

My name is Arnold Macdonald. I live in Freeport. I have testified here before as the Chair of the Business Law Section of the Maine State Bar Association and as the Chair of the Maine Justice Foundation. I have also been the President of the South Freeport Church, and coached Little League baseball for about ten years. My wife is retired after 30+ years as a public school teacher.

I am also the proud parent of a trans daughter. I was surprised when she “came out” to us 3 ½ years ago. At first I was a bit uncertain, and had to let go of dreams of a particular future with this son. I also worried that I missed things that could have let me be more helpful in her youth. I thought back to her changing nicknames, a brief but pronounced tic, trichotillomania (the irresistible urge to pull or break one’s own hair) resulting in bald spots, and a time of malaise beginning in high school and getting worse until she transitioned 8-9 years after college. She did not seem fully comfortable in her own skin and was losing the confidence and leadership skills I saw when she was younger. Like any other parent here, nothing is more important to me than the happiness of my children and I am never fully happy unless mine are.

I can promise all of you that my daughter did not “choose” her gender to gain a competitive advantage at sports. I think that her experience in high school was not that different than mine or many others: feeling awkward, anxious, wanting desperately to fit in, not entirely sure how; only she had WAY more to overcome than I did.

It has been a great joy watching my daughter blossom and flourish since she has transitioned. She has regained confidence and leadership skills. Even as she is fundamentally the same person with the same values, I love some of her “feminine” changes as she and my wife shop together for clothes and jewelry and interact more as peers. The time she and I spend together, whether shopping or playing music or hiking in the woods, more open and honest and loving. She is equally a woman when wearing steel-toed boots and swinging a hammer, or erecting scaffolding and moving equipment at her job. She finds that she is happier doing everything in her life and closer to everyone she loves than she was before. She is more beautiful as a woman than she was handsome as a male.

I am not a biologist or neuroscientist and cannot talk about the science of gender. I suspect that very few of you can either. We all, however, know when our children are happy, and I know she is now.

My daughter does not go to public restrooms as a voyeur but rather as a person who wants to go peacefully without being threatened by hateful people. Pretty much the same as everyone else. She participates in online forums where trans women look for advice on coming out, and their overwhelming wisdom on bathroom use is that you should use the bathrooms most comfortable for you AND the other people in there. They care about others involved.

As a parent, former coach, and lifelong athlete I love the values of cooperation, teamwork, fair play, and competition sports teach. I believe the wide participation of American kids in sports

has a lot to do with our international leadership in business, the arts, and academia relative to other countries. Every American kid should have the opportunity to participate in sports and learn these skills.

Kids who dress and act and identify as girls should neither be singled out and excluded, nor forced to compete with boys. Kids and adults should be able to use the restrooms consistent with how they look and feel and act. Do you want kids who dress and look and act and are treated as boys going into girls' bathrooms? Kids who dress and look and act and are treated as girls using boys' bathrooms? That makes EVERYONE uncomfortable.

Excluding students draws attention and invites bullying and exclusion of kids who are already at risk.

I understand that Division I schools allow trans women with testosterone below a certain level to compete. The Olympics bar women born with vaginas from competing if their testosterone is above a certain level. Nobody uses the X and Y chromosome combinations we learned about in 9<sup>th</sup> grade science to determine gender, as there are too many variations and deviations for it to be useful.

Personally, I find the idea of hormonal testing of high school kids to qualify to participate in sports offensive and degrading. Even worse is the idea that students should have to pull down their pants in front of gender judges before participating in sports or using the bathroom of their choice. All students, not just identified trans girls, would be open to testing. Who would you want to invasively examine your kids?

I think that a big issue here is one of choice. Once the political right favored local choice and charter schools to offer kids a variety of options. My kids were in a wonderful elementary school in Freeport where you could choose between three programs with different approaches based on single classroom with one grade, moving rooms during the day and mixing kids of different ages, and degree of student input on subject matter. Portland has three different high schools with different approaches. Ideally families could choose between sports programs more focused on playing and developing everyone, or some could choose ones more focused on training kids to compete at a higher level. Even there, however, kids would face invasive testing and the possibility that kids gendered female at birth might fall within the 1 or 2 % with testosterone levels to compete in the Olympics or with trans girls whose testosterone is low enough to compete at all levels, or whose visible gender does not match their chromosomes.

Whether sports, books in libraries, or course content it seems that many people who favored local choice now want to force policy nationally and censor local control the instant they feel they have power.

I also caution against overreacting action in this political environment. I believe there is a popular image of trans women trying to gain unfair advantages and beat up on smaller, weaker children is a false one pushed by social media and the far right to fuel anti-trans fear and hatred.

This provides cover as leaders try, among other things, to remove all civil rights of trans people including protection from housing and employment discrimination, to fire them from military and other public jobs, and to house them in prisons other than those of their gender where they will be beaten and humiliated. We are too good to be part of that.

My daughter has suffered violence while riding the subway. I fear every day for the safety of my daughter and wish that she could walk the streets free from fear of harassment because of who she is.

My daughter with my wife and my nonbinary child with their band.

