

To the House Committee on Judiciary,

I am writing in strong opposition to House Bill 5842, the "Fairness" in Women's Sports Act. This bill would prevent transgender people from playing on the correct sports teams.

We can all stop pretending like this bill has anything to do with "protecting" or being "fair" to women. This is an attack on trans people to keep them out of another aspect of public life. Sports are supposed to be for everyone. They are also not just a show of physical prowess. They are a social activity that kids do with their friends in order to have fun and get exercise. They should be allowed to do so without policing their genitalia and hormone levels.

This bill would be most harmful for intersex people. The existence of intersex people is proof that this "gender binary" does not exist. We know enough about biology by now to know that "biological sex" is not this simple either/or check box that the writers of this bill think it is. Being intersex can present as an infinite number of biological combinations. Sex characteristics tend to be bimodal, meaning there are clusters of characteristics that tend to be associated with people that we call "female" or "male." We all learned in high school biology that "boys" have XY chromosomes and "girls" have XX chromosomes but what we weren't taught is that these aren't the only 2 options. There are at least 16 different naturally occurring variations to this "binary." That list includes conditions like Turner syndrome and Klinefelter syndrome. Newborns can be born with "binary" sex chromosomes and still present with intersex characteristics. What happens when one of these kids gets "disputed" for playing on the "wrong" sports team? Are you going to say that intersex people can't play sports? That sounds like discrimination to me.

Because sex is not a binary that means that "biological males" and "biological females" can have overlapping characteristics. Using height for example, if sex were binary, ALL "biological males" would be taller than ALL "biological females." We all know that this is not the case because there are short men and tall women and the fact that all humans are born baby sized. This means that there is overlap in other secondary sex characteristics as well, like hormones. "Biological males" and "biological females" both produce both estrogen and testosterone in different proportions. Some "biological females" produce very high levels of testosterone and some "biological males" produce high levels of estrogen. This doesn't always have the effect of making "biological females" more "masculine" or vice versa because the body has hormone receptors that, depending on their sensitivity, can negate the effects of these hormones. There are actually 10 (at least) biological markers of sex, including hormones and hormone receptor sensitivity. Does a physician have to test each one and all come back either "biological male" or "biological female" in order to write an accurate statement?

All Rhode Islanders deserve to participate in sports. Please reject H5842.
Thank you.

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