

May 8, 2025

RE: LD 233, LD 868, LD 1002, LD 1134, LD 1704, LD 1337, LD 1432, LD 380

Honorable Sen. Carney, Rep. Kuhn and Members of the Judiciary Committee

I am Ernest Hilton of Starks, in Somerset County. I'm a semi-retired attorney with my practice nearby in Madison. I've been an attorney here for 40 years.

I'm testifying against all of the above bills.

Transgender people in society, and the belief by some that they represent an abnormality or are an imposition on a 'well-ordered' society is entirely manufactured. Bathroom bills in particular represent the possibility of a particularly egregious invasion of personal privacy. I know a young woman, a recent mother by natural birth, who is 6' 3" tall. On a casual view, she could well be seen by those pursuing this legislation (or those who seek to enforce it and call security to report it) to be one of those who shouldn't be using a woman's bathroom. An enforcement effort could be undertaken (just in case). So since genitalia are the only means of proof, will someone order her to strip down and prove her right to be in that bathroom? Or elsewhere where transwomen are disallowed.

On the other hand, if there is to be no enforcement, then what pray tell is the point?

Please consider the recent actions of the Republican controlled U.S. House, acting on the wishes of Rep Nancy Mace to disallow Sarah McBride, a fellow Representative who is a transwoman, from using the women's bathroom in the House. Does Rep Mace or any of her fellow Rs have any idea how many other transwomen have used that bathroom over the centuries- No- of course not. Does Rep McBride actually represent a threat to anyone. Again No. The whole issue is a manufactured farce.

Turning to sports, the same young woman mentioned above while in high school was approached by the women's basketball coach to join the team. The advantage over other teams of having someone that tall would have been significant. She declined. But if she had chosen to join the team would she have been subjected to an "investigation" as to her genitals to assuage the complaints of other teams?

If there is an issue of fairness in sports, more acutely defined attributes might be a better measure: height, weight, or even objective strength, etc. Leave gender identity out of it given there is likely little objective correlation.

Thank you—Ernest W. Hilton

Ernest Hilton