is unfair to trans athletes and discriminates against them on the basis of their gender. It is based on fear and furthers misunderstanding of trans athletes.

Respectfully submitted,  
Daniel Atwater

October 3, 2023

Melissa Tempel  
2638 N Fratney Street  
Milwaukee, WI 53212

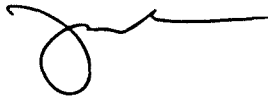
Assembly District 16

Representative Kalan Haywood

I am resident of Assembly District 16 and your constituent. I am a teacher and I have 2 daughters. I want trans and nonbinary youth and their families to know that I stand with them. I love them. And I will always, always fight for them. I expect you to do the right thing and vote in opposition of AB 377, AB 378, and AB 465.

Thank you.

Melissa Tempel

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line extending to the right.

To the Committee on Colleges and Universities

This bill aims to strip trans athletes of their identity and dignity by banning them from participating in athletic teams. The marginalization of trans student athletes is rooted in the same kind of gender discrimination and stereotyping that has held back cisgender women athletes for decades. This bill's attempt to use transgender status as a criteria for participation in sports is discriminatory against all athletes. This bill must not be passed.

Sincerely,

**Patrick Dooley, HTL(ASCP)CM QBRSCM**  
21 Park Crest Court, Madison, WI 53711



My name is Kaitlyn Luther at 442 Selden St Columbus, WI 53925 and I oppose the bill AB378 the Trans Athlete Ban. I feel that the government should not have any say on the matter of Trans Rights, let alone when it involves the exclusion of a whole demographic. The argument trying to be made has nothing to do with the supposed sports they are protecting and instead trying to minimize a suffering minority.

This would also hinder any hope for a unified community.

Be the change,

-Kaitlyn

It is infuriating to see Wisconsin legislators spend time on such bigoted and harmful bills, attacking people who exist outside a socially-constructed gender-binary. There is a crisis in our state around caring for our kids - underinvestment in the childcare sector, in education, in healthcare, in mental health. I cannot fathom the point in wasting time on legislation that deliberately harms some of our most vulnerable kids. This legislation aims to make them unsafe and feel unwelcome; it does active harm. It shows that Wisconsin is not safe for people like my brother, who was born and raised here but did not stay, in part because of legislation like this that intends to make it unsafe for him to exist here.

Spend your time on actual problems - like funding child care and paying educators what they are worth.

Erica J  
Madison

To the Committee on Colleges and Universities,

This bill aims to strip trans athletes of their identity and dignity by banning them from participating in athletic teams. The marginalization of trans student athletes is rooted in the same kind of gender discrimination and stereotyping that has held back cisgender women athletes for decades. This bill's attempt to use transgender status as a criteria for participation in sports is discriminatory against all athletes. This bill must not be passed.

Sincerely,

Melanie Fritz, MD  
Madison, WI 53711

Plymouth Congregational  
United Church of Christ  
2401 Atwood Avenue Madison, WI 53704

---

Rev. Leslie Schenk, Pastor  
Phone (608) 249-1537  
lschenk@pcucc.org

October 3, 2023

To: The Committee on Colleges and Universities, Wisconsin State Assembly

As a person of faith I oppose bills AB378 and AB377 (defining participation in college and elementary/secondary school sports based on gender assigned at birth), for I believe that Jesus calls us to love one another (Mark 12:28-34, Matthew 22:36-40, Luke 10:25-28), and to love someone means to affirm them and support them along their life's journey. Jesus did not command us to love some people, but rather to love and help one another, especially those oppressed or persecuted, which is the transgender community when such laws are proposed.

I note that rules of appearance in the Bible, such as in Deuteronomy 22:5, are often used by some as scriptural support for antitransgender rules, but I also note that these are the types of rules that Jesus criticized as being too focused on outward conformity rather than inward integrity grounded in the acceptance of God's love.

When we ban transgender and non-binary children and young adults from participating in school sports, we deny them the opportunities afforded to other students to learn leadership skills, teamwork, discipline, and cooperation toward a common goal, all skills that are important for community and good citizenship. When we ban transgender and non-binary children and young adults from participating in school sports, we create divisions among students, and we relegate some students to second-class status, thereby leading to further discrimination, and feelings of unworthiness of being treated with the same dignity and respect as their fellow students.

Using legislation to normalize stigmas put on LGBTQ+ youth leads to greater rates of depression and suicide. According to the Trevor Project's 2020 National Youth Survey on LGBTQ mental health, 40 percent of LGBTQ youth seriously considered attempting suicide in the previous 12 months, with more than half of transgender and nonbinary youth having considered it. These youth are under attack for their very nature, and it is leading to more and more suicides. Such government-imposed discrimination is immoral. Resulting persecution and ostracizing leads to harm and even death, and is therefore immoral.

In my faith tradition we see the differences among us as cherished gifts from a Creator whose whole creation is beautifully and wondrously diverse; we do not see differences as threatening or to be feared.

As a woman who was in high school when Title IX went into effect helping to usher in more equality of access to school sports for girls, I have questions about the impact of transgender individuals competing in women's sports, but this issue is one that should be discussed, studied, and an equitable resolution worked out in community, not legislated by the government.

God's grace is for all, and God intends wellness for all, and that includes social and emotional wellness, which can come in part from participating in school sports. Reject AB377 and AB378, for the sake of our youth and their families, and for the sake of our community.

Peace and blessings,

Rev. Leslie Schenk  
2401 Atwood Avenue  
Madison, WI 53704

Dear Committee on Bill#AB378,

Please do not support this bill. LGBTQ rights are human rights. We are humans. We would appreciate being treated as such.

Sarah Shatz  
1814 Sheridan Dr.  
Madison, WI 53704

Dear members of the Assembly Committee on Colleges and Universities;

My name is AJ Hardie, and I am a resident of Madison, WI. I've lived in Wisconsin for 11 years, after moving here to attend the University of Wisconsin-Madison. I'm a proud graduate, and a proud transgender person.

I am writing to urge you to vote NO on Assembly Bill 378. As a Wisconsinite, I am opposed to this bill because transgender people deserve the same rights and the same respect as everyone else in Wisconsin, and we deserve the chance to participate in athletics at the collegiate level. Legislation such as AB378 serves no practical purpose in our state, and is a dramatic example of government overreach into the personal lives of everyday citizens.

If passed, this bill will cost lives. At a time when transgender people are already struggling with harassment and discrimination, our government should be making it clear that we are safe and welcome in Wisconsin.

I don't believe politicians should interfere in the personal lives of Wisconsinites. Transgender people, just like our cisgender (non-transgender) peers, deserve privacy, respect, and equal rights.

Sincerely,

AJ Hardie  
Madison, WI

Dear members of the Assembly Committee on Colleges and Universities (AB #378).

My name is Rev. Scott Marrese-Wheeler, and I am a resident of McFarland. I've lived in Wisconsin for 29 years. I am also a Presbyterian minister, serving with the people of Oakland Cambridge Presbyterian Church in Cambridge for the past 10 years. In addition, I have been an educator at the McFarland Middle and High School for the past 13 years. My spouse is a Moravian minister in Madison, serving at Common Grace Church on the east side. We have a son who is a senior at UW-Madison. He is in a relationship with a beautiful person. They are non-binary. We love them!

As a pastor, an educator, a parent of an athlete who was on different athletic teams in both in high school and college, I am writing to urge you to vote NO on Assembly Bill #378.

As a Wisconsinite, a parent and a Christian pastor, I am opposed to this bill for the harm it does to God's own sacred image who our transgender children are created in just as each of us have been. In Genesis 1:26, the writer reminds us that God is non-binary when they write "And God said let "Us" make humankind in Our own image..." In terms we use today, God is gender fluid. Over the centuries, a Patriarchal society assigned God a sex as male. Those who have prayerful and faithfully studied the sacred texts of Scripture know that this assignment of a "gender" to God has lead to oppression, abuse and violence against those who would challenge this misinformed biblical view of Scripture. The passage of Assembly Bill would continue this oppressive and abusive view of God's own sacred image. As pastor and an educator, I have had the honor of experiencing the sacred image



of God in and through the students at Indian Mound Middle School and McFarland High School, as well as through the larger Church community.

As a congregation, we invited the Dr. Jennifer Winters and her spouse, Mike Winters along with their two daughters, Kate and Patricia, to church to learn about Transgender Children and faith. One of their daughter is a transgender child. Dr. Winters and Mike Winters love their daughters. Dr. Winters through her medical practice cares for transgender children and youth and their parents. Your bill would seek to abuse both their own child, and those she provides medical care for, while criminalizing her compassion care for those she serves as a physician.

As an educator, I have come to know a number of our students who are non-binary and transgender. I served as an ally and as a co-advisor of the Gay-Straight Alliance. Some of our students were involved in athletics. AB #378 would discriminate against these young people, barring them from even participating in recreational intramural or club sports. Assembly Bill #378 is a mean-spirited, cruel, and abusive bill towards God's own sacred image in our children. It is not pro-life or pro-family. As Jesus said in Matthew 25, when you do it to the most vulnerable in our society, you did it to me." It only contributes the destruction of life and the health and well-being of our youth and young adults.

If passed, this bill will continue to cost lives. At a time when LGBTQ+ youth are already struggling with harassment and discrimination, we should be making it clear that they are sacred human beings, reflecting God's own image. They should be made to be feel safe and welcome in Wisconsin and on sports teams.

As a faith leader, an educator and parent, I don't believe politicians should interfere with personal, private medical

decisions that should only be made between patients, their doctors, and their families.

Again, in the name of God, and for the health of our children, I asked that you to vote NO on Assembly Bill #378. Let our youth play sports!

Sincerely,

Rev. Scott Marrese-Wheeler  
Pastor of Oakland Cambridge Presbyterian Church  
6401 Hidden Farm Road  
McFarland, Wisconsin 53558



October 4, 2023

Dear Honored Members of the Wisconsin State Legislature:

PFLAG is a nonprofit which originated in 1972. A mom decided to march next to her kiddo with a sign that said, "I love my gay son." Since that time PFLAG has become a national organization. Its mission is to create a caring, just, and affirming world for LGBTQIA people and those who love them. We established PFLAG Cambridge in October of 2019 to further promote this mission at a local level through eastern Dane and western Jefferson counties. We write to you today as constituents and as PFLAG members.

The world does not treat our LGBTQIA loved ones fairly. The bills known as AB 378 (the college athlete ban), AB 377 (the K-12 athlete ban), and AB 465 (the medical care ban) are stark examples of how transgender people, who already face so many hardships, are treated unfairly based on their transgender identity. Allowing for this unfair discrimination creates further hardships for our loved ones. And for that reason we ask that you vote against these bills.

Discriminatory actions cause additional hardship for the people targeted. The harm this discrimination causes is quantifiable and unacceptable. GLSEN, the Gay, Lesbian, & Straight Education Network, is an organization founded in 1990 which has been gathering data on the safety of LGBTQIA youth in school and their safety for over 20 years. According to their 2021 biannual survey (<https://www.glsen.org/sites/default/files/2022-10/NSCS-2021-Full-Report.pdf>) 68.0% of LGBTQ+ students felt unsafe at school because of their sexual orientation, gender identity and/or gender expression characteristics—50.6% because of their sexual orientation, 43.2% because of their gender expression, and 40.3% because of their gender. According to the National Alliance on Mental Illness (NAMI) Transgender individuals are nearly four times as likely to experience a mental health condition. NAMI further states that forty percent of transgender adults have attempted suicide. (<https://www.nami.org/Your-Journey/Identity-and-Cultural-Dimensions/LGBTQ>).

Discriminatory actions have real world results. These bills communicate to every transgender person in Wisconsin that the people elected to protect us see them as less than whole, and not worth the same protection and respect as their peers. We strongly urge you to vote against the bills known as AB 378 (the college athlete ban), AB 377 (the K-12 athlete ban), and AB 465 (the medical care ban).

Sincerely,  
PFLAG Cambridge

Assembly Bill 465  
Haven Slater  
Kenosha, 53142

My name is Haven Slater. I am a resident in Kenosha, Wisconsin and I am writing to the entire committee to address recent anti-trans legislation attempting to be passed and the effects it will have upon trans youth. Assembly Bill 465 is a violation of bodily autonomy, self-agency and freedom and is a restriction on basic human rights. As a transgender man, I know personally the life saving effect that being able to medically transition and align with my gender identity has had upon my mental health, self-esteem and general well-being. Assembly Bill 465 and others such as Assembly Bill 377 and Assembly Bill 378 discriminate against trans youth and help to perpetuate harmful stigmas that isolate trans youth from their peers. Transgender youth will be trans regardless of whether they are allowed to begin the process of medically transitioning and preventing them from accessing gender affirming care increases the dangers that trans youth face instead of protecting them. Trans youth should not have to be worrying about legislation that will strip them of basic human rights and autonomy on top of other issues and anxieties that most youth face. These anti-trans legislation take away these youths' ability to live their authentic lives and experience the joy and liberation that all human beings deserve and should experience. I am asking that legislators not allow this bill to be passed in order to ensure that trans youth's well-being and mental health are protected in the state of Wisconsin. Thank you for your time and consideration.



Testimony Submissions &lt;testimony@fairwisconsin.com&gt;

---

**Testimony in opposition to AB 377, AB 378, and AB 465**

1 message

---

**Amy Washbush** <amy.hilgendorf@gmail.com>  
To: testimony@fairwisconsin.com

Wed, Oct 4, 2023 at 7:59 AM

Dear Assembly Committee,

I am writing to ask to firmly and vocally oppose AB 377, AB 378, and AB 465.

As the parent to a nonbinary child, it is heartbreaking to see these bills come forward. My child deserves to thrive as much as any other child. These bills make them feel as if they don't belong, as if they can't pursue the sports and activities that other children can, and that they can't trust our medical providers to care for them. There is nothing wrong with my child. They are who they are and they deserve the same as every other child, boy, girl, or however they identify.

As a lifelong female athlete, I can say with confidence that this call to ban trans girls and women from sports is ridiculous and only intended to do harm. I have been fortunate to count as teammates and opponents trans women, and I stand in strong support of their right to access the sports we all find empowering and enriching.

I and other Wisconsinites like me demand politicians stop playing political games with the lives of trans youth. They deserve to live their lives freely. The trans community demands to be treated fairly like anybody else.

We must stand up for the privacy, freedom, and bodily autonomy of LGBTQ+ Wisconsinites and keep politicians OUT of our healthcare. We support the freedom to access healthcare and oppose the Trans Medical Care Ban, which would deny life-saving care to trans youth.

Sincerely,

Amy Washbush  
107 Sutherland Court #226  
Madison, WI 53704

Members of the Committee,

My name is Bryan Veldboom. I live in Waukesha, WI 53188 and I'm writing today in the hopes of discouraging you from moving forward with the bills banning trans youth healthcare and prohibiting trans individuals from taking part in organized sports.

These bills strike at the very heart of our individual freedoms and have no place in a free country. Studies have overwhelmingly shown that trans individuals that are unable to receive gender-affirming care have overwhelmingly high suicide rates. Given those facts, I would ask the legislators and those assembled here to consider a few questions.

Do you really want to live in a society in which the state decides what kind of healthcare we are allowed to give our children?

Are you willing to drive people to kill themselves simply because their identity makes a few bigoted people uncomfortable?

Finally, do you want to take away the freedoms of one group of people, knowing that same standard may someday be used target your own rights or those of someone you care about?



Testimony Submissions <testimony@fairwisconsin.com>

---

**AB 378**

1 message

---

**Angela Shetler** <angela.shetler@gmail.com>

Wed, Oct 4, 2023 at 8:05 AM

To: "testimony@fairwisconsin.com" <testimony@fairwisconsin.com>

To the Committee on Colleges and Universities,

I am writing to express my **opposition** to bill AB 378. This bill would harm trans and non-binary youth and infringe on rights to privacy, bodily autonomy, and the freedom to access healthcare.

Angela Shetler  
122 State St  
Oregon, WI 53575

10/4/23

Dear Assembly Committee on Colleges and Universities,

I'm writing asking you to protect the health and wellbeing of trans kids and vote no on bill 378. Please allow them to play on the sports teams that they identify with and protect their access to lifesaving medical care. Banning health care and criminalizing doctors is inhumane and barbaric. Banning children from athletics is cruel. These bills are extremely harmful to our LGBTQ+ communities. They are a blatant attempt to codify discrimination and perpetuate damaging, inaccurate, and deeply offensive stereotypes against the trans community. People deserve to freely be who they are without shame, exclusion, or taking away their bodily autonomy. There are all kinds of studies that clearly show the harmful and deadly impacts these types of laws have on people, especially children. We should be nurturing, loving, and affirming trans kids, their lives depend on that. These bills are the opposite of that and will do nothing but threaten the lives and well being of children and families.

Please vote no on the bills to ban access to athletics, medical care, and criminalizing doctors.

Thank you for your service,

Lorrie Hurckes  
501 W South St  
Stoughton, Wi



From: **Sandra Johnson** <smjohnso@charter.net>

Date: Wed, Oct 4, 2023 at 8:23 AM

Subject: AB 378

To: <testimony@fairwisconsin.com>

Dear Committee members,

I am a concerned citizen who wants you and your elected colleagues to reject AB 378. This bill as written would ban transgender and non-binary students at UW schools and technical colleges from playing on the sports teams that align with their gender identity. The Committee on Colleges and Universities should vote against this bill.

Research by the Gay, Lesbian and Straight Education Network indicates that legislation like this encourages an environment hostile to LGBTQ kids, a group already targeted by bullies and harassment.

Legislation made at the expense of these students, that targets even a small group while knowing the result will be harmful, is wrong.

Thank you,  
Sandra Johnson  
Fitchburg WI

Related to Assembly Bills 378, 377, and 465

I am a 69 year old cis gender woman. I have read all three of these bills and see no benefit to the community at large (ie the state of Wisconsin) and only harm and malice to the children and medical professionals that are described in these bills. While they demonstrate no harm to any of us, these bills and the misinformation behind them would greatly harm them. Let the children be children, let them and their parents and medical professionals decide what is best for them. In addition, I see no harm in letting children play a sport of their chosen gender. Sports are supposed to be fun. No transgender child who chooses to play a sport will keep another child from being the next sport super star. Really.

“Whoever welcomes one of these children in my name welcomes me; and whoever welcomes me isn’t actually welcoming me but rather the one who sent me”

Jeanne Rickert  
Madison Wis

My name is Kora,

I'm one of the handful of organizers for Oshkosh Pride 2023 and for 2024. AB 377 and 378 are discriminatory bills that are damaging and harmful and full of hate toward trans youth, targeting Trans women, and young adults that simply want to live their authentic selves and enjoy the sports they play.

Restricting Trans individuals from being their authentic selves and living their truth will only further damage and bring harm to their lives, including risk ending them. Trans individuals are far less likely to commit suicide when they are able to live in an environment that affirms who they are and supports them.

AB 465 is a gross invasion of privacy between a Trans youth and their doctor as well as a discriminatory restriction of access to healthcare. Healthcare is a human right. Trans affirming healthcare is healthcare. I, myself, am living proof that Trans affirming healthcare saves lives. I am happier and healthier thanks to the Trans affirming care I receive in Wisconsin.

DO NOT follow blindly the trend that your party is setting in other states. Stop being cowards, and fight for the lives that you represent in this state. Supporters of this bill will end up on the wrong side of history as Trans youth deserve to live their lives freely as their true selves, supported and unrestricted.

Be on the side of actual freedom and love and support, so that Trans youth may thrive in this state and bring about progress around us.

I hope these words reach you and that your hearts and minds open up to supporting progress.

Thank you,  
Ms Kora Novy

From: **Libby Gerds** <libbygerds@gmail.com>  
Date: Wed, Oct 4, 2023 at 8:30 AM  
Subject: Opposition to AB 387  
To: <testimony@fairwisconsin.com>

Dear Assembly Committee,

I'm writing as a constituent to express my strong opposition to AB 387. This bill is discriminatory, unfair, and dangerous to some of the most vulnerable populations in Wisconsin. I urge you to defeat this effort, and stand with all athletes on the side of fairness and respect.

Bills like this create an unsafe atmosphere for children and families in Wisconsin, and I ask you to please oppose them forcefully.

