

Nina Petersen  
Portland, Maine  
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To the Honorable Members of the Judiciary Committee,

Thank you for the opportunity to address the Committee. My name is Nina Petersen and I am a resident of Portland. I am submitting testimony today in opposition to LD 233 - An Act to Prohibit Biological Males from Participating in School Athletic Programs and Activities Designated for Females When State Funding is Provided to the School.

The numerous bills presented today that seek to roll back the rights of transgender people in our state would have severe consequences for the people of Maine and the safety and privacy of our athletes. I had the chance to be a part of school athletic programs starting in middle school and continuing through high school and college– it gave me a team to belong to and a chance to socially connect with my peers. I want the same opportunity to be afforded to all Maine students. The language of this bill prohibits biological males (a term which ignores our rich and ongoing complex biological understanding of sex) from participating in school athletic programs for females and begins this demarcation in elementary school - before any physical changes that occur during puberty. Additionally, the description of “biological males” seeks to define an artificial categorization while flattening the lived reality of many – genetics simply do not adhere to strictly “male” and “female” presentations and our outward appearance is not always indicative of our genetic make-up. Current biological science understands sex to be much more complex than just two distinct categories (<https://www.nhs.uk/conditions/differences-in-sex-development/>). Opening the door for invasive questioning and examinations of athletes, as well as the public scrutiny that these lead to, will only put up more barriers for women and girls just looking for the chance to play sports and be a part of a team. We need to be making our athletic programs safer and more accessible for women and girls, not make them more subject to invasive interrogation.

One of the major consequences of anti-trans legislation, especially in relation to sports, that we have seen in the past several years is the growing trend of “transvestigation” – that is, speculation that an athlete competing within a women’s competition is not female and subsequent investigation of that athlete. This has happened at the Olympics (despite transgender athletes having been allowed to compete at the Olympics for over two decades) - the most recent and well publicized example of this was with the Olympic boxer Imane Khelif, a female boxer whose success was scrutinized after false allegations that she was transgender. But we see this on smaller stages as well (such as high school athletes having complaints levied at them after winning competitions -

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<https://www.sltrib.com/news/education/2022/08/18/utah-parents-complained-high/> ).

This obsession with attempts to investigate any athlete who does not appear “feminine enough” or whose success her opponents want to call into question has already allowed calls for invasive physical examinations and investigations of student athletes

(<https://ohiocapitaljournal.com/2022/06/03/gop-passes-bill-aiming-to-root-out-suspected-transgender-female-athletes-with-genital-inspection/>). There are currently just two transgender athletes completing in girls high school sports in the entirety of Maine (<https://www.mainepublic.org/politics/2025-03-15/rally-to-oppose-maines-policy-on-transgender-athletes-draws-crowd-in-augusta>) – if this bill passes it opens the door for invasive questioning and examinations of all student athletes, and again, the language of this bill begins in elementary school.

Thank you for the opportunity to submit testimony to the Committee. I urge you to vote “Out Not To Pass” on LD 233 and on the other bills presented today that seek to oppose transgender rights. Thank you for your time.