

## **Testimony in support of House Bill 5842**

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Democrats for an Informed Approach to Gender

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I am submitting this testimony on behalf of Democrats for an Informed Approach to Gender (DIAG). DIAG is a national, all-volunteer 501(c)(3) organization composed of lifelong Democratic voters committed to open, science-based dialogue on gender policy. DIAG supports free speech, civil discourse, and evidence-based policymaking while advocating for the protection of women's rights, the well-being of young people, and the integrity of medical ethics.

We urge the Committee to support House Bill 5842 to protect the sex-based rights of women and girls as defined in Title IX.

There is nothing unkind about accepting the differences between male and female bodies. These differences become apparent even before puberty and are not mitigated by reducing testosterone levels or increasing estrogen levels. Regardless of these interventions...

- Males have superior muscle mass, particularly in the upper body, giving them greater strength.
- Males have greater muscle strength and longer skeletal levers, which enable them to apply more force in jumping, throwing, and punching.
- Males have greater cardiovascular capacity, which provides more oxygen to the body, increasing endurance and speed.
- Males have stronger motor responses, which, when combined with greater muscle strength, leads to faster reaction times.

Recognizing physical reality is not hatred. It is not bigotry. It certainly is not "fascism." It is, in fact, necessary in order to maintain women's sports. According to the NIH, the best male athletes consistently outperform their female peers, with the magnitude of this sex gap typically ranging between 5 and 17%. Despite increases in performance over time for both sexes, this gap remains unchanged. Allowing males to opt into the female category based on their feelings undermines the rights of girls and women to fair competition, safe play, privacy and dignity, opportunities for recognition, and honors for achievement.

Some claim that the small number of women and girls affected renders the concerns unworthy of attention, but since no sporting authority tracks what women and girls have lost in medals, scholarships, and prize money, the numbers are meaningless. Volunteer organizations that track and verify this information estimate over 2,000 podium positions lost and over \$1 million in prizes. It is not only those who lose a medal to a male who are affected. Every female who places after a male on the podium has lost the spot she earned through countless hours of training and dedication. If the rights afforded women matter, there is no acceptable number of females who are displaced by a male. Awards and honors aside, when female teams are open to males, women and girls also lose the sense of camaraderie that is unique to an all-female environment, free from the pressures of a co-ed setting. Preserving female teams benefits women and girls, and this should be as much of a priority as any benefits gained by males.

There are those who claim that because some sports are contact sports and women and girls get injured on all-female teams, concerns about their safety when competing against men and boys are overblown. This denial of the differences in male vs. female physiology — differences that everyone understood prior to males wanting access to women's sports teams — is invalidated by the experiences of women on the field and on the court.

- Serena Williams stated, "The men are a lot faster, they serve harder, they hit harder. ... It's a completely different game."
- Italian Olympic boxer Angela Carini, who stopped fighting 46 seconds into her match with Imane Khelif (a male with a disorder of sex development who previously had been disqualified from competing in the female category) said, "I was told a lot of times that I was a warrior but I preferred to stop for my health. I have never felt a punch like this."

According to research published in the Journal of the American Physiological Society, males generally have 157% greater upper body strength than females relative to body mass. In the lower body, males are approximately 60% stronger. The difference in power that results from these strength differences, coupled with higher weight and larger, heavier bones, adds magnitudes of danger to females. Efforts to negate or minimize this reality belie an incredible callousness regarding the safety and wellbeing of female athletes.

There are those who claim the choice for male students who want to compete with females is between free entry into a category in which they simply do not belong or not participating in sports at all. This is disingenuous. There are no restrictions on males competing in the male category, regardless of their personality or preferences or their belief in the idea of a mismatched identity. Male athletic teams should welcome all males. Female athletes are not responsible for the feelings of disappointed males, and the regressive, sexist notion that they should prioritize others when they are not afforded the same consideration shows tremendous disregard for their interests.

Truth matters. Female sports teams are for females. Males are not, and cannot become, females — not through drugs or surgeries; not by wearing women's clothes or growing out their hair; not by will or desire.

Title IX grants women equal opportunities. Legislators must put women's rights above men's feelings and support House Bill 5842.