Thank you,

Libby Gerds

[libbygerds@gmail.com](mailto:libbygerds@gmail.com)  
651-303-3656  
Madison, WI

Dear Legislator,

I would like to state my formal opposition to the following bills:

Assembly Bill 378 (College trans athlete ban)  
Assembly Bill 377 (K-12 trans athlete ban)  
Assembly Bill 465 (Trans youth healthcare ban)

These bills are not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life-saving effects of trans healthcare, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All these bills will do is isolate and vilify a vulnerable community.

As an enjoyer of college sports and a UW-Madison alumni, this legislation does nothing to 'preserve the integrity of the game' or 'protect the fans and athletes', it only perpetuates the same harms that our already vulnerable neighbors face on a daily basis.

I beg you, please voice your strong opposition to these bills and help protect our trans neighbors and friends.

Sincerely,

**Matt Koz**

| 715-571-1577

From: **Melissa Kellor** <mkellor@tds.net>  
Date: Wed, Oct 4, 2023 at 8:56 AM  
Subject: Don't ban trans athletes  
To: <testimony@fairwisconsin.com>

If the state legislature is so concerned about fairness it should vote for a non-partisan district mapping committee instead of worrying about a non-issue like trans athletes. Stop trying to ban people from doing things and let people do the activities they've trained to do. Science shows trans athletes do not have any special advantages so let them be!

Missy Kellor  
Verona, Wisconsin

Sent from my iPhone

From: **Sami Zimmerman** <samizimmerman04@gmail.com>  
Date: Wed, Oct 4, 2023 at 8:49 AM  
Subject: Testimony against anti-trans bills  
To: <testimony@fairwisconsin.com>

Hi, my name is Sami Zimmerman and I live in Blue Mounds, Dane County 53517. I am in strong opposition to bills AB-377 AB-378 and AB-465. To put it succinctly, when I was a kid, I remember praying that I wouldn't be gay or trans because it would be too difficult. This is a huge failure, or a careful design of our system. Now I pray for the blessing being trans is. I want our queer and trans youth to feel so much ease in their "interpretations of happiness" (thank you Lou Sullivan). I want them to play sports and feel good in their bodies and to get access to care. No youth should have to pray to not be themselves, just for the burdens our legislature bears on them. Trans is beautiful, so so beautiful and we all benefit from empowering and protecting trans lives.

Sent from my iPhone

As a physician, I rely on high quality evidence and scientific rigor to help me understand how to best support my patients' health. One bill proposed in the Wisconsin Senate will actively restrict my patients' ability to receive gender affirming care (**Assembly Bill 465**), in direct opposition to guidelines from the American Academy of Pediatrics and the American Psychiatric Association. Without the ability to receive appropriate gender affirming medical care, more patients will experience severe dysphoria, and be at risk of loss of life. In addition, **Assembly Bills 377 and 378** will ostracize an already marginalized community of young people, leading to worse mental health and safety.

Please oppose:

1. **Assembly Bill 378** College Athlete Ban
2. **Assembly Bill 377** K-12 Athlete Ban
3. **Assembly Bill 465** Medical Care Ban

Re: Assembly Bill 465: Criminalizing physicians for providing best medical care is reprehensible. To pass this bill would actively harm the ability of people in your district to obtain appropriate medical care and integration into their communities, putting lives and health at risk.

Re: Assembly Bills 377 and 378: These bills would effectively "other" children and young adults who already struggle to find safe spaces in their communities. I cannot overemphasize the harm this will create for the mental health of this population, who already struggles with higher rates of depression, anxiety, and suicide than cisgender youth.

It has been exhausting over many years to see so many legislators in Wisconsin disregard all evidence-based medicine and expert opinion regarding multiple health related topics to pass bills that hinder my ability to care for my patients. My patients and I are relying on you to stand up for best practice medical care. It will save children's lives.

Dr. Siobhan Wilson, MD, PhD  
Middleton, WI 53562



From: **Lisa Klimczak** <l klimczak1001@gmail.com>  
Date: Wed, Oct 4, 2023 at 9:01 AM  
Subject: Opposition to Assembly Bill 378  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

To: Assembly Committee on Colleges and Universities

I am writing to voice my opposition to Assembly Bill 378. As the parent of a transgender, non-binary person, I can attest that the introduction of this bill is harmful to trans youth. We need to be lifting up our children and celebrating diversity. It takes a huge amount of courage for them to live authentically and to transition from the gender assigned at birth. The government has no place in making decisions about how they can live their lives, and whether or not they deserve to participate in sports.

I am a lifelong resident of Wisconsin and am disgusted to see the introduction of bills that threaten transgender youth's existence and identity.

Sincerely,

Lisa Klimczak  
[l klimczak1001@gmail.com](mailto:l klimczak1001@gmail.com)  
Shorewood, WI 53211

To the Members of the AB 378 and AB 377 Committees:

- This is one of the most extreme political attacks on transgender people in recent memory. Not only does it display a fundamental lack of understanding of transgender children it appears to criminalize best-practice medical care for transgender children which is backed by the American Academy of Pediatrics, the American Medical Association, and other leading medical authorities.
- Medical decisions are best left to the patients, their families, and their healthcare providers in accordance with medical best practices. Politicians shouldn't interfere in these decisions.
- Best practice medical care for transgender youth simply delays puberty until young people are old enough to make their own decisions about their lived gender. This bill aims to take away their choices and tries to prevent them from having the chance to live as the gender they know they are inside.
- Being a kid is hard enough. We don't need politicians making it even harder for kids who are transgender, denying them best-practice medical care, and singling them out for increased bullying and harassment.
- Research shows that transgender youth whose families support their gender identity have a 52% decrease in suicidal thoughts, a 48% decrease in suicide attempts, and a significant increase in self-esteem and general health.
- According to the Trevor Project's 2020 National Youth Survey on LGBTQ+ mental health, 40% of LGBTQ youth seriously considered attempting suicide in the past 12 months, with more than half of trans and nonbinary youth having considered it. This is a crisis that will only be exacerbated by efforts to take away healthcare options for young people.
- Putting these restrictions in state statute would have a chilling effect and prevent our state from recruiting and retaining medical professionals, who would most certainly hesitate to live and work in such a hostile environment.

Erin Fischer  
DeForest, WI 53532

From: **Peter Tarson** <PTarson@davidsononline.org>  
Date: Wed, Oct 4, 2023 at 9:02 AM  
Subject: Testimony against bills AB465, AB377, and AB378  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

Dear Assemblypeople,

I am Peter Tarson, a high school student and close friend to many families directly impacted by the bills AB465, AB377, and AB378, restricting gender transition care and requiring trans children to participate on the sports teams of their birth sex. I would like to beg Wisconsin to refrain from passing these lest it deny people so dear to me their humanity, belonging, and safety in public.

I understand that you wish to protect people by restricting transgender healthcare. But you are not protecting people, only an image of them, an image that causes them to squirm in falsehood. It frightens you to understand a child's nausea at a chest that is false for your internal God-woven beauty, to feel the needle bristle violation of facial hair, to feel a skirt that throws you behind waves of overwhelm. The feeling you feel when you imagine if you had transitioned is the feeling they feel every day they do not have trans healthcare.

I understand that the sports bills are meant to protect "*innocence of other sexes*," but this very construct pathologizes human bodies and promotes shame and division. Men fearing women does not protect women, not even cis women. It creates the suspicion and dehumanization that promote rape culture and make healthy relationships impossible. Women being segregated from people with male anatomy, not humanizing them by being on the same sports team, makes it impossible for women to expect to share space with those bodies. Learning to coexist across different bodies can later help young women be comfortable reigning cisgender men in from developing rapist attitudes through shared experience and common humanity. The principle of segregating socialization is what leads to the guys-only mentality of rape culture. No wall will ever protect us, only love and sharing. Even cisgender children must learn, nonsexually, to coexist with and celebrate other bodies, and being on sports teams where they affirm the gender of trans people around them builds that.

Banning transgender children from competing on sports teams they identify with is banning them from sports, with the implicit threat of the physical and psychological pain they would experience on a team where they are ever reminded of something excruciating to them, ill at the sight and comparison of the locker rooms. This is not a restriction, it is a barrier to a form of traditional community that bolsters mental health and connects us to one another.

Allowing children to reforge their bodies and team affiliations is allowing them to have voices, which can be frightening because we worry for them. But denying it will create endless pain. I am not transgender but I am a child myself and have suffered immensely when medical decisions were made against my will. I wept and squirmed as I was forced to ingest morphine for a broken arm, and later, when I was forced to tolerate a compulsive spiral without medication to forge my brain to my needs. This inspired me to study biology for several years intensely and have meaningful, beautiful conversations about it. This became my humanity, vulnerable and generative. To force a transgender person onto a sports team where they will feel false and ill in the locker rooms, or force them to pilot a painful body, is to deny them this very humanity. Do you choose to believe this, and to believe your own similar memories? Or do you choose to hide in the darkness of the room you were sent to to cry without love as punishment?

Whatever you choose, you are worthy. You deserve to revel in the repressed expressions, gyrations, and expansions of humanity alongside all people with care and tenderness.

To admit that transgender people deserve medical care and affirmation in sports is to accept God's offering, enumerated repeatedly throughout the scriptures, that we may share in the act of creation. We become close to Him by embracing our mental capacity to build and discover His love in the world. How else was it when St. Peter founded the Church in Rome and Antioch or Abraham traveled across Mesopotamia? How can we forget this? Will we not build our bodies, words, and minds as His temple by celebrating how they connect us to others and our inner truths? To ban transgender medical care is to force our children into a Miltonian Pandaemonium, where their bodies pressed into a mold of volcanic mercury that standardizes and regiments.

I urge you to release into your fear and into the community of thousands of trans people who are calling for humanity, not to be cast into the shadows and forced to squirm powerlessly. I urge you to sniff and cherish the blossom of bodily and social expression made by the decomposed remnants of our genetics, the petal layers of our minds and hearts, and the aromatic scents of a gift, a sharing with the universe. Trans healthcare gives trans youth the ability to remain youth, not hyper-aware of their sexual bodies by their overwhelming pain. Trans sport access is a renewal of the traditions of community in sports and in school that rural America has cherished for its children for centuries. The urban elitism that has cost Wisconsin so many jobs is not about tolerance, it is about withholding care economically and socially through set standards and shame. Trans healthcare and trans-welcoming sports amplify this community and renew the Rust Belt. The Republic of Front Porches will not be dead when all can sit on the porch.

This is vulnerable because it requires accepting that whatever you carry as a leaden weight in your chest could flower through scientific discovery and loving community, not just about gender but all things. As courageous leaders I urge you to embrace that tension. I am right there with you and will hold you.

I will always see the mental and vulnerable intertwined in you, as politicians, legal scholars, and the soft animals we all are. I will always love you, however you vote and whatever you do. But please allow my friends to be seen, create, and discover.

Take care,  
Peter Tarson

From: **Jenny Bratburd** <bratburdj@gmail.com>  
Date: Wed, Oct 4, 2023 at 9:03 AM  
Subject: testimony for AB378  
To: <testimony@fairwisconsin.com>

Hello,

I'm writing to submit testimony in opposition to AB378 (College Athlete Ban). In my experience playing intramural sports in college, playing on a team was a chance to make friends, exercise, and have fun. The bill is part of a series of bills restricting the freedom of transgender people to participate in society. College sport associations have had policies in place for many years regarding transgender athletes to create a fair environment. Bills like these only inflame discrimination against transgender people, and offer no improvements to the college sport experience.

Thank you,  
Jenny Bratburd

Emile Gunovich  
4325 De Volis Pkwy  
Madison, WI 53711  
emile.gunovich@gmail.com  
7407066551  
October 3, 2023

Dear Representative Murphy and Nedweski and the Wisconsin  
Committee on Colleges and Universities,

I am writing to express my strong opposition to Assembly  
Bill 378, the proposed categorization of transgender  
athletes participating in collegiate sports based on their  
sex assigned at birth. As a public health epidemiologist  
who values equality and inclusion, I firmly believe that  
such measures, which seek to classify individuals solely  
based on their assigned sex at birth, undermine the  
principles of fairness, equality, and the rights of  
transgender individuals. Moreover, enforcing assigned  
sexual categorization perpetuates harmful stereotypes and  
stigmas for all Wisconsinites. It fosters an environment of  
exclusion and discrimination, sending a message that some  
gender identities are not valid. This not only impacts the  
mental and emotional well-being of transgender athletes but  
also contributes to broader societal misunderstandings  
about gender diversity.

I implore you to oppose any legislation or policy that  
seeks to enforce the forced sexual categorization or  
banning of transgender athletes. Let us work towards  
fostering a sporting environment that is truly inclusive,  
respectful of diversity, and upholds the principles of  
fairness and equality.

Thank you for your time and attention.

Sincerely,  
Emile Gunovich, MPH  
4325 De Volis Pkwy  
Madison, WI 53711

To WI State Legislators:

Your plan to ban Trans college athletes from competing in our state of Wisconsin (AB 378) is wrong-minded, cruel, and harmful to constituents.

Because you are making this state unsafe for vulnerable citizens, I will not speak directly nor specifically about the MANY Trans people I know. I can say that you are causing additional pain, suffering and fear for people already suffering: This is in direct opposition to caring for your state constituents.

This is not a decision for State government.

And especially not by a political party intent on misrepresenting facts about Trans citizens, their bodies and their capabilities. Trans men are men and should be competing as such. Trans women are women and should be competing as such.

Your plan to contain and remove Trans athletes from sports in Wisconsin is gross overreach and shows how the Republican Party in Wisconsin has embraced Hard Right political views that impinge on citizens' right to live freely and with liberty. You are acting in service to your own quest for power and not in the best interest of your constituents.

I do NOT support AB378.

Monica Walk  
165 15<sup>th</sup> St  
Fond du Lac, WI 54935

Dear Committee on Colleges and Universities,

My spouse, Jane, and I will celebrate 36 years together next week - we are proudly members of the whole LGBT community and as your constituents we urge you to 100% oppose AB 378.

This bill is offensive, immoral, and unacceptable and we oppose it 100%.

I urge you to stop playing political games with transgender young adults. Respect the private lives of all Wisconsinites. Stop attempting to restrict our bodily autonomy, our right to privacy, and our right to play sports.

I urge you to stand up for trans and non-binary young adults and to defend our right to play sports.

Thank you.

Jo Haberman  
W4490 State Road 35  
Maiden Rock  
54750



Dear Legislators,

I am reaching out to you as a local Wisconsin clergy, to urge you to be in opposition of **AB 465, AB 377, and AB 378. The anti-trans bills contribute to a culture of hate and prejudice, which puts these already very vulnerable youth at risk. My heart breaks knowing how much it hurts the youth in my community just knowing there are some individuals and groups proposing laws to make it harder for them to exist.**

**I urge you to contribute to a culture of safety and peace for children and youth everywhere by opposing AB 465, AB 377, and AB 378.**

**Blessings,**

**The Rev. Dr. Julia Burkey  
Senior Pastor of Orchard Ridge United Church of Christ, Madison, WI**

To the Committee on Colleges and Universities:

Please vote NO on AB 378, the College Athlete Ban. Do not pass this or any other legislation aimed at attacking the transgender community. This harmful legislation should never be even considered. Transgender and non-binary youth are people, just like you. They are just kids who want to be able to play sports with their friends and have access to all the same resources in the world that their cisgender peers do.

They just want to be included. I can only imagine how tough it must feel when a state legislature wants to force you to the sideline just because of who you are. AB 378 is nothing more than vile discrimination. This is a false issue that is being used as a distraction from the actual problems facing Wisconsinites. I implore you to stop all of these attacks on our kids and see them as the beautiful rays of sunshine that they are. The lives and lived experiences of these kids and their families are real lives that these hateful bills are upending. The government has no business interfering in kids' lives and privacy.

The following information from the Human Rights Campaign accurately details why denying access to sports for transgender youth is unnecessary and only harms everyone:

<https://www.hrc.org/resources/myths-and-facts-battling-disinformation-about-transgender-rights>

“Thousands of transgender and non-binary students have been playing sports for years without any unfair advantages or problems. Legislation designed to exclude transgender people, particularly women and girls, from participating in athletics has been rejected by educators, athletes, NCAA-trained facilitators, coaches, advocates for women and girls, and medical professionals. In fact, the Associated Press asked lawmakers who were seeking to pass these discriminatory bills to cite problem cases in their states and not a single lawmaker could identify a case.

That's why 'more than 500 college athletes signed a letter to the NCAA board of governors asking the organization to refuse to schedule championships in states that have banned transgender participation in sports.' But it's also clear that equity in sports benefits transgender and non-transgender athletes alike. Sixteen states have had fully transgender-inclusive policies on the books, some for over a decade. In those states, girls sports has seen an **increase** in participation by cisgender girls (girls who aren't transgender). In other words, things have **gotten better for girls' sports**. Meanwhile, states with anti-transgender policies have seen things get **worse** for girls sports.”

Furthermore, According to new polling, released this month by The 19th and SurveyMonkey, 7 in 10 Americans think that politicians are not informed enough about transgender people to create fair policies. Americans would prefer that politicians either protect transgender people or not focus on transgender issues at all.

In closing, I ask once again that you vote No on AB 378. Please stop these vile, hateful attacks on our trans kids. Stop trying to denigrate their humanity. Please stop using LGBTQ+ adults and kids as a scapegoat. None of these anti-trans bills should ever become law. Wisconsin is a place where inclusion, understanding, empathy and most importantly love should flourish. Vote NO on all of these hateful attacks.

Let Trans kids play.

Chris Heizer

2215 Folsom Street Apt 230

Eau Claire, WI 54703

I am the parent of a transgender child, whom I love and support. I am also a recently retired chaplain. I speak today in support of my child and all of us who need healthcare. I find no justice and no mercy in these proposals to deprive some in our state of healthcare they need. In particular, due to hatred in society, my child has at times been suicidal. If you are a parent, or if you know any children at all, imagine how devastating this is. There is no reason except hatred for you to try and take needed healthcare from my kid. All in our state and country should be getting the healthcare they need, and for many, need to survive. So I ask you to oppose AB 377, 378 , 465. And oppose SB 479&480.

Lissa Field  
1533 N Hall Ave  
Appleton WI 54911

I oppose Oppose AB 465, AB 377, AB 378.

As an educator in this state, I have seen the extreme mental duress that LGBTQ+ youth navigate as they explore and discover who they are, who their families want them to be, and at times, have to navigate the deeply traumatic times when those two futures are in direct opposition. Adding the government's involvement in limiting medical care and extracurricular choice? That is a dangerous precedent to set - at what point do we let young people, their families, and their providers determine their own futures? I vehemently oppose the Trans Athlete Ban and the Trans Medical Care Ban. This is removing an individual's right to determine their own medical care and life. Wisconsin youth deserve the right to self-determine who they are, and not have the government decide for them based on pseudo science and religious doctrine. How many Wisconsin representatives have attended medical school? How many have science degrees? Why are we spending time limiting the future of our youth and silencing the voice of our Wisconsin?

I'm not sure why our representatives feel the need to engage in viral, outrage-based political theatre when Wisconsinites are struggling under the weight of so much already.

Forward -

Emily Erler  
HS English Teacher  
Milwaukee WI

From: Mary Schulz, 744 E Pacific St, Appleton, WI 54911

To: All committee members for the hearing on AB 378 Trans College Athlete Ban.

I am 100% opposed to this bill. No one knows better what is best for their personhood than the individual involved.

Sincerely meant,  
Mary Schulz

To the Wisconsin State Legislature Committee Hearings:

AB 378, 377, and 465 would prevent trans youth from participating in sports and accessing the healthcare they need, things that should be available to everyone. It's unfair to ban these rights on the basis of gender. A 2022 survey found that 85% of trans and nonbinary youth report that facing ongoing political attacks has been detrimental to their mental health, according to the Trevor Project. These youth need support, not attack.

Marie Baker  
Dodgeville 53533

To the committee that will be discussing AB 377, AB 378, and AB 465;

It has come to my attention that bills are being proposed to ban gender affirming health care for transgender youth, as well as banning them from school sports.

Don't do it.

As a parent of a transgender young person, I can speak from personal experience to the vital importance of this care for my child. When your child tells you at age 3 that they think God made a mistake, it is heart-breaking. And despite trying to coerce my child to conform to their biological sex, when 10 years later their stated identity never changes, it's not a passing phase. When you finally allow them to express who they are through clothing and a name change, and you see them blossom into a happy, healthy, loving young person... that is real. That is the truth.

