

Subject: Opposition to H-5842: Concerns Regarding the "Fairness in Women's Sports Act"

To: The Honorable Joseph M. McNamara, Chair
House Education Committee
Rhode Island House of Representatives
HouseEducation@rilegislature.gov

Dear Chairman McNamara and Honorable Members of the House Education Committee,

I am writing to express my strong opposition to House Bill H-5842, known as the "Fairness in Women's Sports Act." This bill proposes categorizing student-athletes based solely on their biological sex assigned at birth, effectively barring transgender girls and women from participating in school sports aligned with their gender identity.

While the stated intent of H-5842 is to ensure fairness in women's sports, the bill raises several significant concerns:

1. Exclusion of Transgender Youth:

By enforcing participation based on birth-assigned sex, the bill would exclude transgender students from teams that align with their gender identity. This exclusion can have detrimental effects on their mental health, self-esteem, and overall well-being.

2. Potential for Discrimination:

The bill's requirements could lead to invasive verification processes, infringing on students' privacy rights and potentially subjecting them to discrimination and harassment.

3. Conflict with Existing Protections:

Rhode Island has established anti-discrimination laws that protect individuals based on gender identity. H-5842 may conflict with these protections, leading to legal challenges and undermining the state's commitment to inclusivity.

4. Lack of Evidence for Competitive Advantage:

Research has not conclusively shown that transgender athletes have an inherent competitive advantage in sports. Policies should be based on comprehensive scientific evidence rather than assumptions.

5. Negative Impact on School Environment:

Implementing such exclusionary policies can foster a hostile environment for LGBTQ+ students, affecting not only those directly impacted but also the broader student body by promoting intolerance.

While we all can agree that fairness in sports is important, I want to raise a few points:

1. The women's category in sports was created because of the historical exclusion of women from competitive sports, not because of an "inherent biological disadvantage".
2. Should cisgender women with high testosterone be banned from women's sports?
3. Was fencer Stephanie Turner right to forfeit her competition against a transgender woman because of a "biological unfair advantage" despite she had competed against a man the week before, and has won against other male competitors in the past?
4. I am Salvadoran by birth, and I remember a match between the Salvadoran team and the US team back in 2019. The Salvadoran team lost by a large margin in a "fair" competition. Let me share a picture below:



I won't pretend to know when something is fair or not but I just wanted to raise some questions that we might be ignoring due to bias against transgender people.

Finally, I want to finish by quoting Utah's governor Spencer J. Cox, when he vetoed a similar bill in his state:

"Finally, there is one more important reason for this veto. I must admit, I am not an expert on transgenderism. I struggle to understand so much of it and the science is conflicting. When in doubt however, I always try to err on the side of kindness, mercy and compassion. I also try to get proximate and I am learning so much from our transgender community. They are great kids who face enormous struggles. Here are the numbers that have most impacted my decision: 75,000, 4, 1, 86 and 56.

- 75,000 high school kids participating in high school sports in Utah.
- 4 transgender kids playing high school sports in Utah.
- 1 transgender student playing girls sports.
- 86% of trans youth reporting suicidality.
- 56% of trans youth having attempted suicide.

Four kids and only one of them playing girls sports. That's what all of this is about. Four kids who aren't dominating or winning trophies or taking scholarships. Four kids who are just trying to find some friends and feel like they are a part of something. Four kids trying to get through each day. Rarely has so much fear and anger been directed at so few. I don't understand what they are going through or why they feel the way they do. But I want them to live. And all the research shows that even a little acceptance and connection can reduce suicidality significantly. For that reason, as much as any other, I have taken this action in the hope that we can continue to work together and find a better way. If a veto override occurs, I hope we can work to find ways to show these four kids that we love them and they have a place in our state."

Thank you for your attention to this matter.

Sincerely,

Damian Lima

Providence, RI