

Greetings Chairperson Larson and committee members,

My name is Zayden Q Bartosh and I am a Bismarck Resident of District 47

I am **asking the committee to recommend do not pass on HB 1298** the anti-trans youth athlete bill.

Here is why...

The Olympics has already done massive research on this topic and have found that there is **no inherent advantage for trans athletes** and allows them to play on the team according to their gender. The NCAA has done the same research and allows trans athletes to play on the team according to their gender. We have our first transman athlete who is on a men's swimming team. **There are literally no occurrences of this being a problem, in this state, EVER!** To use the own logic of state legislators as to why they won't pass non-discrimination bills, show me the data! Show me the instances where this is a problem. Show me women who haven't gotten scholarships or unable to win because of one transwoman. By the way, even when we did show the data, you still voted no.

There were numerous testimonies as to why this bill should not be passed and it has been made very clear to me that North Dakota legislators do not want trans people and gay people to have equal rights and I plan on leaving this state because you are now attacking our youth. I am also the Vice President for Dakota Outright and we provide LGBTQ+ training for schools. In the training, we provide statistics of the struggle for ND youth. **This data comes from the Youth Risk Behavior Surveillance System (YRBSS) which is a statewide survey of 10,000 middle and high school students. This survey was last conducted in 2017 and showed that 9.4% of high school students in North Dakota identified as Gay, Lesbian, or Bisexual. It showed that 47% of these LGB students seriously considered attempting suicide and that 29.4% had attempted suicide. This survey did not ask if students were transgender, but we can imagine the transgender population suffers to the same degree or worse.** Overall, this survey painted a horrifying image of the reality of anti-LGBT bullying, daily struggles of our LGB youth, and the dire need for intervention on the state level.

As a facilitator for a LGBTQ+ youth support group, I get to see first-hand the pains our LGBTQ+ youth face. The pains are caused by living in a state and schools that aren't safe for our kids. They need protection. We aren't crying for acceptance; we are asking for protection. That any kind of bullying but not accepted. Our kids are literally dying over this issue. You can see spray painted downtown on the Proximal 50 building; his name is Chase. I do not condone vandalism but this was for the youth who committed suicide and, in his obituary, they still referred to him as a girl and had no mention of the issue being that he was bullied for being trans and that was why he committed suicide.

The ND school board already has policy for this issue and that is what should be followed.

**Please be a part of the solution and not the problem. You don't have to be ok with someone being gay or trans. But you should not be ok with discrimination, bullying, and children losing their lives. The youth of this state need your help. Please help protect the kids that need it.**

There has been another response floating around that is invalid for voting a yes on this bill. **Donna Lopiano was contacted** and she gave permission to direct quote her saying, "You are correct that any statement to the effect that I support banning trans girls/women from women's sports is not correct. I am a member of Women's Sports Policy Working Group that is trying to get federal legislation that does 3 things including mandating the inclusion of trans girl/women in women's sports."

**The other arguments for this bill are invalid and here are the reasons why.**

1. The false equivalency that cisgender males have an advantage over cisgender females and implying this research applies to transgender women. This research is invalid because you cannot apply that to transwomen because biological males experience androgenized puberty and continue to benefit from male range testosterone. This research does not take into account transgender women who take puberty blockers and estrogen hormone therapy and are indistinguishable.
2. Primary hormones are not the only thing that impact performance. Genetics has a widespread bilateral overlap, meaning that most people are about the same with extreme ends being rare. But saying that all men are better than women is 100% sexist and incorrect. Women do out perform men. Look at Crossfit for example. Experts agree, whatever advantage a trans woman had from an androgenized puberty is removed on hormone therapy after a year.
3. Sex itself is a spectrum of possible variations and there is more than just XX and XY. We have people who are intersex. Sex is not binary, science proves it.
4. The tones of the argument are similar to racist segregation arguments. Bone density arguments were brought up for why black people have an unfair advantage. Concerns for the safety of white women and girls were brought up. These arguments count on bias and fear to propagate bigotry.

Again, please recommend DO NOT PASS on HB 1298 as it will only cause more damage to an already at risk population.

Zayden Q Bartosh  
Resident of Bismarck