The people who oppose this care are falsely claiming to be protecting children. That is a LIE. Gender affirming care is not about forcing children into unwanted surgeries. It is far more nuanced, cautious, and in the end, life-saving care.

Sports participation should be handled on a case by case basis. Pre-pubescent children are not so different that they need to be separated by sex on school teams.

Post-pubescent, if a transgender girl has been allowed to access puberty blockers, then she will have no testosterone advantage in sports. There is no need to ban her from being part of a team. A blanket law making statements about the eligibility of all transgender athletes is a cruel punishment; it is not a caring or thoughtful way to protect girls.

Don't listen to the lies being spread by people who talk about my family, but have no personal knowledge of who we are. **Listen to the families that this actually affects!** I would love to share the story of my family with you.

Meanwhile, please oppose AB 377, AB 378, and AB 465.

You can contact me here...

Kathleen Caylor  
3680 Rolling Hill Dr  
Pulaski, WI 54162  
920-865-6500

To the most honorable members of the

Assembly Committee on Colleges and Universities
---

Assembly Committee on Education
---------------------------------

Assembly Committee on Health, Aging, and Long-Term Care
---

As regards the proposed legislation on Trans Youth, please note that I am a licensed psychologist and I have worked with people who have transitioned and those seeking to transition, (and I even have a friend who came out in a men's group I ran during my training for a MSSW degree, before my PhD and license) and I have taken the time to research the topic.

Based on all of my professional and personal information I must plead with you to not limit access to gender affirming treatment and let behavior specialists and medical professionals decide when and what can be done to best support people seeking medical treatment and not government intervention. Nothing is perfect, but a glimpse at the research that has been done and is available to any person interested enough to do their homework before voting.

Those in my professional want to help and not harm this small group of citizens, who are now being persecuted for political points, rather than their own health and happiness. Let's, please, treat people with respect even if they are different from yourselves. There is nothing wrong with respecting people's privacy, especially when those people are being persecuted by politicians seeking favor with bigots.

**Henry Steinberger**

**Henry Steinberger, Ph.D., Licensed Psychologist, Master Addiction Counselor (he, him, his)**



Dear Republican Legislatures:

Please don't restrict the right of Transgender People.

Sincerely,

Russell J. Novkov

Dear members of the committee-

My name is kristin Ellis and I live at 5903 Country Walk, McFarland WI. I am also the owner of an art gallery called farwell gallery located in mcfarland wi. I strongly oppose the purposed legislation banning trans youth in the state of Wisconsin from playing college sports in a division composed of individuals who share the same gender identity . you are legislators and should not be making decisions about who can and cannot play sports and what “category” they should play in. By forcing a trans athlete to compete in a “sports category” defined by their sex at birth, you are completely undermining recommendations and treatment provided by medical professionals.

I have had the privilege of getting to know trans and non binary youth from all over the state. Requiring youth who are non-binary or trans to compete in sports based on their sex at birth will have a profound impact on their mental health. Many of these youth have grown up trans and are not out to their peers - nor should they have to be. Please just let the kids be kids and play sports - by forcing these youth to play sports on a team that has a completely different gender identity than their own, you are forcing them to experience unnecessary trauma.

As likely stated before in the testimony today, the suicide rates of trans, non-binary, and queer youth are astronomically higher compared their cisgender and straight peers. Please do not add more stress or harm to what these athletes have to deal with. Trans athletes are not going through an extensive transition process just to excel at a sports category. They just want to play ball!

As a mother of a child who committed suicide right after graduating high school - I can tell you first hand the pain that suicide has on a family. If this bill passes, and trans or non-binary youth die because of this - you will be responsible. Thank you for your time.

Kristin Ellis - Owner Farwell Gallery



October 4, 2023

**Testimony of Wisconsin Faith Voices for Justice re: Ban on Trans Youth Participation in Sports**

**Re:** AB 377 (k-12); AB 378 (Colleges); SB 377 (Colleges); SB 378 (k-12)

**To:** Assembly Committee on Education; Assembly Committee on Colleges and Universities; Senate Committee on Mental Health, Substance Abuse Prevention, Children and Families

**Contact:** Rabbi Bonnie Margulis, Executive Director, Wisconsin Faith Voices for Justice, [wifaithvoices4justice@gmail.com](mailto:wifaithvoices4justice@gmail.com); 608-513-7121

I am Rabbi Bonnie Margulis, Executive Director of Wisconsin Faith Voices for Justice. We are a statewide, non-partisan, interfaith organization dedicated to promoting social justice in Wisconsin. I am here today to speak out against any and all legislation that harms members of the LGBTQ+ community, especially young people in that community. And make no mistake, legislation that seeks to bar students from team sport does grave harm.

When we ban trans kids from participating in school sports, we deny them the opportunity afforded to other kids to learn leadership skills, the value of teamwork, and the discipline of hard work and cooperation toward a common goal. But even more importantly, we send them and the rest of the community the message that trans kids are not worthy of the same rights and opportunities as other kids. We send the message that members of the trans community are somehow 'less than', Other, less worthy of being treated with the same dignity and respect as everyone else.

The stigma created by these messages is the reason depression, anxiety, and suicidality are at a crisis level in the LGBTQ+ community. According to the Trevor Project's 2020 National Youth Survey on LGBTQ mental health, 40% of LGBTQ youth seriously considered attempting suicide in the previous 12 months, with more than half of trans and nonbinary youth having considered it.

The members of Wisconsin Faith Voices for Justice come from many different faith traditions. We are Jewish, Christian, Muslim, Buddhist, Baha'i, Wiccan, Hindu, Quaker, Unitarian, and others. We have different beliefs and practices. But all our faiths teach the same basic value that honors the worth and dignity of every human being and the imperative above all else to love others as we love ourselves and to do no harm. We call upon our legislature to refrain from doing harm to the trans community and to vote against these bills.

Rabbi Bonnie Margulis  
Madison, WI 53719

Transgender individuals come into this world the way that God made them, and deserve the same rights and protections as the rest of us. Sadly, transgenders are often the target of hate crimes, due to the fact that so many individuals misunderstand their situations; and the rate of suicide among transgender teens is tragically high, often due to a lack of support from their families, their peers and the community at large. The proposed transgender sports ban is a misguided effort to deny transgenders their rights, and is based on a gross misunderstanding of transgenders. In the 48 years I've been a Wisconsin voter, I've been proud of its honest and fair treatment of its citizens – ALL its citizens. Please, continue that tradition by defeating the transgender sports ban, and standing against the bigotry inherent in the bill.

Respectfully Yours,

Denise Beckfield  
547 Basswood Ave.  
Verona, WI 53593

Regarding AB378

My input regarding AB378 pertains to the wording in the bill's text on lines 8 and 9 and again 17 and 18 "sex" means the sex determined by a physician at birth and reflected on the birth certificate." This wording is discriminatory because it excludes participants that have transitioned from male to female or from female to male.

As the parent of a young teenager who is an athlete and is in the process of transitioning from male to female, I find AB378 to be a concern. She is still young and I don't know what her athletic career future is, but if this bill passes--she would not even have a chance to participate in collegiate sports in this state. And that may be an issue, as she is a 3 season athlete--girls volleyball, girls basketball, and girls softball.

Sincerely,  
Anna Knapp  
Ellison Bay, WI 54210

I am sharing written testimony, as a Christian faith leader in Wisconsin, to oppose Assembly Bills AB 378, AB 377, and AB 465. This Wednesday, October 4, the day of the hearings for these bills, is the feast day of St. Francis of Assisi. Francis is a well-known and widely-beloved saint. He proclaimed respect and care for every human being, saying, "Your God is of your flesh; God lives in your nearest neighbor, in every person." And he is a strong voice within Christian tradition for honoring God through love of Creation; he believed that nature was a mirror of God, and named all living beings as family.

Often, in the public square, people who are opposed to rights and protections for transgender people will talk about Nature as part of making their case. The underlying argument is that somebody's DNA or body parts should determine how they present themselves and live in the world - and that anything else is against God's intentions, as the Creator and Author of nature.

The thing is, that's a very limited view of Nature. When we approach God's creation with loving attention and respect - as Francis did - we find that it's often more complex, messy, and interesting than these deterministic binaries.

This past summer my church gathered our middle school youth for a week of Creation Care Camp. One of our most memorable outings was to Heartland Farm Sanctuary, in Stoughton. During our tour, the kids were amazed to meet Cream Puff the goose. Cream Puff is a domestic goose who was rescued as a stray living in a drainage pond. At rescue, Cream Puff was determined to be a female goose. But as they settled into their new environment at Heartland, Cream Puff started to show some of the distinctive behaviors of a gander - a male goose. It turns out it's not unusual for some kinds of birds to spontaneously change their gender behavior - and even biology!

Is it appropriate to apply the human concept of "transgender" to Cream Puff the goose? Probably not. But is it appropriate to look to Nature or the science of biology to justify rigid identities and categories of sex and gender? Not really! We are, all of us, more than our genes and our body parts, just as we're also more than what our culture or history tell us to be. But science CAN tell us that Nature is not on the side of simple, limited, or unchanging ideas about sex and gender.

I and my congregation join Saint Francis in seeing Creation as a mirror of God, and taking seriously our kinship with all living things. Our commitment to being an inclusive parish (and to the growth and learning that involves!) IS celebrating Nature, God's Creation in all its holy diversity, ambiguity, and mystery.

The Rev. Miranda Hassett  
St. Dunstan's Episcopal Church, Madison, WI

To the members of the Committee on Colleges and Universities:

As a college teacher (speaking for myself, not as a representative of my university), I strongly oppose any ban on trans and nonbinary athletes playing sports on the team of their choice. Trans and nonbinary young people have rights to privacy and bodily autonomy and should be able to benefit from sports programs just as cisgender young people do. No one is harmed by allowing trans athletes to play sports as themselves. To suggest otherwise is performative cruelty. Do the right and humane thing and do not pass this ban.

Thank you for your time,

Kate Beutner  
8020 Hillcrest Dr, Wauwatosa, WI 53213

To whom it may concern,

My name is Elle Hutto, a resident of Janesville, WI, and I am writing to express my strong opposition to AB 378, the College Athlete Ban bill. As a trans nonbinary individual, I firmly believe that this legislation, like all others designed to discriminate against transgender and LGBTQIA+ individuals, is unjust and unnecessary.

The argument that trans people pose a threat in sports is unfounded and rooted in misconceptions. Sports, by their very nature, carry inherent risks, and athletes of all genders and identities face those risks equally. The notion that trans women endanger other women while participating in sports is simply untrue. In fact, transgender athletes have been competing at various levels for years without causing any harm or disruption.

It is important to recognize that inclusion and diversity enrich our society, including the world of sports. The efforts to ban trans college athletes not only perpetuate harmful stereotypes but also deny talented individuals the opportunity to participate fully in their chosen sport. By embracing inclusivity, we can foster an environment where everyone can compete and thrive based on their skills, dedication, and passion, rather than their gender identity.

As a constituent, I urge you to reject AB 378 and any other legislation that seeks to discriminate against transgender and LGBTQIA+ individuals. Let us work towards a future that celebrates diversity, promotes equality, and ensures that every person, regardless of their identity, has the chance to pursue their dreams and contribute to our society.

Sincerely,

Elle Hutto



Anne Kroeger  
Madison, WI 53704

Excluding transgender students from athletics is a false solution in search of a nonexistent problem. Cispeople come in all shapes and sizes within their identified gender, defining exclusions for trans athletes alone is discriminatory. I do not support this bill.

Dear Assembly Members on the Committee on Colleges and Universities:

I am writing in opposition to Assembly Bill 378.

This is already a vulnerable group of young adults. Gender dysphoria is real, transgender students deserve the same opportunities and benefits that collegiate sports provide to other students, and there is no evidence to suggest that transgender athletes have or will disproportionately dominate their chosen sports in the gender with which they identify.

Please don't vote this out of committee. It would send a horrible message to transgender kids throughout our beautiful State. They're not hurting anyone. Let's not hurt them.

Thank you for your time and consideration.

Sincerely,  
Alex Habriga  
Fitchburg, WI 53575

Dear members of the Committee on Colleges and Universities,

I am writing today to voice my **strong opposition to bill AB378**. Being a young person is difficult enough, being a LGBTQ+ young person is even harder especially when your existence is considered a problem. Please let these young athletes enjoy the sports they love and the activities that make them happy in the body that makes them happy. Sports should be a place for inclusion not for targeting a vulnerable population.

Thank you,

Lauren Cohen

Verona, WI

Dear Wisconsin State Legislature, specifically the committee holding hearings about AB 378:

My name is Katrina Gonzales and I live in Wauwatosa, WI 53226. I am **opposed to** the bill AB 378 because trans people have the same rights as every other person. Do not pass this bill.

Rachel Rovinsky  
Regarding Wisconsin Legislature  
October 3<sup>rd</sup>, 2023

I am writing to oppose Assembly Bill 378 (College trans athlete ban).

I am a trans athlete and biology graduate student at UW-Madison, and a Wisconsin resident, voter, and taxpayer. I would like to continue enjoying my sport without having to put myself into situations that make me uncomfortable and unsafe. Based on actions that other states have taken to take away trans people's rights, we know that this bill only serves as a stepping stone for banning trans healthcare altogether, which is in direct opposition to scientific literature and the most recent WPATH standards of care.

This bill is not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life-saving effects of trans healthcare, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All these bills will do is isolate and vilify a vulnerable community.

Thank you for reading my testimony, and I hope you consider opposing Assembly Bill 378.

Sincerely,  
Rachel Rovinsky

To the members of the committee,

I oppose the AB 378 college athlete ban. I am an educator with the Madison Metropolitan School District, a mother of a 5th grader and an advocate for trans youth and people around the country who are constantly under attack.

Our trans youth belong in sports, as they do in every aspect of daily human life. Please continue to make Wisconsin a great place to live for all people. Please oppose this bill. Trans people belong on our courts and on our fields; they belong to have sports embedded in their lives, to increase their self esteem, play on a team and have all the goodness that sports can bring to our lives.

Sincerely,  
Gina Nolan  
Cottage Grove WI 53527

To the members of the Assembly Committee on Colleges and Universities:

My name is Tessa Jade Price, and I am a trans woman who works with Trans Advocacy Madison. We organize folks around Madison and all over Wisconsin to advocate for trans people.

This is a unique time for our community. For years now, there has been a massive smear campaign on outlets like Fox News who have platformed violent bigots, and smeared people like myself - once literally a video of me at the Wisconsin State Capitol, as evil.

This bill seeks to ban trans youth from school sports. There is no evidence for this supposed problem. There is no competitive advantage for having one gender identity over another. Height, weight, and hormones levels are overwhelming the reasons for competitive advantage, not one's identity. So why is this being proposed and supported by many legislators?

Trans lives are being used as wedge issues in a political game. This bill is a doomed attempt to win elections. Banning trans students from school sports serves one major purpose - a foot in the door to banning trans folks from public life - an announced goal of many of the ideologues who push these dangerous bills. The only result here is excluding, abusing, and neglecting trans kids in their schools more than they already are. You will not win elections by hurting innocent young people. You will not defeat the queers by hurting innocent young people.

Queer and trans kids come to our group and tell us they are routinely abused in schools. They are called slurs like "faggot," "dyke," or "tranny" just like when I was younger. These people just want to be themselves and all they get in return is vitriol. They are being used as scapegoats for problems they have nothing to do with.

I will not mince words - there is a global genocide under way of trans people starting at our youth, aiming to wipe us out entirely. The proposed bans on life-saving gender-affirming care is the next big step in that goal. Let me warn you - you cannot wipe us out. You cannot kill all the trans people.

Genocide is doomed to fail. Obvious bigotry and cruelty will not win you elections. If you are a Republican, you might be shocked to hear the average voter in rural Wisconsin isn't quaking in their boots about trans kids in sports. If you are a Democrat, there is no compromise on our lives. Either way, we will organize against you with our lives. This is war. This so-called culture war is a war on our lives. We will defeat you. What side of history do you want to be on?

Whatever you choose to do here and going forward about this trans sports ban, or the life-saving gender-affirming care ban - we will track and we will share. Every voter in Wisconsin will know how you voted on hurting innocent trans people. And I should warn you - we are much more popular than politicians.

To the Committee on Colleges and Universities,

I am very dismayed that the transgender hysteria sweeping the red states has been introduced in the Wisconsin legislature. It's not as though we don't have much more pressing business in the State of Wisconsin, FUNDING education and childcare for instance. It is quite ridiculous that the state legislature feels compelled to take up time and money on an issue that affects 1 percent of the population in order to single out, ridicule and exclude students from sports. Maybe we should just ban sports altogether? It's equally as ridiculous as your hysterics over transgender students. Women don't need you to protect us from competition. We need you to protect us from gun violence, spousal abuse, economic turmoil, and over zealous politicians who want control our bodies by banning modern medical procedures.

You are out of step with the majority who welcome diversity and inclusion, because trans people are wonderful, creative, artistic, talented people who deserve to be part of our rich social fabric.

This weaponization of state government against a vulnerable population only solidifies your Nazi bonafides in my opinion.

Sincerely,  
Christine Morrissey  
Appleton, WI 54911



Assembly Committee on Colleges and Universities

Dear Representative Murphy and Committee Members:

I write to express my opposition to AB 378. This bill targets a very small but potentially vulnerable group of Wisconsinites: transgender athletes. Sports governing bodies have already taken a nuanced stand on this issue and are in the best position to examine these complex and uncommon situations and determine the best outcome for all.

Thank you for seeking public input and please reject taking further steps to bring this bill to a vote.

Sincerely,

Anne Schuette MD

410 Waldo Blvd.

Manitowoc WI 54220

Dear members of the Assembly Committees on Education, Colleges & Universities, and Mental Health, Substance Abuse Prevention, Children & Families,

My name is Nick Eliot, and I am a long time resident of Ashland County writing to you today, asking you to vote NO on Assembly and Senate Bills 378 & 377.

Having coached athletes from age 6 to 25, including a women's category team, I understand the importance of teamwork in our social development. Students with truly equal access to a sport grow up to become more well-rounded adults prepared to take up challenges head on with confidence, and understanding that hard work pays off. These bills do not give students equal access to activities, where they can participate with their peers. Female transgender athletes should not be singled out and discriminated against, simply for asking to participate in our society alongside their peers.

If passed, this bill will harm all athletes in Wisconsin by discriminating against a few. I urge you to vote NO.

Thank you,  
Nick Eliot

My name is Jaxon Seeger I was born and raised in central WI (Wausau) currently residing in Milwaukee WI. I am not only someone who identifies as transgender and queer but I am an advocate, organizer, and activist.

I am the founder of Wausau Transfam Alliance which is a support and political advocacy group that I started in 2017 after I was physically assaulted and left for dead at my place of employment.

I'm writing today in regard to bills AB 378, AB 377, and AB 465.

These bills won't do what you're hoping they will only do more harm to an already harmed community.

The trans community already faces countless disparities including but not limited to low income, inadequate health care, and extreme violence due to how we identify.

I want to point out 5 names that you may or may not recognize.

- **Brazil Johnson**

- **Mya Allen**

- **Toi Davis**

- **Dedrick Cross**

- **Cashay Henderson**

The 5 names are all transgender women from Wisconsin who have been violently murdered in the past year alone.

That was WITHOUT these bills. The passing of these bills will not only show your public constituents that the anti-trans rhetoric that you feel so educated to speak on is okay, but that the escalation in violence against this already marginalized community is not only tolerated but accepted.

Gender-Affirming Care is life saving care. Take it from someone who nearly didn't make it past the age of 17 due to not being able to express that they were trans without the fear of their safety. At age 17 I was a closeted transgender youth who attempted to take my life because I couldn't see myself ever being able to come out and transition using hormone replacement therapy. I died twice on October 3rd 2015 and my parents were told I wouldn't make it through the night as I had multiple organ failure and was in a coma. At the age of 18 I was finally able to come out as trans and start hormone replacement therapy after going through countless exams and hours of gender therapy to ensure that I was in fact trans and in need of this lifesaving treatment.

Flash forward to today October 4th 2023 I'm 25 years old now, I work at an LGBT community center as a director, I'm a student double majoring in Women & Gender Studies and Community Education & Engagement, and I'm a social justice organizer/activist in my free time.

My point is, is that being able to start hormone replacement therapy saved my life and most likely would have prevented my attempt if I had, had someone to advocate for me.

With that being said I want to remind each of you that when you took your oath, you promised to protect all communities and not only those you saw as "worthy".

These bills, once passed will be detrimental to the WI Transgender Community and specifically our youth.

These bills will destroy lives and at the end of the day if you pass them the blood will be on your hands with no one else to blame.

It's with this reminder that I urge you to do what is what not for me but for our youth, for my classmates who identify as trans and participate in sports, for those who have been disowned due to their gender identity.

At the end of the day we all just want to survive, we deserve to survive. We deserve the same rights as everyone else and we will not rest until our existence is debated by individuals who think they know what's best for us and our children.

-Thank you

**Best,**

*Jaxon Asher Seeger*

*They/Them He/Him*

Hello,

My name is Mia Scott. I am a Senior at the University of Wisconsin - Stevens Point. I have a 3.6 GPA and have made the Dean's List. I strongly oppose all three bills being debated today. I myself am not transgender, but am well-versed on the topic and love my transgender friends and neighbors in the community. Transgender students and athletes deserve every right their classmates are given. I urge the committee to listen to the voices of actual students - I know the majority of us believe that transgender athletes getting to play on their school teams is much fairer than the alternative.

Thank you,

Mia Scott  
she/her/hers  
Stevens Point, WI

Dear Committee on Colleges and Universities,

I am writing in strong opposition to AB378. This bill is not based on science or compassion, but instead disinformation and transphobia. Numerous peer reviewed studies have shown the minimal to non-existent advantages of trans athletes in competition with their cis peers. All these bills will do is isolate and vilify a vulnerable community, especially as participation in sports has been shown to have numerous social, physical, and emotional benefits.

Sincerely,

Soleil Young

526 W Washington Ave.

Apt 3B

Madison WI 53703

Caitlin Benedetto  
Regarding AB 378  
3 October 2023

My name is Caitlin Benedetto, and I am a Madison, Wisconsin, resident and a graduate student at UW-Madison. I am testifying in opposition to bill AB 378. This bill is harmful to transgender college students in Wisconsin, as well as their family and community members.

If passed, this bill will restrict transgender students from playing on sports teams that align with their gender identity, which can negatively impact their mental health, social wellbeing, and athletic and academic success. As a graduate student and an instructor at UW-Madison, I have taught and taken class with many UW undergraduates—cisgender and transgender, athletes and non-athletes. The proposed bill places unfair and unnecessary barriers to trans students that do not exist for cis students. It is therefore discriminatory and harmful and should not be passed.

Students come to the UW System because they know it for its excellence in academic rigor and athletic training. This is true for transgender students too, and I strongly oppose any legislation that restricts their right to play on the teams that align with their gender identity. Any state that puts up barriers for transgender college students does not treat them as full members of our community. I do not support Wisconsin becoming one of those states.

Thank you for considering this testimony. I urge you to reject this bill and recognize that transgender students belong on teams with their same-gender peers. Transgender students belong at the UW System and in our Wisconsin communities.

Thank you,  
Caitlin Benedetto

To the members of the Committee on Colleges and Universities,

I am writing as a teacher, coach, former student-athlete and soccer mom to voice my opposition to AB 378. All athletes, including transgender and nonbinary athletes, should be allowed to compete on sports teams which best align with their gender.

The NCAA already has a policy in place regulating the participation of trans student-athletes that "preserves opportunity for transgender student-athletes while balancing fairness, inclusion and safety for all who compete" (<https://www.ncaa.org/sports/2022/1/27/transgender-participation-policy.aspx>); Wisconsin lawmakers have no reason to interfere with the existing practices, much less in a way that would result in the exclusion and discrimination of its citizens.

During their time on the team, college athletes develop lifelong skills - physical well-being, self-confidence, lasting friendships, challenging limits, healthy competition, work ethic - while also accessing a college education. All athletes who rise to the level of college competition, including trans and non-binary athletes, deserve to access these lifelong benefits.

Please, do not legislate the exclusion of any Wisconsinite: Vote no on AB 378. Discrimination and exclusion have absolutely no place in our universities, on our courts, or on our fields. Trans athletes, like athletes of all genders, deserve access to play college sports. Trans men are men. Trans women are women. Let them play.

Sincerely,  
Katie Hayden  
Madison, WI 53716

Amelia Hansen

Regarding Wisconsin Legislature

October 3rd, 2023

My name is Amelia Hansen, and I am a concerned Wisconsin resident, voter, and taxpayer, and biology graduate student at UW-Madison. I am testifying to oppose Assembly Bill 378 (College trans athlete ban).

Based on actions that other states have taken to take away trans people's rights, we know that this bill only serves as a stepping stone for banning trans healthcare altogether, which is in direct opposition to scientific literature and the most recent WPATH standards of care.

This bill is not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life-saving effects of trans healthcare, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All this bill will do is isolate and vilify a vulnerable community.

Thank you for reading my testimony, and please oppose Assembly Bill 378.

Sincerely,

Amelia Hansen

(she/her)



Hello,

I think I might have a relevant perspective or at least information to be taken into consideration regarding the athletic sphere. First of all, the attacks against trans athletes is being done primarily to demonize the trans community broadly and not as a simple concern over a real issue that parents are coming forward with on a community level. The other thing I want to offer is that the vast majority of trans people do not participate in organized sports. This is probably a result of many reasons but I as a trans woman know that I felt alienated from my body when I was forced to lift weights as a child by my father. So hormones alone atrophy muscles and then on top of that trans women often actively avoid any sort of muscular physique, not all be the majority. Thank you for reading and taking this into consideration. I maintain however that this is a non-issue that should not have been discussed in the first place and that trans people generally only care that you are so actively working to discriminate against them not about sports themselves.

Tank Byers

Kylan Bartel

Regarding AB 378

10/03/2023

Hello,

My name is Kylan Bartel and I am writing to express my concern about AB 378. As a Wisconsin resident, I am testifying about the harm that this bill would pose to transgender individuals, gender-nonconforming individuals, and women who play sports in our state.

I am transgender. In middle school, I was the only girl on the football team (this was before I realized I was trans). After coming out as trans in high school, I continued to play football. Throughout this process, my school, teammates, and coaches were respectful and affirming. No one was harmed by me being on the team—if anything, I think my presence there may have broadened people's perspectives. Perhaps that broadening of perspective is what opponents of transgender inclusion are so afraid of.

I believe that participation in sports promotes mutual respect, self-confidence, and hard work. Sports create community, and in our polarized era, what is more important than that? As you are well aware, there are already measures in place at the K-12 and college level to ensure that the inclusion of transgender individuals does not lead to unfair disadvantages. With these safeguards in place, we have nothing to lose by including transgender individuals in sports. Considering the benefits of sports on community-building, we indeed have everything to gain by allowing people of diverse backgrounds to play together on the same team.

If you are truly concerned about gender equality in sport, there are many real issues that need to be addressed, such as the gender pay gap, unequal media coverage of men's and women's sports, and a lack of women coaches in youth sports and beyond. In fact, excluding trans people from sports will only worsen gender inequality, since policing trans bodies means policing the bodies of any woman deemed "too masculine," "too athletic," etc. There have already been documented instances of cisgender girls being harassed at sporting events due to this anti-trans fervor. To protect women's sports, we need to protect all women, including gender-nonconforming women and women who are transgender.

Thank you for your time. Your consideration of these matters is appreciated.

Blair Gunovich  
Madison, WI 53711

Dear Representative Murphy and Nedweski and the Wisconsin Committee on Colleges and Universities,

I am writing to express my strong opposition to Assembly Bill 378, the proposed categorization of transgender athletes participating in collegiate sports based on their sex assigned at birth. As someone who values equality and inclusion, I firmly believe that such measures, which seek to classify individuals solely based on their assigned sex at birth, undermine the principles of fairness, equality, and the rights of transgender individuals. Moreover, enforcing assigned sexual categorization perpetuates harmful stereotypes and stigmas for all Wisconsinites. It fosters an environment of exclusion and discrimination, sending a message that some gender identities are not valid. This not only impacts the mental and emotional well-being of transgender athletes but also contributes to broader societal misunderstandings about gender diversity.

I implore you to oppose any legislation or policy that seeks to enforce the forced sexual categorization or banning of transgender athletes. Let us work towards fostering a sporting environment that is truly inclusive, respectful of diversity, and upholds the principles of fairness and equality.

Thank you for your time and attention.

Blair Gunovich

Hello,

I would like to provide testimony against Assembly Bill 378 (College trans athlete ban). I have many many friends who are transgender, and a bill preventing them from participating in sports with their peers of the same gender would cause severe harm to them. They already are very scared of what other people think of them, and for there to be institutional requirements preventing them from playing with their peers would make it much worse. They deserve the same as everyone else: to be allowed to play on sports teams with other people of their gender.

Sincerely,  
Elizabeth Hankins  
(she/her)

My name is Shanon Bartel, an alarmed Dane County resident and mother of three. I am testifying on how bill AB 378 College Athlete Ban will negatively impact the already marginalized minority of transgender athletes in our state.

I am really baffled at why this issue is even up for debate. Only around 2% of our state's middle through high school students identify as transgender/nonbinary, and only 150,000 in the nation. Of that amount, there are currently 32 transgender college athletes competing in sports across the U.S. 32! Why are we even having this discussion? This is a complete and utter witch hunt, waste of taxpayer's money and ultimately another way for Republicans to divert focus away from issues that impact Wisconsinites.

There is a fear that somehow suddenly girls will have a disadvantage out on the field, but guess what? Disadvantages already exist. Some females are born with extra testosterone; some are born from a set of really tall parents, some born from parents who were/are professional athletes. People have advantages for a variety of reasons. Are we going to start levelling the playing field by making girls take hormone tests, or only girls of certain heights can play basketball or volleyball? And I don't hear anyone complaining if the trans person is FTM (female to male). This last one I know firsthand because I have a FTM child, who competed in middle and high school football and no one cared.

You don't build roads to nowhere right? So why pass this bill when there is no need.

Let the very few of these transgender college athletes play where they belong. Contrary to what you believe this is a non-issue. Please focus on those issues that matter to the majority of Wisconsinites- taxes, safety, education, inflation, etc.

I would like to thank the committee for taking the time to read my testimony. I hope you get back to the real issues our state faces.

Hello Committees on Colleges and Universities,

My name is Megan Spielbauer Sandate, and I am a queer Madison resident. I am testifying to state my opposition to AB 378 and make clear why I think that moving this piece of legislation forward will be harmful to all students but particularly trans and nonbinary students.

I want to explain that one of the most harmful experiences that I have had was attending a counterprotest to a TERF, or "Trans-Exclusionary Radical Feminist" conference. The hatred for trans people and children was so palpable; it is terrifying to know what these women could do in their independent spaces to harm trans and nonbinary students based on their behavior at the event. Additionally, I was devastated talking with trans and nonbinary youth during and after the event who felt like they should have done more as if they should have ever had to defend their own existence in the first place.

This is why I encourage you to strike down this bill. This bill is not rooted in science but fear and hatred. Politicians and others are scapegoating and vilifying the trans community in order to push an agenda of "family values" or morality. There is nothing moral about forcing people to claim a gendered identity that is not their own. Students should be able to play sports and participate in their schools in a fashion that is honest to who they are.

Thank you,  
Megan Spielbauer Sandate  
She/They

Aaron Lopez  
Regarding WI State Legislative Hearing  
October 3rd, 2023

Hello,

My name is Aaron Lopez and I am a concerned Dane County resident / soon-to-be parent. I would like to state my formal opposition to the following bills:

Assembly Bill 378 (College trans athlete ban)  
Assembly Bill 377 (K-12 trans athlete ban)  
Assembly Bill 465 (Trans youth healthcare ban)

It is terrifying that legislators are considering bills that are founded entirely on pseudoscience and prejudice. These bills harm and isolate families by restricting freedoms and stripping healthcare from children and their parents. Moreover, it makes Wisconsin a worse place to live by introducing a division that shouldn't exist: there's no world where a cis child's health and lifestyle should be placed above or below that of a trans child.

Please voice your strong opposition to these bills.

Sincerely,  
Your Constituent,  
Aaron Lopez  
(they/them)

Markia Silverman-Rodriguez

Regarding Wisconsin Legislature

October 3rd, 2023

My name is Markia Silverman-Rodriguez, and I am a concerned Wisconsin resident, voter, and taxpayer, and graduate student at UW-Madison. I am testifying to oppose Assembly Bill 378 (College Athlete Ban).

Based on actions that other states have taken to take away trans people's rights, we know that this bill only serves as a stepping stone for banning trans healthcare altogether, which is in direct opposition to scientific literature and the most recent WPATH standards of care.

This bill is not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life-saving effects of trans healthcare, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All this bill will do is isolate and vilify a vulnerable community.

Thank you for reading my testimony, and please oppose Assembly Bill 378.

Sincerely,

Markia Silverman-Rodriguez

(she/her)



Dear Committee on Colleges & Universities,

I am writing to vigorously oppose AB 378 College Athlete Ban. There is nothing about this bill that is based in science, medicine or the welfare of students.

The very medical, educational and sports organizations to whom you should be deferring ALL support fairness in access to sports for all students, including trans students.

This bill is being considered for only one reason: stoking bigotry against LGBTQ people to further a toxic political agenda that intentionally harms young people.

Most sincerely,

David Gordon  
McFarland, WI 53558

To whom this concerns:

My name is Emily Hutto and I urge you to oppose AB 377, AB 378, and AB 465.

AB 465 puts trans youth at risk. Research clearly shows that gender-affirming healthcare saves lives. Criminalizing providing healthcare for trans youth is inhumane, dehumanizing, and will put trans youth at immense risk. This is clear discrimination against trans people, which is unconstitutional. Trans people deserve equal rights and autonomy in healthcare. These are important decisions to be made between a medical provider, a parent or guardian, and a patient— we don't need lawmakers to chime in.

Get the facts about gender-affirming care:

- Every credible medical organization – representing over 1.3 million doctors in the United States – calls for age-appropriate gender-affirming care for transgender and non-binary people.
- Gender transition is a personal process that can include changing clothes, names, and hairstyles to fit a person's gender identity.
- Some people take medication, and some do not; some adults have surgeries, and others do not. How someone transitions is their choice, to be made with their family and their doctor.
- Therapists, parents and health care providers work together to determine which changes to make at a given time that are in the best interest of the child.
- In most young children, this care can be entirely social. This means:
  - New name
  - New hairstyle
  - New clothing
  - None of this care is irreversible.

Please vote against AB 465 to protect all trans people in Wisconsin.

Next, I'll share my concerns around AB 377 and 378. This legislation sets a dangerous precedent in our public schools and attacks one of the most vulnerable groups in the state, namely, transgender, non-binary and gender non-conforming youth. As has been shown by other states who have passed this dangerous model legislation, this bill also has consequences for the economy and tourism of the state as well.

Both AB 377 and AB 378 wrongly discriminate against transgender athletes in sports. These bills threaten to not only demonize and weaponize transness but also legally enforces the policing of athletes' bodies in sport.

According to an article by the American Center for Progress, surveys and research studies have shown that where transgender youth encounter accepting and affirming policies, including trans-affirming sports policies, their risk of poor mental health, addiction, victimization, and suicide is drastically reduced.

Let trans kids play, dream, learn, make friends, and live their lives to the fullest. This community is already under attack, and sports are a beautiful and fulfilling outlet that all human beings deserve to be able to enjoy.

Please vote against bills AB 377 and AB 378.

I urge you to do all you can to ensure all three of these bills do not progress any further!

Thank you,

Emily Hutto

Janesville, WI 53545

Dear Committee on Colleges + Universities,

Please oppose AB 378 as these bills attacking our transgender community are beyond harmful. Our transgender youth and adults deserve better! What we know is that people are being harmed by the very introduction of these bills. The constant debate on one's very existence is demoralizing, exhausting and 100% preventable.

Let us instead turn our attention to creating safe + inclusive spaces for all people, all places.

Thank you,

Kim Simes  
Whitewater, WI 53190

Hello,

I would like to state my formal opposition to the following bill:

Assembly Bill 378 (College trans athlete ban)

This bill is not based on science and sense, but fear and prejudice. Numerous peer reviewed studies have shown the life-saving effects of trans healthcare, and the minimal to non-existent advantages of trans athletes in competition with their cis peers. All this bill will do is isolate and vilify a vulnerable community.

I beg you, please voice your strong opposition to this bill.

Sincerely,  
Your Constituent,

**Shannon O'Donnell**  
*they/them*

Hello!

First and foremost, thank you for taking the time to consider this testimony regarding bills AB 378, AB 377, and AB 465.

As a former collegiate athlete at Lawrence University and transgender individual, I oppose the bills that are being presented today. They are purposefully targeted to discriminate against transgender youth in the state of Wisconsin. Transgender youth should have equal access to sport participation and gender affirming medical care as their cisgender peers. Transgender youth already experience high rates of violence, discrimination, and suicidality. Denying access to life-saving care as well as opportunities to participate amongst their peers will only serve to exacerbate the problems that these individuals face on a daily basis.

The rhetoric in these bills only serves to deny the unique identities of transgender youth that should be celebrated and supported by families, peers, school communities, and the state government. Trans youth exist, and preventing them from accessing sports and gender affirming care will ostracize and harm their livelihoods. There is already a clear amount of bigotry and violence that is enacted against the transgender community, and to enact it on a legislative level such as this will reinforce these violent and harmful ideas.

These youth already have the hard task of understanding and pursuing their true identities in the face of discrimination, and these bills deny them the opportunity to seek belonging with their peers through sports as well as affirming care that seeks to help them understand who they are.

I ask that the individuals voting on this committee today take the time to appreciate experiences other than their own and allow transgender youths to participate in activities that affirm their truest selves.

Thank you,  
Jo Berg (she/they)  
Mukwonago, WI

Dear Members of the Wisconsin State Assembly,

I want to urge each of you to oppose AB 377, AB 378 and AB 465. No one in this legislature is the medical or mental health provider for all of the trans, non-binary or gender non-conforming (TNG) youth in Wisconsin. The medical consensus at this time is that supportive mental health services, social inclusion, inclusive athletics and gender-affirming medical care serve the best interests of TNG folks and have no ill effects on cisgender individuals. Therefore, the legislature of this great state should not mandate the harmful exclusion of TNG people from athletics nor should they restrict what medical care TNG people can access.

Sincerely,

Jolin Mitchel  
Madison, WI 53704

Hello,

Exclusion of transgender people in sports due to assumed advantages is rooted in sexism and lack scientific basis. We lack rigerous and significant data proving that there is any competitive advantage held by transgender athletes.

Additionally, exclusion of transgender people in sports encourages gender policing that causes bullying. According to the U.S. Trans Survey, 22 percent of trans women who were perceived as transgender in high school were harassed so badly they had to leave school because of it and an additional 10 percent were kicked out of school. Further excluding transgender people through sports bans only feeds into discrimination against them.

Thank you,  
Natalie Wieber

To Whom It May Concern:

I want to voice my opposition to Bills Bills 378, 377, and 465 introduced by the WI Assembly. Trans kids and collegiate athletes should have the right to participate in sports, and trans people should also have access to life-saving medical care. If these bills were to be passed into law, they would harm people I love and care for.

Sports can be an integral part of human development by promoting mental and physical health. It seems cruel to take athletic opportunities away from kids and college students.

These Bills do not represent the Wisconsin I know and love.

Thank you,

Sharon Holthaus  
Madison, WI 53716



FOR IMMEDIATE RELEASE

October 4th, 2023

For more information:

## **Wisconsin LGBTQ+ Policy Coalition Condemns the State Legislature's Transgender Medical Care Ban and Athlete Ban**

The Wisconsin LGBTQ+ Policy Coalition is a group of community organizations and local leaders dedicated to preventing the passage of anti-LGBTQ+ legislation in our state. The coalition advocates for pro-equality policies from the local to state level, from Eau Claire to Milwaukee, Beloit to Superior, and everywhere in between – to create a more just and inclusive Wisconsin for LGBTQ+ people.

Members of the LGBTQ+ Policy Coalition issued the following statement in response to the Transgender Medical Care Ban and the Transgender Athlete Ban introduced in the State Legislature:

*The so-called "Help Not Harm Act" does the exact opposite of what its name suggests. This cruel bill functions as a total ban on gender-affirming care in Wisconsin for minors, and would deny life-saving care to transgender and non-binary youth in our state. It will cost lives.*

*At its core, this is an extreme example of politicians once again inserting themselves into private healthcare decisions between doctors, patients, and their families. Politicians should not be interfering with personal medical decisions, let alone deciding the best course of action taken by parents and doctors to support the wellbeing of LGBTQ+ youth.*

*Every major medical organization, including the American Medical Association and the American Academy of Pediatrics, agrees that gender-affirming care is safe, beneficial, and appropriate for*

*transgender and gender non-conforming youth. Patients of all ages, alongside their families and doctors, should be able to make medical decisions without interference from partisan politicians.*

*The Transgender Athlete Ban currently being considered by the State Legislature is also harmful and only seeks to further divide our communities. Transgender and non-binary youth athletes play sports for the exact same reasons as other students their age: staying healthy, being part of a team, and fostering friendships – all lifelong benefits of playing a sport. When we tell transgender girls that they can't play girls' sports – or transgender boys that they can't play boys' sports – they miss out on this important childhood experience and all the lessons it teaches.*

*Like other students, some transgender and non-binary youth turn to sports as an affirming space. Preventing them from participating sends a dangerous message to all youth about not being welcome or wanted, and increases risks to their physical and emotional wellbeing. Major athletic associations such as the NCAA, the International Olympic Committee, and USA Gymnastics have instituted policies that allow transgender athletes to participate professionally. All our kids, regardless of their gender, deserve to be able to play on sports teams in Wisconsin. It's that simple.*

***If passed, these bills would cost lives.*** *They are nothing short of an attempt to eradicate the transgender community and roll back the gains that have been made in LGBTQ+ social acceptance and lived equality over the past several decades.*

*But even if they don't become law, the mere introduction and consideration of anti-LGBTQ+ measures such as these has been proven to have a direct, detrimental impact on the mental health of LGBTQ+ people – particularly our queer and trans youth. We need to do better.*

*We, the Wisconsin LGBTQ+ Policy Coalition, representing over fifty organizations and community leaders from across our state, condemn these harmful attempts to restrict bodily autonomy, demonize the transgender and non-binary community, and deny gender non-conforming youth life-saving medication, care, and community.*

*Our message to lawmakers is simple. **Stop playing games with the lives of transgender Wisconsinites.** Politicians have no business interfering with deeply personal medical decisions that should be made between individuals, their families, and their healthcare providers.*

*We will continue to fiercely oppose this legislation at every step, and we will never back down. We will always fight to protect the bodily autonomy, privacy, and freedom of LGBTQ+ Wisconsinites – including the freedom to play sports and decide what healthcare is appropriate for themselves.*

**Organizations:**

1. Fair Wisconsin
2. GSAFE
3. Diverse & Resilient
4. Human Rights Campaign
5. ACLU of Wisconsin
6. Black Leaders Organizing for Communities (BLOC)
7. Freedom, Inc.
8. OPEN-Out Professional Engagement Network
9. LGBT Center of SE Wisconsin
10. PFLAG Washburn Chequamegon Bay
11. PFLAG Madison
12. PFLAG Mount Horeb
13. PFLAG Door Count
14. OutReach LGBTQ+ Community Center
15. TRANCE Consulting

16. Wisconsin Faith Voices for Justice
17. Wisconsin Religious Coalition for Reproductive Choice
18. Progress North
19. Voces De La Frontera
20. Open Door Pride
21. All in Wisconsin
22. A Better Wisconsin Together
23. Planned Parenthood Advocates of Wisconsin
24. The Center: 7 Rivers LGBTQ Connection
25. Trans Advocacy Madison
26. Wisconsin LGBT Chamber of Commerce
27. MN Transgender Alliance, NW Wisconsin Chapters
28. Wisconsin Education Association Council
29. Milwaukee LGBT Community Center
30. City of Milwaukee Equal Rights Commission
31. Wisconsin Coalition Against Sexual Assault
32. First Baptist Church of Madison
33. RCC Sexual Violence Resource Center
34. GLSEN Green Bay
35. Sunseeker MKE
36. Black Youth Project 100
37. Bay Area Trans Youth Alliance
38. TransParent Support Group NEW Pride Center
39. Unapologetically Proud
40. Chippewa Valley LGBTQ+ Community Center

**Community Leaders:**

- |                                      |                                       |
|--------------------------------------|---------------------------------------|
| 1) Madison Mayor Satya Rhodes-Conway | 27) Sean O'Brien                      |
| 2) Middleton Mayor Emily Kuhn        | 28) Nick Famularo                     |
| 3) Rev. Tim Schaefer                 | 29) Andrea Hughes                     |
| 4) Helen Boyd                        | 30) Jen Plants                        |
| 5) Rachel Crowl                      | 31) Rev. Nancy Hanson, PFLAG Washburn |
| 6) Dana Mosling, LPC, LMFT           | 32) Mindy Frank                       |
| 7) Sandy Brown                       | 33) Mari Danz                         |
| 8) Rabbi Bonnie Margulis             | 34) Cody Sorlie Theis                 |
|                                      | 35) Darlene Johns                     |

- 9) Cathy Grier
- 10) Sarah Sarbacker
- 11) Jennifer DeGross
- 12) Karen O'Donnell
- 13) Randi Cartmill
- 14) Erina Oistad
- 15) Koi Oistad
- 16) Chad Oistad
- 17) Kathy Krasny
- 18) Jennifer Cook
- 19) Tara J Schnell
- 20) Jacob Dunphy
- 21) Michelle Dunphy
- 22) Carlie Craig
- 23) Claire Matejka
- 24) Lara Wells
- 25) Rebecca Greco
- 26) Kaylin Karn

- 36) Amy Lyle
- 37) Ashley Green
- 38) Amy Squitieri
- 39) Karen Kobelski
- 40) Janet Leino
- 41) Kristie Halverson
- 42) Lori Severson
- 43) Colleen Waydick
- 44) Andrea Kehrein Riley
- 45) Jamie McCarthy
- 46) Georgia Corner
- 47) Lily's Magical Treats
- 48) Coree Van Thiel
- 49) Amelia McConnell, PFLAG Madison
- 50) Jeanne Williams, PFLAG Madison
- 51) Karen Baker, PFLAG Madison
- 52) Angie Sparks

Dear Committee on Colleges and Universities -

Please do NOT vote for Bill AB 378. This bill discriminates and should not be a part of Wisconsin's legacy. I do not want to live in a state that discriminates.

Thank you,

Marjorie Stoneman  
Whitewater, WI 53190

From: **Nicole Morgan** <nicolemorgan86@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:02 AM  
Subject: Testimony Against AB 378  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

To the Committee on Colleges and Universities:

My name is Nicole Morgan, and I live in Madison. I urge you to oppose AB 378.

Trans and non-binary athletes are not a threat to their sports or their competitors. I have played sports with many trans athletes, and have not found that they had any inherent advantages over anyone else, nor did I ever encounter anyone one "turning trans to infiltrate a sport so they could win", as many like to fearmonger. The teams that I was on with trans and non-binary athletes were rich with love, friendship, and teamwork. The experience of playing in college sports should not be taken away from trans athletes.

Nicole Morgan  
4921 Spaanem Ave,  
Madison, WI 53716

From: **Sarah Ghazi-Moradi** <sghazimoradi7@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:09 AM  
Subject: Opposition to trans college athlete ban  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

Dear Committee on Colleges and Universities,

My name is Sarah Ghazi-Moradi, and I live on 5909 Sharpsburg Dr., here in Madison, Wi. I am writing to you today to state my opposition to creating a ban on trans college athletes. I am very disheartened and disappointed to see this kind of transphobic legislation in Wisconsin, and I urge you to not pass such legislature here. I am a cisgender woman, and I have never felt threatened by the participation of trans women in athletics. First and foremost, trans athletes make up such a small portion of our population – this is not a real or credible threat to participation in collegiate athletics.

Secondly, I recognize and I encourage this Committee to also recognize the pervasiveness of transphobia and transphobic legislation that has been rising across the nation. Trans individuals face a heightened degree of violence and systemic oppression, and efforts like this only increase the violence trans individuals will face by continuing to marginalize them. Finally, I condemn such an over reach of government powers into determining which students can participate in athletics. Such decision should be based entirely on a student and their coaches.

A ban on trans students in athletics also runs afoul of countless civil rights cases which ensure protections for trans, queer, and non-binary students. Discrimination against trans students is no different from discrimination on the basis of gender, a well enshrined principle in Wisconsin and federal law. In short, this is a stain on our democracy, and I am certain that most Wisconsinites would agree.

Thank you,

Sarah Ghazi-Moradi



From: **Amy Kortbein** <ashermankortbein@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:11 AM  
Subject: Against AB 378, AB 377, AB465  
To: <testimony@fairwisconsin.com>  
Cc: <Sen.Hesselbein@legis.wi.gov>, <Rep.Joers@legis.wisconsin.gov>

To The State of Wisconsin Legislators-

As a resident of Wisconsin and a regular voter I am disgusted to see our legislature once again taking up bills with the intent to harm young people in a gross attempt to drum up outrage.

These discriminatory bills have no basis in science, healthcare or common decency. They are cruel and divisive.

Young people, particularly young people who are in a minority deserve our support and compassion.

The transgender people I know are kind, thoughtful and considerate. They want nothing more than to go about their lives. To work, play, be educated and be a part of our society without being harassed or discriminated against.

Be on the right side of history. Show compassion and decency rather than discrimination and cruelty.

Vote no on AB 378, AB 377, AB465.

Thank you,  
Amy Kortbein  
7333 South Ave  
Middleton, WI 53562

Amy Sherman-Kortbein  
Realtor  
2022 Restaino Top Producer  
Restaino & Associates  
608-695-5026  
Energy, Integrity, Honesty  
[www.restainohomes.com](http://www.restainohomes.com)

From: **Rita Hiram** <rehirami@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:13 AM  
Subject: Testimony against Anti-Trans Bills  
To: <testimony@fairwisconsin.com>

To Whom It May Concern,

I am testifying in strong opposition to AB 378, AB 377, and AB 465. Trans people deserve to live full lives as their authentic selves, and that includes having access to gender-affirming care and being able to play sports in ways that match their identities.

On a personal level, I have played volleyball for over 15 years, played competitive volleyball on women's teams throughout all of high school, and was captain of my varsity volleyball team my senior year. As a cisgender woman, I am who the sports ban bills are purporting to protect. However, I outright reject these bills.

These bills would have done nothing to make me feel safer or bettered my experience playing competitive volleyball. It is the nature of playing sports that people have different backgrounds, different skills, and different advantages coming into the sport. For example, height is a real advantage in volleyball, and I played against cisgender women who were 4'11" and who were 6'3" at the same age (16 years old). That's just the way that it is - these kind of differences happen, and the competition simply made me want to play better. The attempt to try to control all variables by not letting trans women play women's sports is futile and an extremely misguided attempt of achieving "justice." Conversely, one of the joys of playing sports is getting to have a shared experience with people who are different from you. These bills should not stand.

Rita Hiram  
Madison, WI, 53703

From: **Stella Furlano** <sfurlano@uwalumni.com>  
Date: Wed, Oct 4, 2023 at 10:19 AM  
Subject: AB 348, Committee on Colleges and Universities  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

Dear Committee on Colleges and Universities,

My name is Stella J. Furlano, and I live at 419 W. Doty St. Apt. 1, here in Madison, Wi. I am writing to you today to state my opposition to AB 378, which would create a ban on trans college athletes. I am very disheartened and disappointed to see this kind of transphobic legislation in Wisconsin, and I urge you to not pass such legislation here. I am a cisgender woman, and I have never felt threatened by the participation of trans women in athletics. First and foremost, trans athletes make up such a small portion of our population – this is not a real or credible threat to participation in collegiate athletics

Secondly, I recognize and I encourage this Committee to also recognize the pervasiveness of transphobia and transphobic legislation that has been rising across the nation. Trans individuals face a heightened degree of violence and systemic oppression, and efforts like this only increase the violence trans individuals will face by continuing to marginalize them. Finally, I condemn such an overreach of government powers into determining which students can participate in athletics. Such a decision should be based entirely on a student and their coaches.

A ban on trans students in athletics also runs afoul of countless civil rights cases which ensure protections for trans, queer, and non-binary students. Discrimination against trans students is no different from discrimination on the basis of gender, a well enshrined principle in Wisconsin and federal law. In short, this is a stain on our democracy, and I am certain that most Wisconsinites would agree.

Thank you,

Stella J. Furlano

From: **Liz Lusk** <lizlusk51@gmail.com>

Date: Wed, Oct 4, 2023 at 10:24 AM

Subject: Complete hateful Actions against Transgender Students Assembly Bills (AB378, AB 377, AB 465

To: <testimony@fairwisconsin.com>

Dear legislators,

These are ugly bills. I hope that when you learn about both the state of legal requirements currently in place as well as learning about the harm these bills would do - you will, you must withdraw these transgressive bills.

Initially, I wonder where you are getting your current information? Clearly your information is not based on medical information which clearly does NOT support these bills. Where is it coming from?

Do you know the current WIAA policies? They are linked below and are fair. Why are you asking to change them?

Do you know, or have you ever known a transgender athlete?

Have you ever personally even known a transgender student or young person?

Before considering this legislation ask yourself these questions and add to your knowledge base.

Realize as well as that there are not a great many transgender students and that they are the most bullied students in our school systems. Because of this they are much more likely to be physically harmed - in schools and even just in public places. These bills would multiply the harms they already face.

They, our transgender students and families of transgender students deserve protection not hate. These laws are perpetuating hate.

Check out the current WIAA rules (attached). What would a reasonable person who is, of course interested in fairness to all athletes change in this policy? It's solid. Trust the people who have been put in place to assure fairness and the work they have produced. [WIAA Transgender Participation Policy](#)

Transgender students are our most vulnerable students. Because of the kind of hate that these bills engender - transgender youth would be denied the ability to exist as full human beings in our most precious institutions - public schools and medical care.

Stop this hate. You have many tough issues to work on in Wisconsin, which should be your priorities - healthcare, care for the aging, childcare, protecting our youth from assault rifles in schools, providing us all with clean drinking water - I can go on and on. Instead, these bills pick on the most vulnerable in our society. How about doing some real legislative work that addresses the needs of the people?

Stop playing politics with our children. Support them, don't destroy them.

Sincerely,  
Liz Lusk

From: **Sarah Klein** <startjumpin@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:27 AM  
Subject: Testimony  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

Hello. I am writing as a life long Wisconsin resident against the Trans Athlete Ban and the Trans Medical Care Ban.

This bills would be harmful for all the trans residents who live in Wisconsin. I am against AB 378, AB 377, and AB 465.

Please direct these funds towards issues of improving public schools, improving air and water quality. Please allow trans people to live their lives as they want to.

Thanks  
Sarah Klein  
Get Outlook for iOS

From: **Liz Jones** <ljones111966@gmail.com>  
Date: Wed, Oct 4, 2023 at 11:13 AM  
Subject: my testimony to OPPOSE AB378  
To: <testimony@fairwisconsin.com>

Good morning, Committee on Colleges and Universities Members Representative Murphy, Rep. Nedweski, Rep. Moses, Rep. Wittke, Rep. Krug, Rep. Goeben, Rep. Schutt, Rep. S. Johnson, Rep. Michalski, Rep. O'Connor, Rep. Emerson, Rep. Stubbs, Rep. Joers, Rep. Shankland, Rep. J. Anderson,

I, Elizabeth Jones, am a neighbor to your district and am a parent to LGBTQ individual.

I care about this because it is absolutely unnecessary to propose such a bill, that limits freedoms to a large community, for a phantom threat that only serves to incite culture wars.

As a member of this community I urge you to OPPOSE AB 378 as it is likely to negatively impact the well-being of my community members, cause harm to young learners in my school district, create a hostile atmosphere for LGBTQ+ individuals in our community, curtail learning opportunities for young learners, and exile some of the most under-resourced members of our community.

I know you share in my care for this community's well-being and will do the right thing representing us when you OPPOSE AB 378 today. Thank you for your time and consideration,

Sincerely,

Elizabeth Jones  
208 Golden Maple Road  
Madison, WI 53718

From: **Catherine Capellaro** <catcapellaro@gmail.com>  
Date: Wed, Oct 4, 2023 at 12:16 PM  
Subject: Testimony  
To: <testimony@fairwisconsin.com>

Dear legislators:

I am a proud, lifelong Wisconsinite who is disturbed and sickened by the anti-trans legislation being proposed. Trans kids and their are already living in fear and navigating dangerous situations every single day.

Don't give in to the hateful, wrongheaded narrative about trans people.

Don't deny kids the right to participate in sports or receive health care because of their sexual identity. It's none of our business.

Vote against AB 378, AB377, and AB465.

Thank you,  
Catherine Capellaro  
608-669-6126  
[catcapellaro@gmail.com](mailto:catcapellaro@gmail.com)

From: **Andrew Buhl** <[andr.buhl@gmail.com](mailto:andr.buhl@gmail.com)>  
Date: Wed, Oct 4, 2023 at 12:21 PM  
Subject: Oppose AB 378  
To: [testimony@fairwisconsin.com](mailto:testimony@fairwisconsin.com) <[testimony@fairwisconsin.com](mailto:testimony@fairwisconsin.com)>

Andrew Buhl  
4330 Sheffield Rd, Madison, WI 53711  
October 3, 2023

Dear Representative Murphy and Nedweski and the Wisconsin Committee on Colleges and Universities,

I am writing to express my strong opposition to Assembly Bill 378, the proposed categorization of transgender athletes participating in collegiate sports based on their sex assigned at birth. As a Wisconsin resident who values equality and inclusion, I firmly believe that a measure like this, which reduces the complexity of every individual's identity solely to their assigned sex at birth, undermines rights of transgender individuals, and disregards the principles of fairness, equality, and understanding of our fellow human.

Enforcing assigned sexual categorization perpetuates harmful stereotypes and reinforces stigmas for all Wisconsinites. It fosters an environment of exclusion and discrimination, sending a message that some gender identities are not valid. This not only impacts the mental and emotional well-being of transgender athletes but also contributes to broader societal misunderstandings about gender diversity.

I encourage you to oppose any legislation or policy that seeks to enforce the forced sexual categorization or banning of transgender athletes. Targeted legislation like this is cruel and impacts a broad spectrum of underrepresented and marginalized individuals.

Regards,

618-975-1132  
[Andr.Buhl@gmail.com](mailto:Andr.Buhl@gmail.com)



From: **Rebecca Rick** <rebecca.rick@gmail.com>  
Date: Wed, Oct 4, 2023 at 12:27 PM  
Subject: Writing in support of trans youth  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

Hello,

I'm writing to express my support for trans youth and adults in sports and all aspects of life. Trans people deserve the freedom to live in the world as their true selves. They deserve life saving medical care, which gender-affirming care absolutely is.

Using trans people as a political wedge, throwing around claims with no merit and shaky evidence at best, is putting so many people -- trans and cis alike -- in real danger. It's absolutely despicable.

I urge legislators to vote no on bans that prevent trans youth and adults from living their lives safely, happily, and unbothered by bigots with divisive political agendas.

Sincerely,  
Rebecca Rick  
53207

Dear Assembly Committee on Colleges and Universities,

My name is Sol Kelley-Jones and I write to you today as a parent, a college faculty member, and a proud Wisconsinite who has had the privilege of knowing, working with, and loving many transgender youth and college students in our community for the past 20 years. I am deeply concerned about Assembly Bill 378 and its attack on transgender students simply trying to participate productively in their college communities through engaging in athletics on teams that align with their gender identity. This mean-spirited, divisive legislation targets some of our most vulnerable community members - transgender young people and young adults – and sends a dangerous message to residents of Wisconsin that our leaders are more interested in targeting already marginalized members of our communities rather than working towards policies that nurture the health and well being of all in our state.

At a time when we should be focusing our efforts on building a Wisconsin where all students can thrive and feel belonging - whether that is through participation in athletics or simply feeling safe to exist in their home state - this legislation with its hate-filled rhetoric would have an incredibly harmful, and even life-threatening, impact on many in our community.

I ask you to strongly oppose Assembly Bill 378 and stand strong for a Wisconsin that is affirming of the worth and dignity of all of our residents.

Thank you for your leadership,

Sol Kelley-Jones

4341 Crawford Drive  
Madison, WI  
53711

From: **Christopher Guse** <chrisguse@gmail.com>  
Date: Wed, Oct 4, 2023 at 9:42 AM  
Subject: Opposition to Assembly Bill 378  
To: <testimony@fairwisconsin.com>

To: Assembly Committee on Colleges and Universities

I am writing to voice my opposition to Assembly Bill 378. As the parent of a transgender, non-binary person, I can attest that the introduction of this bill is harmful to trans youth. We need to be lifting up our children and celebrating diversity. It takes a huge amount of courage for them to live authentically and to transition from the gender assigned at birth. The government has no place in making decisions about how they can live their lives, and whether or not they deserve to participate in sports.

I am a lifelong resident of Wisconsin and am disgusted to see the introduction of bills that threaten transgender youth's existence and identity.

Sincerely,

Chris Guse  
[chrisguse@gmail.com](mailto:chrisguse@gmail.com)  
Shorewood, WI 53211

From: **Jas McDaniel** <jasmcdaniel@gmail.com>  
Date: Wed, Oct 4, 2023 at 12:31 PM  
Subject: LGBTQ + bills  
To: <testimony@fairwisconsin.com>

To the entire committee.

My name is Barbara Mcdaniel. My address is 201 South Chestnut St. Mineral point wi 53565

I am writing this email to let you know that i oppose the LGBTQ bill you are discussing today.

Every person, regardless of their gender and race should be entitled to equal rights in my opinion. To discriminate is of the most opposition to our common rights as human beings.

There's so many reasons beyond our scope, that friends and family that are LBGTO that are having their rights taken away. Please stop this and find a solution where our voices are heard and a way equally to honor all.

Thank you

Barbara McDaniel

From: **Jen Boehm** <jenboehm2981@gmail.com>  
Date: Wed, Oct 4, 2023 at 9:20 AM  
Subject: AB 378 (College Athlete Ban)  
To: <testimony@fairwisconsin.com>

Dear Committee Members,

My name is Jen Boehm. I am 42 years old with one child in college and one child in K-12. I am a lifelong resident of the state of Wisconsin. I'm a registered nurse and future nurse practitioner.

I strongly oppose AB 378. There should be no ban on any person from fully participating in society. If a transgender person wants to play sports, we should let them.

Please stop legislating our state with bigotry and start being inclusive.

Sincerely,  
Jen Boehm

333 West Tyler Ave  
Eau Claire, WI 54701

Dear Legislators,

I am a transgender college student going to UW-Milwaukee. A number of bills are up this week that will decide what my rights are within the state of Wisconsin. I am an adult who fully believes I should have the right to make my own healthcare choices and transition. I struggle with gender dysphoria and believe me when I say that that gender dysphoria is very real and it is not a choice. Medical research has shown the benefits of transgender healthcare. It shows that the majority of those who will undergo a medical transition in their lifetime will not regret it. Most importantly in a community with such a high suicide risk, it has been shown to reduce suicidal ideation for transgender individuals. Research done and published in the article, *Suicide-Related Outcomes Following Gender-Affirming Treatment: A Review*, puts it better than I ever could so I will use the words of its author,

“Hughto et al. (2020) utilized a cross-sectional, online survey of 288 US-based transgender adults via the Transgender Stress and Health Study. Bivariate and multivariable mixed-effect logistic regression analyses were used. Participants were asked if they ever had a history of suicide attempt(s) or thoughts of suicide as a dichotomous variable before gender-affirming treatment. Prior to initiating unspecified gender-affirming treatment(s), 73.3% of the sample reported a history of suicidal ideation; this percentage dropped to 43.4% following the initiation of gender-affirming treatment. Prior to treatment initiation, 35.8% of the sample reported a history of suicide attempt(s), and 9.4% reported a history of suicide attempt(s) after initiation of gender-affirming treatment”

No one is harmed by others having access to these life-saving treatments. Harm is only done when lawmakers make the choice to ban people from finally getting the treatment they need to finally feel at home in their bodies rather than imprisoned there. I am transgender, my friends are transgender and so are my mentors and elders. We will still be here no matter if you legalize our healthcare or ban us from playing sports. There will always be transgender citizens within our state of Wisconsin. All you would be doing is making our lives more painful and making it clear that our legislators would oppress the lives of those in the transgender community in order to appease those who wish us to not exist.

I implore you to defend the rights of transgender people within the state of Wisconsin. We should be allowed to be in sports. We should be allowed to make medical decisions about our own bodies which has been shown by medical research to benefit the vast majority of those who choose to go that route in their transition. Do not pass these bills that would rip away the rights of our transgender community.

From: **Michael Waupoose** <waupoose@aff.net>  
Date: Wed, Oct 4, 2023 at 9:38 AM  
Subject: AB Bill 378  
To: <testimony@fairwisconsin.com>

Dear Committee on Bill#378

Please do not support this bill. LGBTQ rights are human rights. We are humans. We would appreciate being treated as such.

Sincerely,

Michael Waupoose

“One day I will be an ancestor and I want my descendants to know that I used my voice so that they could have a future.”

~ Autumn Peltier

From: **Ryan Browne** <[ryan.j.browne@gmail.com](mailto:ryan.j.browne@gmail.com)>  
Date: Tue, Oct 3, 2023 at 7:50 PM  
Subject: Oppose bills AB 378  
To: <[testimony@fairwisconsin.com](mailto:testimony@fairwisconsin.com)>

From:  
Ryan J. Browne  
2821 Van Hise Ave, Madison, WI 53705

Dear Committee on Colleges and Universities:

I'm a concerned constituent writing to express my deep concern about the proposed bill AB 378 currently under consideration in our state.

I strongly oppose this bill because they target Wisconsin's transgender youth, eroding their fundamental human rights to privacy, freedom, and bodily autonomy. It's important to me that our state stands for equality and inclusivity for all residents, regardless of gender identity.

Our youth are struggling with their mental health now more than ever before. The Trevor Project 2023 Youth Mental Health Survey found that nearly 1 in 3 LGBTQ+ young people said their mental health was poor "most of the time or always," due to anti-LGBTQ+ policies and legislation. The Trevor Project's 2022 Youth Mental Health Survey found that more than 56% of trans and non-binary youth in Wisconsin have seriously considered suicide in the past year, while more than 21% of them have attempted it. Make no mistake, without gender affirming health care, the young people in Wisconsin will suffer.

I'm asking that you oppose this anti-trans legislation and stand up for the rights and well-being of all your constituents, including transgender individuals. I appreciate your time and attention to this matter. Thank you.

Thank you for your service and consideration.

Ryan J. Browne  
Pronouns: he | him  
608-960-7234  
[ryan.j.browne@gmail.com](mailto:ryan.j.browne@gmail.com)



To Committee on Colleges and Universities  
Re: AB 378-

My name is Melinda Knuth. Thank you for reading my testimony against AB378.

I believe there will unintended consequences by limiting involvement in athletics specifically based on sex. Sometimes an issue seems preset simple - men's basketball , women's basketball - for example . I most likely in 99% of situations this bill would not have an impact on college athletics. But this bill could have unintended consequences in situations you may not be aware of or that haven't come up yet.

For example , there could be a small tech school , college or sport that is just getting started and only has a male or female team . To support interest in the sport, a person of the opposite sex needs the opportunity to participate. This ban would prohibit that. The broad language would prohibit participation at any level. Additionally it could schools in the position of being intrusive about biological sex organs if a persons biological sex isn't immediately obvious.

A blanket prohibition cannot anticipate all the nuances in life and most likely would only have a negative impact on a very few , in very specific situations, in ways that could be extremely harmful.

Don't try to impose barriers where there isn't a need to do so.

Please Vote no on AB377

Thank you

Melinda knuth  
Madison WI 53726.

I stand against the anti-trans bills AB 378, AB 377, and 465.

Banning trans youth from sports is based on incorrect information and personal prejudices. Trans kids should be allowed the same opportunities as their peers to enjoy sports and have fun with their friends. Let kids play!

Banning gender affirming medical care for trans kids is harmful and misguided. Its authors say they are protecting children, but if enacted, this policy would cause significant harm to the kids they profess to care about. We need to let young people, their families, and their doctors make the appropriate health care choices for them, not legislators.

This onslaught of attacks on transgender youth feels like a deeply cynical attempt to manufacture controversy and fear, at the expense of the very young people these bills promise to "protect." Wisconsin Republicans need to stop picking on trans and non-binary kids, and get back to the business of governing!

With regards,

Catherine Watkins  
Madison, WI 53704

To The Committee Members:

I attended a meeting last night to inform people about LGBTQ+ issues and I heard there have been over 500 bills like these entered in state legislatures around the country. What a waste of time when legislators should be writing bills to make sure our youth are *getting the health care they need*, regardless of their gender. Bills such as these amount to harassment of trans and gay youth and should not even make it to committee. Please honor the values of democracy and our Bill of Rights and stop this kind of discrimination. I urge you to vote against these bills.

Virginia Coburn  
2 Coburn Ln.  
Whitewater, WI 53190

Hello

To the committee regarding AB 465, I would address the following message. My name is Luke. I have lived in the state of Wisconsin for my entire life. I have also known, for my entire life, that I was not like all the other boys I grew up with. Even as a young child, decades before I had heard the words "transgender" or "designated sex" for the first time, I would sneak into my family's storage closet to try on dresses that had been otherwise discarded. I would cry as I was made to have my hair cut short. All my life I was told that my feelings about who I was were nothing more than a phase, that I would grow out of it. The idea that I could be trans, much less that such a thing would be good or even acceptable were hidden from me by a society which had no intention of accepting someone who refused to quietly accept the role I was given. For many years I thought that I was broken. That there must be something wrong with me, some deviation of my brain that made me unacceptable as a human. I tried desperately to become the man that every authority figure in my life told me I should be. I consider myself lucky to have survived this time of my life. I was suicidal and depressed for years. These feelings only grew stronger the more I tried to conform to the male identity I'd been assigned. I had nobody I could talk to about these problems, as any such concerns were dismissed out of hand in the best case. Or taken as sinful, sexual perversions in the worst case.

After I was able to break free from the repression of my teenage years, as I learned more about the beautiful diversity of this world, I came to understand that I was transgender too. That my identity was valid and good. I am transfeminine, and proud of it. Being able to socially transition, to wear gender affirming clothing and hairstyles, and to be accepted by my peers for who I was, drove away my suicidality. But being able to pursue medical transition made me excited to live. I am able, now, to look into my future and see a version of myself that is truly happy with herself.

This is the joy you wish to steal away from transgender youth. With this bill you would mandate that all transgender people endure the same period of self loathing that I lived through, all while continuing to allow intersex people with gender-ambivalent bodies to be subjected by their parents to potentially harmful, body altering procedures. While allowing cisgender youth to pursue the same types of gender affirming procedures denied to transgender peers.

Make no mistake, if this bill is passed into law, it will cause the suicide of many transgender youths. Their blood will be on your hands. Gender affirming medical procedures have been proven time and again by countless medical studies to significantly improve the lives of transgender people. To reduce depression and anxiety and the risk of suicide. Every major medical organization agrees that the benefits far outway the risks. With this bill you would impose your own bigoted worldview in between doctors and families. You would deny medical workers the ability to provide lifesaving care to trans youth.

This bill disgusts me. Do not allow it to pass into law. I beg you to listen to the voices of transgender people, their families, their doctors and mental health professionals. Every meaningful voice speaking on the matter is asking you to vote against this and similar provisions. I am begging you to do the same. Please.

Luke Eisner  
11010 W Glendale Ave. Wauwatosa WI

To the members of the Committee on Health, Aging and Long Term Care:

I strongly opposed any medical care ban for minors, proposed bill AB 465. I additionally do not support AB 378 and AB 377, but I will focus on our families story that mostly pertains to the Medical Care Ban.

My youngest child was a delight from the moment she was born. Always happy, always excited for a new adventure and the funniest kid I had ever met. She kept me on my toes from day one, and was a delight to everyone who met her. When she became a teenager I watched her change. She became moody and sad, she didn't tell jokes, she stayed in her room more. One day she told me she was having suicidal thoughts.

As a parent I can't even begin to tell you how awful this time in our lives was. I worried daily, I couldn't sleep, I missed work when she couldn't go to school because I was afraid to leave her alone. We got a counselor right away, and went to see her pediatrician for medication, which helped a little. The immediate suicidal thoughts were replaced with self harm which was so scary. But suicidal episodes would pop up here and there, and I never would know when. The fear of losing my child was worse than anything else I have encountered as a parent.

You see my daughter was born a he. When she was in high school she started to realize she didn't feel like a boy, she wasn't interested in the same things as her older brothers or the kids in her class. She liked pretty clothes and wanted to grow her hair long. When the depression started to fade she started to realize what was making her feel this way. When she came out she chose the girl name we had originally picked out and the relief she felt after starting to live her life as our daughter was noticeable. She was happier and she started to tell jokes again. We found a new counselor for her and started the process of hormone therapy.

The difference after starting hormones in her was life changing. She is now living her life as her true self. She's confident and happy and is now an adult making her way in the world. She will do great things as she gets older and gets a job and contributes to society, but she almost didn't make it to adulthood. Hormone therapy literally saved her life. Having accepting parents who got her the help she needed saved her life. Having one accepting adult can reduce the risk of suicide among LGBTQ young people by 40%. Being able to access gender-affirming care is associated with much better mental health outcomes including a reduced risk of suicide and depression, here is [the link to the peer-reviewed study](#).

At the end of the day, the medical care my husband and I got for our daughter was a decision that only my daughter, our parents and our doctors should make. It's not anyone else's business or decision. Certainly not the decision of another parent who wouldn't support their child under these same circumstances, or a politician who is supposed to protect and serve everyone in their community, even transkids. Any type a ban would infringe on parental rights, and quite frankly harm transkids. I urge you to stop focusing on issues that would harm our kids, and focus on issues that would help them, like free school lunch, affordable childcare and healthcare.

Thank you

Jennifer Cook  
14999 222nd Ave  
Bloomer, WI 54724

I hope this message finds you well. I am writing to express my strong opposition to the proposed ban on gender-affirming healthcare in our state. As a mother of a transgender child, a therapist specializing in LGBTQ+ mental health, and an advocate for equal healthcare access, I believe it is crucial to prioritize the well-being and rights of transgender individuals in Wisconsin.

Gender-affirming healthcare is a lifeline for transgender people, especially individuals like my clients. Denying them access to essential medical care, such as hormone therapy or gender-affirming surgeries, would not only be discriminatory but also detrimental to their mental and physical health. Studies have consistently shown that gender-affirming care significantly reduces the risk of depression, anxiety, and suicide among transgender individuals.

Furthermore, as a therapist who has witnessed the positive impact of gender-affirming healthcare on my clients, I can attest to the importance of allowing medical professionals to provide evidence-based care tailored to each individual's unique needs. Banning these treatments would not only infringe on the doctor-patient relationship but also hinder our state's ability to provide comprehensive healthcare for all and support our state motto of "Forward." Banning gender-affirming care would be a huge step backward.

It is crucial to emphasize that gender-affirming care is not only about medical procedures; it's about affirming someone's identity and promoting a sense of dignity, respect, and self-acceptance. Denying transgender people the right to access the care they need sends a harmful message that their identities are not valid or deserving of support.

I urge you to reconsider this proposed ban and, instead, support policies that prioritize the health and well-being of all Wisconsin residents, regardless of their gender identity. Let us stand together as a state that values diversity, inclusivity, and the fundamental right to healthcare.

Thank you for your time and consideration. I hope that you will make the right choice in supporting gender-affirming healthcare and ensuring a brighter, more equitable future for all.

Sincerely,

Liz Lincoln Steiner  
333 N 72nd St  
Milwaukee, WI 53213

Liz Steiner, MSW, APSW  
she/her/hers  
Psychotherapist  
Nova Mental Health Services, LLC  
4465 N. Oakland Ave. Suite 360  
Shorewood, WI 53211

Good morning,

I am writing with regards to AB 465, a proposed bill that would ban gender-affirming medical care for transgender people under the age of 18 in Wisconsin. Banning safe, age-appropriate methods of treating gender dysphoria in children will only prohibit doctors from administering scientifically-proven care to a vulnerable group. Furthermore, I have no doubt this bill will set a disturbing precedent for more restrictions to be placed on adults seeking gender-affirming care.

Don't let fearmongering and lies work their way into our state capitol. Protect transgender youth in Wisconsin and stop this unfair bill!

Sincerely,

Lysander Rau  
he/him/his

Testimony for Assembly Bill 465

Dear Legislators,

I am writing to you about Assembly Bill 465.

My name is Lynette Miller and my address is 1808 Van Hise Avenue, Madison WI 53726.

I know a number of people who are LGBTQ+ and who suffer with the crises of determining why they don't feel they are part of the norm. Several youth I have known have gone to the extreme decision to end their lives.

My daughter received her medical degree and then went to Columbia University in New York City to receive her psychiatry degree. She studied with a psychiatrist professor who works with people from all over the world whose sexual identities are non-binary. Doctors with this training are prepared to help young people struggling with their sexual identity.

Legislators who are not trained in this way are not prepared to make decisions about young people's sexual identities. In writing bills like Assembly Bill 465 you are making life decisions impossible for young people struggling with their sexual identity and also for doctors who are working to help young people and their families make the best medical and psychological decisions about their sexuality.

I ask that you vote against the passage of Assembly Bill 465.

Thank you for your careful consideration of letting youth, parents and medical personnel make their own very personal decisions.

Sincerely, Lynette Miller



Committee Body,

I am writing as a parent of a creative, kind, advanced learner, cello-playing, Trans fifth grader.

I invite you to please listen to families, medical professionals, and the community when they say to take your time on this decision, whether to ban medical procedures and support for trans and non-binary youth.

We parents do not take or make these decisions lately. We invite you to take them seriously as well and not just listen to one side of this situation.

Thank you,

Eric Theis  
Madison, WI 53714

North Hearing  
Room

Chairman Moses +

Thank you, Committee Members, for this opportunity to use my voice in  
opposition to this proposed bill.

---

I'm a fourth-generation proud Wisconsinite. I'm a parent, I'm a volunteer. In our so-called "purple state" I believe keeping children alive and healthy is one mission we can all agree on.

As a community, we make agreements to protect the lives of our most vulnerable, our children. We insist children wear seatbelts and sit in car seats. Crossing guards make sure our kids can safely cross the streets near our schools. We agree to safe snacks in classrooms where a child has a severe allergy. *Regardless of our personal preferences.*

**Gender affirming care keeps children alive.** As Iowa state senator Zach Wahls said so powerfully about a similar bill to ban gender-affirming care "kids are going to kill themselves because of this law...Children will die...if this becomes law. You are outlawing care with this bill that reduces suicide likelihood by 73%. If you had a drug that could reduce suicide risk by 73% you would say it was a miracle drug."

*For decades puberty blockers + growth hormones have been used on transgendered kids. No one wanted to ban that care.*

Thank you,  
Ann Imig  
Madison

Dear Committee Members,

My name is Dr. Erin Gutowski and I am a primary pediatrician in the La Crosse area. I have been working in this part of the state for the past 5 years and am a Wisconsinite, born and raised! I have a background in public health, specifically social determinants of health, increasing access to healthcare in vulnerable populations and I now specialize in socially complex medicine for children and adolescents.

It's very important for this committee to understand that 90% of the work I do in pediatric gender clinic is social gender affirmation, meaning that many of our patients under the age of 18 yrs are not interested in gender affirming hormones at this time, but need a safe place to talk to their doctor about keeping their body healthy and safe, so they are well-informed and understand the medical effects of these interventions. Comprehensive, gender-affirming care for youth is medically necessary and strongly supported by every major medical and mental health organization in our country, including the American Medical Association, the American Academy of Pediatrics and the American Psychological Association.

Evidence through robust bodies of research locally, nationally and internationally continue to replicate the same conclusion in the data: gender affirming care is life-saving care. Having safe spaces to talk about gender with experts in the field reduces suicide risk in youth, increases social support and helps parents and caregivers understand what their children are going through and how to best support them. Moreover, we now have data from states who have youth gender-affirming care bans in place showing significant detrimental impacts on mental health, further contributing to rising healthcare costs related to emergent behavioral health inpatient stays and mental health crisis management, not to mention parental lost wages due to mental health crises or grieving the loss of their child.

Instead of exploring ways to decrease access to care for an extremely vulnerable population, I would strongly suggest investing in youth mental healthcare in our beloved state. According to a 2013 Nationwide survey conducted by the Trevor Project, 56% of LGBTQ young people wanted mental health care but were unable to access it. As legislators, you could choose to save lives and invest in evidence-based programs that improve adolescent mental health and access to therapy in rural communities.

The more policy-driven maltreatment and stigma placed on a population due to their gender identity or sexual orientation, the higher their suicide risk. You have the power and the ability to change this for the state of Wisconsin. I encourage all state legislators to reach out to their local experts in LGBTQ+ health and ask questions about the work we do. You are also welcome to contact me directly anytime. While we cannot always take time away from our busy clinic schedule to testify in person before you, we are the ones who are doing this work daily. We are privileged enough to see what evidenced-based, trauma-informed, gender-affirming care can accomplish and how it supports the mental health and greater good of our communities throughout Wisconsin.

Thank you,

Erin Gutowski DO,MPH  
Pediatrician  
She/her pronouns

I oppose Oppose AB 465, AB 377, AB 378.

As an educator in this state, I have seen the extreme mental duress that LGBTQ+ youth navigate as they explore and discover who they are, who their families want them to be, and at times, have to navigate the deeply traumatic times when those two futures are in direct opposition. Adding the government's involvement in limiting medical care and extracurricular choice? That is a dangerous precedent to set - at what point do we let young people, their families, and their providers determine their own futures? I vehemently oppose the Trans Athlete Ban and the Trans Medical Care Ban. This is removing an individual's right to determine their own medical care and life. Wisconsin youth deserve the right to self-determine who they are, and not have the government decide for them based on pseudo science and religious doctrine. How many Wisconsin representatives have attended medical school? How many have science degrees? Why are we spending time limiting the future of our youth and silencing the voice of our Wisconsin?

I'm not sure why our representatives feel the need to engage in viral, outrage-based political theatre when Wisconsinites are struggling under the weight of so much already.

Forward -

Emily Erler  
HS English Teacher  
Milwaukee WI

Assembly Committee on Health, Aging, and Long-term Care

Dear Representatives:

I am the grandfather of a 7 year old transgender girl. She told us she was trans when she was three. (Of course she didn't use those words, but when a boy says repeatedly "I'm a girl" through words and actions, the message is clear.) Despite what ideologues and haters may tell you, her being trans is not a "choice" and no one "groomed" her to adopt a "lifestyle."

Life would be difficult for my granddaughter even if society were completely supportive of her being trans. She is in a body that doesn't match how she feels, at the most fundamental level, about herself. Imagine what it feels like to hear your four year old say, "I wish I didn't have a penis." Her gender identity is no more of a "choice" for her than whether she has brown hair or is right-handed. How I wish she were not trans, because then she would feel so much better about herself!

But she is, and I love her and support her.

She will need, in time, puberty blocking drugs so that her voice and body do not irrevocably change into a man's before she is old enough to make informed decisions about what she wants to do with her body so that it better matches who she is. And she will need hormone therapy her whole life in order just to be the person she really is, whether or not she eventually decides to have any gender-affirming surgeries. Does this sound like fun? Does this sound like the life anyone would choose, or would choose for their child?

No, but we support it because we love our granddaughter and, given the shocking suicide numbers among the trans population, it is literally a matter of life or death.

AB 465 would immeasurably harm my granddaughter. What is the word to describe a powerful person who victimizes a small, powerless child already struggling with circumstances that she didn't choose?

The word "bully" comes to mind. What are the words to describe someone who victimizes such a child for political gain? The words "cynical opportunist" come to mind. But I'm hoping none of that describes Members of the Wisconsin Assembly. I'm hoping the word "uninformed" better describes you, and that listening to trans people and their family members who love them will result in your withdrawing support for AB 465.

This is not about politics for me. This is about my grandchild, and others like her. If you harm her, or others like her, I will never, ever forgive you or forget what this Assembly has done.

David Siegler  
700 Chapple Av.  
Ashland WI  
715-209-5701

Dear lawmakers:

A transgender ban is hazardous for your health.

Sincerely,

Russell J. Novkov

I am the parent of a cisgender daughter and ally. I strongly oppose this ban. Let the medical experts decide what is best for a child. There's multiple studies showing trans kids are at greater risk for mental health issues and suicide. We need to support them every chance we can. Let trans kids alone!

Molly Schuman

How cruel this bill would be. We should be trying to think of legislation that makes Trans youth feel more included. I often found childhood to be frightening, and I cannot imagine the pain this bill would cause.



John S Grunseth  
3918 St Croix Circle W Green Bay WI 54301  
920-819-4999 johngrunseth@gmail.com

I understand that recently, the “Help Not Harm Act” (LRB-0191/LRB-4459) was introduced in the state legislature by republican leadership.

It appears this is a “group think” action for republicans nationwide to either intentionally or unintentionally harm our transgender youth. This fear of “if they’re not like us, they must be wrong” does not provide equal rights under the law.

Contrary to what some believe, being transgender is not a choice nor a whim or have any religious implications. It’s who these people are and how they were born. And, there is no minimum age where young folks know who they are. All they’re trying to do is live their best lives openly and honestly. To deny and eradicate their existence is akin to horrors of the Nazi tenants.

Before you take a position on this bill, please do the following:

1. Talk to a transgender young person and their parents. Hear first-hand the importance of having lifesaving mental/medical care available in Wisconsin.
2. Study the Trevor Project’s 2022 Youth Mental Health Survey which found that more than 56% of trans and non-binary youth in Wisconsin have seriously considered suicide in the past year, while more than 21% of them have attempted it!
3. According to the Wisconsin Office of Children’s Mental Health survey report (June 2021), LGBT youth experience higher rates of mental health disorders in general and have almost twice the rate of death by suicide compared to cis gender youth. Additionally, one study found that more than two-thirds of youth in the LGBT community experienced anxiety symptoms in the two weeks prior to their being surveyed.
4. Be aware that at least 74% of LGBTQ+ youth in Wisconsin have experienced discrimination based on their sexual orientation or gender identity.
5. Know that transgender young people are afraid to be who they really are due to the stigma associated with being transgender. And at least 35% of LGBTQ+ youth in our state have been threatened or harmed because of their sexual orientation or gender identity.
6. Know that untreated mental/physical health of transgender youth has a strong negative impact on their ability to effectively learn.
7. How would you respond if a loved one or someone you know is or has a transgender youth? Would you deny them important potential lifesaving care?
8. Understand that passing this “Help Not Harm” legislation is a misnomer as it doesn’t help and will harm the transgender youth of Wisconsin.

A message to our law-making committee:

My name is Payton Lederhaus, address 629 River Street, Waupaca, WI. As a nearly life-long Wisconsinite, I wish nothing more than to see the lives of people here flourish. To that end, I strongly oppose the restriction of transgender health care. Looking at statistics, 0.34% of our population openly identifies as transgender. While that may not seem much, comparing that percentage to our overall population, that's roughly 20,000 people whose lives will be impacted by this bill, entirely for the worse. It is my hope that the committee chooses to protect the lives and happiness of these individuals living within our state's borders, myself included.

Thank you all for your time,  
Payton Lederhaus

To the Committee Members,

Members of both Assembly and Senate of the State of Wisconsin considering these proposals, I submit the following for addition to your materials for your basis of determination in the matters of AB 377, AB 465, SB 480, SB 479.

I am offering my opinion in opposition to the above proposed bills as an instructor for training law enforcement in working with the transgender community for over fifteen years. What started as an investigation into what is transgender, turn into research as I saw the need for our criminal justice entities, both law enforcement and corrections and the court system, to legitimize and understand who transgender individuals are.

What I found is eerily similar treatment to other socially misunderstood human conditions which struck fear in and caused social condemnation and punishment for being a naturally occurring human phenomenon. A great example of this is the treatment of left-handed persons not so long ago as "the devil's spawn," where we had to fear them, correct them, punish them, treat them medically. See:

**The Prevention And Correction of Left-Handedness In Children** by J.W. Conway published in 1935 and we believe also had the subtitle "On Curing the Disability and Disease of Left-Handedness".

**The Mental Sorrows of Left-Handedness (1924)** by Dr. William. S. Inman.

We now know it is a genetic factor(s) that cause left handedness. There is evidence that being transgender is also a rare but natural genetic occurrence like having red hair.

The American Psychological Association's position on the type of legislation being proposed is "

*While supporters of these bills typically claim to want to protect children, scientific evidence ultimately suggests that the*

*models of care these bills might allow cause harm to transgender children, and those who may be gender creative as children who ultimately decide they are not transgender (Ashley, 2021). [ 10/01/2023 @ <https://www.apa.org/topics/lgbtq/gender-affirmative-care> ]*

Other government medical, science resources that I have accumulated research documents that show important relevant information to be considered in your deliberations are from the National Institute of Health (NIH), The National Human Genome Research Institute (NHGRI), Mayo Clinic at Rochester MN- Transgender and Intersex Specialty Care Clinic (TISCC), and University of MN - The Eli Coleman Institute for Sexual and Gender Health (ISGH), along with many other highly regarded sources from around the world. Please consider speaking with Dr. Scott Leibowitz, MD, Child and Adolescent Psychiatrist and Medical Director of Behavioral Health, THRIVE Program (Differences of Sexual Development and Gender Concerns), Nationwide Children's Hospital, Columbus, Ohio. Please see his publicly available talk for physicians: <https://videocast.nih.gov/PastEvents.asp?c=27>

*"psychobiologist Antonio Guillamon of the National Distance Education University in Madrid and neuropsychologist Carme Junqué Plaja of the University of Barcelona—used MRI to examine the brains of 24 female-to-males and 18 male-to-females—both before and after treatment with cross-sex hormones. Their results, published in 2013, showed that even before treatment the brain structures of the trans people were more similar in some respects to the brains of their experienced gender than those of their natal gender. [<https://www.scientificamerican.com/article/is-there-something-unique-about-the-transgender-brain/> ]*

*"It's not genitalia that determines gender, says clinical psychiatrist [Murat Altinay, MD](#), Head of LGBT Mental Health Services at Cleveland Clinic. A closer look at brain structure and function reveals that transgender people have striking similarities to their identified gender rather than their*

biological gender — even before hormone therapy." [ <https://consultqd.clevelandclinic.org/the-brain-and-gender-identity-current-evidence-and-implications-for-practice-podcast/> ]

I have found that discussing the vast variety of genetic variations possible, and human conditions that medicine and science know about and that societal embarrassment and fears and social shaming, stop any knowledge to the general public. Do any of the committee members know what being Intersex is? [ <https://my.clevelandclinic.org/health/articles/16324-intersex> ] Or what Guevedoces is? [ <https://www.livescience.com/52247-guevedoces-girls-boys.html> ] What is not general public knowledge about the variety of forms of human in existence was shocking when reading the 100's of medical journals and scientific publications.

May I suggest two other recent publications for resources for your consideration:

NOT A CHOICE What you weren't taught about the Biology of Sex and Gender; by P J Paulson,  
Handsel Pub Ltd., ISBN-13: 978-0976323518

The second is on a related and arguably just as important human issue of Intersex persons:

INVERSE COWGIRL a memoir; by Alicia Roth Weigel,  
HarperCollins Publishers, ISBN 978-0-06-329528-5

Finally, I ask that the Committee Members do not allow false social contagion fears about trans persons to dictate your decisions on the proposed bills. Do research, ask the medical and scientific experts who work with children and adults and who are not prejudiced against new and known knowledge.

Find out what history and other cultures know about persons who feel they are born into the wrong form. I believe from my research review that in the womb, an XY brain and neurological start can be given the wrong hormones because of imperfect DNA genes

and proteins when it comes to genital development after week 7 (9) of pregnancy and then develop externally different from the neurological baseline. The same for an XX beginning to be inversely externally developed.

Please don't be part of the "I didn't know" excuse.

Thank you for reading and consideration of this information and accept my offer to discuss it additionally with you.

Respectfully submitted by

James W. Parlow

2709 Oak Drive, La Crosse, WI 54601

[jparlow@winona.edu](mailto:jparlow@winona.edu) (Retired Emeritus Professor Sociology-Criminal Justice)

Dear Committee members,

I have been with my spouse for the better part of 35 years. I have been teaching for 32 years. After a long day teaching yesterday, I was sleeping last night by 9:30 pm. This morning I received an urgent message from a family member that my beloved home state of Wisconsin is holding 3 separate hearings on anti LGBTQ+ legislation.

The degree of immorality and abuse of power in all these actions, on short notice, targeting a historically oppressed community devastates me. I am deeply embarrassed by your inhumane actions and utter disregard for LGBTQ+ people.

You are elected officials representing ALL of the people. I expect you to honor your oath and do so.

In a month schools nationwide are dedicated to teaching standing up against bullying, STAND UP against bullying against LGBTQ+ people. STAND UP against discriminating legislation and other members, citizens and funding who aim to cause harm to an extremely vulnerable community.

Statistically, we are 10% of the general population. In addition, as you already know, we are also more susceptible to violence, anxiety, depression, substance abuse and suicide. This is my family, my students and my community you have been waging silent war against. LGBTQ + people will continue to die by these actions you are taking.

**STOP IT! YOU ARE KILLING US. STAND UP FOR US. STOP AB465 NOW and in turn STAND UP FOR US by proposing supporting care, systems, funding and strengthened legal protections.**

B. Denise Christofferson, LGBTQ+  
Mom  
Auntie  
Cousin  
Daughter  
Friend  
Teacher  
WI resident  
US Citizen  
Human

**guy john halcón, M.S.**

**Regarding AB 377**

**October 4th, 2023**

My name is guy and I am a concerned resident of Wisconsin. I am unable to attend this week's public hearings due to illness, so **I am providing this as written testimony in opposition of Assembly Bill 377.**

**I am a disabled, transgender Latino who came to this state to learn and grow, with hopes of improving the experiences of all of our students.** I just started my PhD Program with the Department of Educational Leadership & Policy Analysis (ELPA) at UW-Madison this fall after completing my masters degree; I also studied law here the last three years and only have a written project to submit to officially have my Juris Doctor. I helped represent disabled students who experienced discrimination while in school - free of charge. I have worked in school districts in three different states, including here. I was a fellow with the UW System Administration this summer prior to moving on to my current role as a Teacher's Assistant for an undergrad class. I was also the Gleason/Kettel Fellow this summer, and had my time with Fair Wisconsin funded by the Williams Institute out of UCLA Law. I am beyond grateful for all of these opportunities that I've had, but **I would not be where I am today without all of the support I have received from people who see and love me for me. Being supported in all of my authenticity has brought me a level of joy and success that all trans people deserve, joy and success that bills like AB 377 aim to hinder.**

Assembly Bill 377 maliciously strips away a student's identity, tells a child that they have no control over their body or sense of self, and discriminatorily prohibits the child from a truly holistic and healthy enrollment at their school. In the context of our public schools, AB 377 forces a child to either fight through the torture of not being seen as their true self and fight through the harm that comes from living a life that isn't their own - or be denied the social, academic, and personal benefits provided by publicly funded tax dollars while being ostracized as 'illegal' under the language of the Bill. No one, let alone a child, should have to decide between living authentically or accessing something that is meant to be accessible to all.

**What I haven't mentioned already was that I was a Division 1 athlete my first year of college prior to retiring. I can say without a doubt that track and field saved my life in high school.** I was in so much pain in high school that I couldn't explain to others - but when the final bell rang I knew I had a place to be where I could throw out some of that pain. I didn't have the language to explain my gender back then, but the kids that AB



377 targets do. Assembly Bill 377 would punish trans\* youth for simply understanding their own existence and would forbid these children from participating in something that has the potential to be healing and life-changing - sports.

Additionally, the text of AB 377 sets up the stage for constant litigation, disproportionate impact and harm for Black and Brown girls (cis and trans\*), and the defunding of public education in Wisconsin. This is not about supporting girls - what girls do the authors of this Bill aim to support or 'defend'? Black and Brown girls are more likely to experience harassment for not conforming to 'female' expectations. If a White girl sues a school because she is rightfully pulled out of a game for harassment after claiming a Black girl is trans, what does the Assembly propose happens? If a Latina files a complaint with OCR because she is being targeted and questioned by other athletes for being 'too masculine', what will happen next? If our public schools start to lose more funding and we shift to a privatization of schools, all children who are marginalized, whether because of ethnicity, race, disability, status as emergent bilingual, gender, sexuality, and/or otherwise, will be at the hands of private school law decisions which increasingly have permitted discrimination/exclusion. This is not about supporting girls - AB 377 uses trans\* children, especially trans girls, in a strategic effort to dismantle public education.

To my final point, how does the Assembly see this ban being executed? Will each and every member who votes to pass the Bill be the one to demand a child's genitals and birth certificates be checked? Do voting members realize that closed birth certificate changes are possible in some states for minors and that students might move here from other states? Do voting members understand the implications this Bill has for FERPA and student privacy rights?

The first class I took in the ELPA Department was on Psychology and Coaching, with my final paper centered around servant leadership and better supporting LGBTQ2S+ student athletes. And here we are as a community and a state facing bills that would ban a number of these athletes from competing safely and authentically. 'Let kids be kids' includes trans kids. Let Trans Kids Play. Let Trans Girls Be Girls, Let Trans Boys Be Boys. Let All Of Our Children Be The Most Authentic Version of Themselves.

Thank you to those who have considered this testimony in its entirety. **Please vote against Assembly Bill 377 and all other anti-trans bills.**

*Dear Committee Members,*

*I write this email in strong opposition to the Trans Athlete Ban and Trans Medical Care Ban. As a middle school teacher in Wisconsin, I have had the opportunity to get to know many wonderful trans children. Looking at these bills and the context around them, there is no conclusion for me to draw other than these bills are intended entirely to use the law to expose trans children to even more cruelty than they've already experienced. There are real problems in our state that you have the power to solve, such as the poverty wages many of the families of my students are earning in their full-time second and even third jobs. Or our environment being devastated by corporations. People suffering pain that can be relieved with cannabis products are forced to turn to crime.*

*Yet this is what you spend your time on? It's really unbelievable. The existence of trans people may make bigots uncomfortable, but their discomfort with the identities of others is not a government interest. Please do something useful, for God's sake.*

*Sincerely,*

*Brian Harris  
4613 Goldfinch Dr.  
Madison, WI 53714*

Dear Representatives Green, Quinn and Kitchens:

I am a resident of the Town of Clover, Bayfield County. I have 2 children enrolled in Bayfield Public Schools. I am writing as a parent and as a medical professional, in opposition to AB 377 and AB 465.

I work with many families of all political persuasion. I am aware that there are people who believe that transgender identity is a choice. 56% of transgender youth have considered suicide. Regardless of whether or not we understand or support these kids, if we are to consider ourselves pro-life, we absolutely must value their lives by considering the impact of legislation such as this on them.

I am the mother to a trans daughter in the 10th grade. She does not play sports at school, but she does fill our freezer with venison every fall and she is my most favorite fishing buddy. She plans to attend medical school after college, and has proclaimed clearly that "it will not be in Wisconsin" if our State doesn't want me here. She is literally planning to leave the state (and bring her brilliant mind with her) because the people that are supposed to represent our family in our State Government are making it exceedingly clear that she is not welcome to live her true, beautiful self here. This is our State's loss in many ways. I hope you consider this impact when supporting these bills.

We are life long residents of the State of Wisconsin. We began my daughter's medical care in the state of Minnesota because we knew this was coming. We travel every 2-3 months. We spend hundreds of dollars in the State of Minnesota during these trips. This is money that would otherwise be supporting Wisconsin's local businesses/economy.

As a WI licensed midwife, I also need to bring forward the concept of informed consent and shared decision making. It would never be appropriate for me to take my personal belief system or agenda and insert it into another family's health care options. Nor is it appropriate for a legislative body to insert their political ideology or opinion in my family's health care choices. This is up to my husband, myself, my daughter and her health care team (of licensed professionals). It simply is not up to any government body to legislate what care is available to my children. I can't quite get over the irony of a Republican led bill that inserts government control into family life.

Please consider the irreparable damage that these bills will cause for our children, our economy and our great State's dignity.

Sincerely,

Dana Churness

From: **Reed Martin** <reed.edward.martin@gmail.com>  
Date: Wed, Oct 4, 2023 at 8:28 AM  
Subject: STOP ATTACKING TRANS PEOPLE  
To: <testimony@fairwisconsin.com>

Trans people make up 0.34% of the population of Wisconsin. That's and INSANELY small number of people to dedicate so much time and energy on. Furthermore, gender affirming care (WHICH ISN'T JUST SURGERY) has been shown to reduce childhood trauma and suicide so you're NOT EVEN PROTECTING THE CHILDREN. Stop lying about why you're doing this, you're attacking the smallest demographic to score political points and it's disgusting. Republicans are bullies, full stop. STOP these bans. They are cruel and a waste of time and tax payer money.



Testimony Submissions <testimony@fairwisconsin.com>

---

## Opposition to anti trans bills

1 message

---

**Madison Hartup** <madisonhartup@gmail.com>  
To: testimony@fairwisconsin.com

Wed, Oct 4, 2023 at 8:09 AM

My name is Madison Hartup, I live in Madison, WI (53703). Trans rights are human rights and I oppose these bills that would strip away life saving medical care and athletic opportunities from Wisconsin residents.

Sent from my iPhone

Hello,

My Name is Azalea Henriksen and I am a college student at UWM. The past 2 years have been long and hard, but I finally got up the courage to come out to my friends and family as a transgender man. I am saddened and incredibly upset that this is an issue that has been brought to light in a legal sense, and I'm incredibly scared of what this means for my future. I set up an appointment about a month ago to be able to start hormone therapy, and I've been talking about it and getting excited about it since then. I am so disappointed in our system that this has happened and I feel I am speaking for the entire trans community when I say this is a direct attack on us. I should be able to live freely and happily as myself just the same as anyone else. I can't believe I even have to write this, I had so much more faith in our system than this. Please consider my words and the words of others before you make a choice like this that could hurt and ruin so many people's lives.

Thank you,  
Azalea Henriksen

To whom it may concern,

Banning trans athletes and banning medical care for transgender individuals is wrong. Transgender individuals are human beings with civil rights. They have the same rights to participate in activities and to access healthcare as anyone else. Singling out this small segment of the community to specifically deny them civil rights unconstitutional and unamerican. As a family physician, I care for transgender individuals. Gender affirming care saves lives and harms no one. Legislation like this does only harm and no good for our great state.

Sincerely,  
Madelaine Tully MD

.....

I am writing as a faith leader and advanced practiced board certified healthcare chaplain who has spent decades working with clients who identify as transsexual and their family members. I have read through the various bills now before the Wisconsin state legislature, and I am appalled by the glaring ignorance, immorality and inhumanity of these unethical bills. I am writing to express my strong professional opposition to, in particular, AB465, SB480, SB479, SB378, SB377 and SB378 pertaining specifically to medical and mental healthcare.

These bills represent the grossest kind of government overreach that is ideologically driven by one particular worldview. They involve disclosure of the kind of information that I doubt many of the members on the state legislature themselves would be willing to share. Having worked with gender affirming and trauma informed care for decades, I can verify that people seeking such care need it desperately. They are not willingly choosing to undergo such care; it is an absolute medical necessity and mental health requirement. Once again, we have a band of legislators who seem to place themselves above professionally trained physicians, mental health and behavioral health professionals, and who seem to think that their rigid criteria for care should exceed that of people who have spent years training and educating themselves about the complexities of these issues. Even worse, to now criminalize those very professionals for doing their job! It's nothing short of legislators setting themselves up as some kind of purity police. Religious fundamentalism has no place in American politics!

Healthcare ethics requires 4 simple things: beneficence (do what is best for the patient), non maleficence (do no harm), autonomy (allow people determination over their own bodies) and justice (equitable access to care by all). These bills, and this rabid movement to prevent gender affirming care in any form, violate the very core of health care ethics.

As US veteran, who comes from decades of family members who have fought to defend the Constitution of this United States, I am ashamed of this flagrant abuse of human rights. Efforts to flood and overwhelm legislatures with a barrage of these kinds of bills all at once is a tactic used to undermine democracy, and it is abhorrent and frankly un-American. Democracy demands careful consideration of FACTS, professional guidance by people who know what they're talking about, healthy debate and respectful decision-making. That is Not this.

And, as a Reverend, I am disgusted to see once again an appropriation of a particular religion, misinterpreted and perverted to justify bigotry, now foisted upon everybody as a new rule of law.

I urge the Wisconsin state legislature to throw these bills out into the trash, where they belong. Americans deserve better.

Rev. Charlotte Bear



Dear legislators,

A number of bills are up for debate this week that would limit the rights of trans youth and adults and the people that care for them. I am a parent of two trans youth and have other friends and family who are trans, both in Wisconsin and beyond. Trans healthcare is a human right. I have witnessed firsthand the struggles of the young people in my life who currently don't feel like they are fully themselves. I've witnessed their struggles, depression, and heartache over making decisions about their lives. No one is harmed by trans sports participants, or by making hormones and surgeries available to people who need them. The distress from gender dysphoria is real, not imagined. This is a minority that deserves to be protected, not punished with limitations.

I urge you not to limit the freedom and help that trans people are entitled to. Trans youth are at risk for suicide and other negative outcomes in their lives when they cannot access gender affirming care. I believe everyone deserves a shot to live their best life, and that includes the trans community. Please do not pass these bills limiting our citizens' rights.

I am Quinn Hinaus and I am a resident of Madison (53703) and have lived in Wisconsin for all of my life. I am writing in opposition to the trans athlete ban and trans healthcare ban.

Growing up transgender and closeted, I spent so much time and effort trying to figure who I was "expected" to be and trying to become that person. I bounced around from maladaptive coping mechanism to maladaptive coping mechanism including eating disorders, self-harm, and substance abuse. I was lost and in a cycle of searching for anything to fix what I was experiencing only to end up more astray and disoriented. Luckily for me, this cycle began to be disrupted as I accepted my trans identity and started to live my truth.

Gender affirming health care saved my life. It is what got me through all of it as it addressed the root cause of all of the negative emotions and dysphoria I was experiencing. Transitioning was in no way easy or linear and over time I was slowly able to buy into myself and believe in myself. I learned how to open up and be vulnerable not only with other people but also with myself. I witnessed myself get excited about my future in a way I did not know was possible. I became an active participant in my life and began to mold my life into what I wanted. Through receiving gender affirming healthcare, I have been able to see firsthand exactly how beneficial and life-changing it can be, something everyone who needs it deserves to be able to access.

Lawmakers need to stop using trans children as pawns in their political agendas and hiding behind their desire to "protect the children". Actually protecting the children looks like increasing access to life saving healthcare, understanding the difference between social transitioning (changing names, pronouns, clothes ect.) and medical transitioning (puberty blockers, hormone therapy, and surgeries) as well as know that transitioning for a majority of minors almost exclusively deals with social transitioning. Lawmakers are explicitly going against decades of research and are blatantly ignoring the professional opinion of scientists and healthcare providers. No one wants to make children transgender, but rather we are trying to create a world where children that are transgender make it to adulthood and feel safe while they make it there.

I oppose the attempts to ban trans athletes and gender affirming healthcare and I hope you join me in opposition. Transitioning and gender affirming healthcare saved my life and every other trans person deserves to have the same access to this care.

Best,

Quinn Hinaus

From: **Kirsten Worzala Dumke** <kirstenworzaldumke@gmail.com>  
Date: Wed, Oct 4, 2023 at 9:11 AM  
Subject: Support for trans youth  
To: testimony@fairwisconsin.com <testimony@fairwisconsin.com>

Good morning,

I thank you for your work fighting for rights for our trans and non-binary youth, especially. The bottom line is that people deserve to receive appropriate and life-saving support and healthcare.

I have been a chaplain in healthcare for 11 years and have seen the impact of people who are able to receive necessary healthcare and those who have been denied that right. Additionally, my role as parent - which is the most important role in my life - includes loving and supporting my 10 year old non-binary kiddo. They are a love of a human and an incredible force to be reckoned with. They also are nervous about the developmental changes that they will be experiencing in puberty and it is my job to support, care for, and provide resources so that their needs can be met. It is also my job to fight for the rights of those who don't have a voice, particularly our siblings who are BIPOC and in the LGBTQ family.

There aren't sufficient words to express the intensity of the opposition that I have for bills and laws that will take away the basic rights of healthcare or sports participation for our trans siblings. While I will be at work during the hearings today, I fully support your work and I thank you for it. Keep it up!

Take care,  
Rev. Kirsten Worzala Dumke

To the members of the committee,

I am a registered nurse and a parent who loves and cares about a number of transgender and non-binary children and adults. I cannot for the life of me understand why my state representative is pushing forward these mean-spirited attacks on children and their medical providers. The science is very clear that LGBTQ+ children are at a significantly higher risk of self-harm and suicide, and the majority of that risk is due to being told over and over again by politicians that they are somehow flawed and that the politicians know better than they and their doctors do. As a voter and a taxpayer, I am saddened and ashamed that my representatives are spending time and money trying to make the lives of children harder. I wholeheartedly oppose these bills and hope the committee will refuse to participate in this blatant scapegoating and start working on policies that actually help the people of Wisconsin. Thank you for your time.

Lori Cannon  
Town of Washburn, 54891

From: **Melissa Lemke** <malemke22@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:50 AM  
Subject: Testimony  
To: <testimony@fairwisconsin.com>

Good Morning,

I wanted to submit my testimony in opposition to AB 378, AB377, and AB 465. AB 465 is of particular interest to me, because I work in the field of health care and public health and am an LGBT person.

As a member of the LGBT community, I have seen first hand the damaging effects of discrimination against LGBT people. I have had friends lost to suicide due to rejecting families and seen teens who were beat by their peers due to being LGBT. I have also seen the beauty of what having a supportive community can do to help people become thriving, healthy, contributing members of their churches, schools, workplaces, and communities. Supportive people including having supportive healthcare providers can create opportunities for health thriving communities.

I am opposed to the healthcare ban, because that healthcare should be between a physician (provider) and their patient. A cornerstone of our medical establishment is that doctors can share their professional expertise regarding how best to support their patients. No matter what your health needs are, I believe that the relationship between physicians (other health professionals) and patients should be guided by the provider's many years of expertise and that politics should not be involved in this important and personal relationship.

Thank you for your time.

Melissa Lemke  
2122 N 116th St.  
Wauwatosa, WI 53226

--

"All that is gold does not glitter, Not all who wander are lost; The old that is strong does not wither, Deep roots are not reached by the frost." -Tolkien-

From: **Madeline Stand** <madeline.stang.5@gmail.com>  
Date: Wed, Oct 4, 2023 at 10:14 AM  
Subject: Opposition to "The Help, not Harm Act" LRB-0191/LRB-4459  
To: <testimony@fairwisconsin.com>

Hi,

My name is Madeline Stang and I live at 109 N Brooks St. apt 118 Madison WI 53715. I think that everyone had the right to express themselves for who they are and no government should have a say in whether or not, they can do that. The world is changing and we need to change with it. We need to apose the gender binary and realize that gender is a construct used to sort people and exclude others. Every one has the right to bodily autonomy and Wisconsin should be no exception.

To Whom It May Concern:

My name is Rachael Cera-Alinas. I live at 331 W. Wabash Ave. In Waukesha.

I am also a VERY proud mother and aunt to two transgender young adults; both of whom started their transition while adolescents.

Transgender adolescents are twice as likely to attempt, or commit suicide due to the stigma, rejection by family and friends, and bullying by classmates. All of those experiences (among others) irreparably traumatize those transgender youth. That trauma leads to the extreme decline in the mental health of those transgender youths. Now, you all are attempting to stigmatize and segregate and oppress them legally.

My son and nephew are amazing humans. They are kind, gentle, loving, outgoing, caring, giving people. But, that is today. The road they had to go down to reach this point was wrought with excruciating mental and physical anguish and pain, even though they had very accepting, loving, and supportive parents.

Imagine, if you're capable, being born without a nose. Just holes in the middle of your face. They function just fine. You're able to breath without any difficulties. You just don't have the nose that everyone has. Now, again, imagine, if that was your child, or grandchild. Wouldn't you do ANYTHING to help give your child a nose one way or another? Surgeries, detachable prosthetic noses, face masks. Anything to make you or your child or grandchild look and FEEL "normal"? The technology is there for you to have a nose. The medicine is there, but the government told you that you were not allowed to fix this birth defect? And doctors are mandated not to treat this birth defect in any way.

Imagine the mental trauma you, your child, or grandchild, would experience? Being stared at wherever you go. Being made fun of by classmates and strangers. You criticizing yourself. Crying every time you look in the mirror. Calling yourself horrible names. Becoming physically aggressive towards your own body because you hate yourself so much. The feelings of being out of control. Being angry that, even though you can afford to pay for a nose, doctors are forbidden from helping you, by the government. The knowledge that you have absolutely no body autonomy.

Oh, by the way, government also mandates that you are not allowed to participate in the swim team at any level. Even though your birth defect has ZERO affect on your ability to be the best swimmer the world has seen. You are legally not allowed, because of something you had no power or control over. It was just something you were born with. Sure, your parents love you with or without a nose. Sure, you would love your child, or grandchild without a nose. But the government has taken away your ability to help yourself or loved one. The government has taken away your rights to do to your body what you wish. The government has taken away your right to participate in the sport you love most. The government has taken away your bodily autonomy. The government controls your body; not you.

I have witnessed, first hand, the mental anguish that trans adolescents have had to endure. I have witnessed the absolute trauma my son went through every month when he would get his period. Fortunately, I was allowed to help my son. My sister was allowed to help her son. We were also witnesses to the incredible resurrection of our loving, kind, gentle children when they went through their transition. They were no longer depressed to the point of being non-functional. And my son stopped cutting himself because he hated his body so much. And the fear that I had that my son would not be able to handle the hatred and disgust he had towards his body and would kill himself, went away as well.

Do not take away the right of every parent to help their children. Do not take away the right of every transgender youth to match their brains to their bodies; to "fix" their birth defect. Let them live the life that every other non-trans person gets to enjoy. Play the sports they love, and enjoy the same bodily autonomy that you enjoy.

Thank you,  
Rachael C. Alinas



Committee,

I have a friend who served our country in the war in Vietnam. The long-term effects of exposure to Agent Orange in that war is believed to be the reason for the physical changes that occurred in that Vet's body that transitioned him into a woman.

That person was always perfectly content to be a man but the physical changes that were occurring were entirely involuntary.

As a trans woman should she be denied now any rights as a woman? Can any person not recognize the suffering any person must have when their perception of themselves does not happen to match their physical status?

It seems to me that in a Christian compassionate world, we should be reaching out to these persons extending our support.

Let Wisconsin be a leader in representing all of our citizens and especially our youth who we should be doing everything possible to protect and nurture them regardless of their sexual identity

Roger Sands\  
815 Verdant Drive, Elm Grove WI 53122.

From: **Tien Vo** <votien5@yahoo.com>  
Date: Tue, Oct 3, 2023 at 8:12 PM  
Subject: Opposing Anti-Trans Bills Testimony  
To: <testimony@fairwisconsin.com>

To whom it may concern:

My name is Tien Vo and I urge you to oppose bills AB-377, AB-378, and AB-465.

I am a medical student at the University of Wisconsin School of Medicine and Public Health, and these anti-trans bills are detrimental to health.

AB-377 and AB-378 threaten women in sports even though trans girls do not threaten women's sports. In fact, the exclusion of trans women threatens women's sport because the exclusion of trans women demands rampant policing of women's bodies. These bills threaten ALL girls, because any girl can be accused of being transgender. This not only demonizes and weaponizes transness but also legally enforces the policing of women's bodies in sport.

AB-465 also wrongly discriminates against trans people. It goes against all evidence based medicine which states profoundly that gender affirming care is vital to health and is life-saving. As someone who has spent time with patients who have sought gender-affirming care in WI, I know that it is not easy to come by as many patients travel from other states to receive care and support here in Madison. Waitlists for gender-affirming surgeries are years long, and it would be inhumane to inhibit people from getting the healthcare they need on the basis of discrimination. Trans people deserve the same respect and kindness that everyone else does. I am urging you to reject these bills.

Thank you,  
Tien Vo

University of Wisconsin School of Medicine and Public Health  
MD Candidate, Class of 2026

From: **Jennifer Smith** <jenovate@gmail.com>  
Date: Tue, Oct 3, 2023 at 8:13 PM  
Subject: AB oppose anti trans bills  
To: <testimony@fairwisconsin.com>

Please oppose the proposed Assembly Bills 465, 377 access 378. These are crucial to ensure that all individuals, regardless of their gender identity, have access to safe, quality health care and access to safe life choices. Therefore, it is requested to vote against these bills and uphold the rights and health of transgender and nonbinary individuals.

On Tue, Oct 3, 2023 at 8:18 PM Aaron Curtiss <[curtiss.aaron@gmail.com](mailto:curtiss.aaron@gmail.com)> wrote:  
Dear Representatives Green, Quinn, and Moses, and committee members,

Please commit to opposing AB 377, AB 378, and AB 465 as well as SB 479 and SB 480.

Gender-affirming care is medically necessary, evidence-based health care proven to reduce anxiety, depression, and suicide risks among trans youth. It is also supported by a host of medical-centric groups of professionals. To try to block what these groups of people educated on the topic deem necessary is negligent, and to take care from those that need it is cruel and unjust.

As a coach and referee who spends much of my leisure time around amateur sports, these proposed bills seek to only harm and have no positive outcome for those who are already ostracized in small communities. I believe you are creating an issue where there is none. These are amateur, extracurricular games. There isn't anything at stake. Why ban children from having fun?

These bills seem to distract from larger socio-economic issues that we see where a greater focus could lie.

Again, please commit to opposing these bills.

Aaron Curtiss  
Ashland, WI 54806

From: **Teresa Curtiss** <teresamariemccann@gmail.com>  
Date: Tue, Oct 3, 2023 at 8:25 PM  
Subject: Oppose AB 377, AB 378, and AB 465  
To: <Rep.Green@legis.wisconsin.gov>, <Sen.Quinn@legis.wisconsin.gov>, <Rep.Moses@legis.wisconsin.gov>  
Cc: <testimony@fairwisconsin.com>

Dear Representatives Green, Quinn, and Moses, and committee members,

Please commit to opposing AB 377, AB 378, and AB 465 as well as SB 479 and SB 480.

Gender-affirming care is medically necessary, evidence-based health care proven to reduce anxiety, depression, and suicide risks among trans youth. It is also supported by a host of medical-centric groups of professionals. To try to block what these groups of people educated on the topic deem necessary is negligent, and to take care from those that need it is cruel and unjust.

As a member of my community, these proposed bills seek to only harm and have no positive outcome for those who are already ostracized in small communities. I believe you are creating an issue where there is none. These are amateur, extracurricular games. There isn't anything at stake. Why ban children from having fun?

These bills seem to distract from larger socio-economic issues that we see where a greater focus could lie. A recent example being the funding that is no longer going towards childcare for families.

Again, please commit to opposing these bills.

Teresa Curtiss  
Ashland, WI 54806

From: **Kären Miskimen** <rusticcrumbmsn@gmail.com>  
Date: Wed, Oct 4, 2023 at 1:26 PM  
Subject: Opposition to AB 377, AB 378 & AB 465  
To: <testimony@fairwisconsin.com>

I want to register my disgust at the WI Republican Party for proposing these cruel bills, which are truly awful, and threaten those trans folx who are wanting to live. According to the US Constitution, all of us are created equal, endowed with "unalienable Rights to Life, Liberty and the pursuit of Happiness". Trans lives are human lives, and deserve the same rights, protections and privileges of any of us.

Enough of this "divide and conquer" nonsense. We are not falling for it. We stand by and with and among our trans sisters, brothers, and kinfolk.

Try instead to submit some meaningful gun regulation, a real threat to all of us! Or designate funds for schools, municipalities, and community centers. Or create housing for those who can't afford their home. Or build roads, bridges and other infrastructure. Do something constructive with your time and energy. In partnership,

Kären Miskimen  
Put your "car in" gear  
608-617-5909 (talk/text)  
K09L06M04@gmail.com  
Minnie on Facebook  
Rustic Crumb flourshares

*Unless someone like you  
cares a whole awful lot,  
nothing is going to get better.  
It's not.*

Dr. Seuss