

Tamra Benson  
Norway  
LD 2239

Senator Carney, Representative Kuhn and Honorable Members of the Joint Standing Committee on Judiciary,

My name is Tamra Benson, I'm a resident of Norway, ME, and I am opposed to the proposed ballot measure, LD 2239.

Trans kids deserve to feel safe, comfortable, and welcome, especially at school. This means being able to use the bathroom, attend class as usual, and participate in extracurriculars with their peers, including sports. Trans people, whether they are students, athletes, teachers, staff, or community members in general, do not pose any threat to schools or their extracurricular activities, including sports. Rather, like any good person when given the chance, they make those spaces better. They are people like the rest of us and deserve fair treatment. Trans people make the world a better place.

I have a Bachelors Degree in biology. It makes me sick when people use "biology" as an excuse for discrimination against transgender people. "Biological" sex is not binary or simple, but is comprised of a complex interaction between genotypic capacity and phenotypic expression. Universally, biologists agree that sex cannot be boiled down to merely chromosomes, genitalia, hormones, or even a combination of the three. It is so much more complex than that. Any biology textbook would gladly enlighten you to that fact, and yet so many people refuse to even attempt to understand.

So even if "biological" sex and gender were the same thing - which they are NOT - it would not be simple to segregate people based on their sex. Even if schools planned to conduct expensive and invasive DNA tests on every student, regularly run blood tests to monitor fluctuations in bodily hormone levels, and conduct inappropriate genitalia checks for every single student - all of which would be horrific, dehumanizing, immoral, illogical, irresponsible, expensive, and predatory - that still would not be enough to "properly" segregate students based on their "biological" sex. Chromosomes, although previously thought to be a reliable indicator of one's sex, are not in fact so reliable. There is a variety of sex chromosomes that an individual can be born with, and they don't always align with the appearance of the individual's body. Hormones, since they control most functions within our bodies, naturally fluctuate depending on genetics and environmental factors, and it is normal to witness a wide variety in hormone levels, even among people of the same "sex." Genitalia, reproductive organs, and secondary sex characteristics are also not as reliable of an indicator of sex as we once believed. With all of that being said, biological sex is clearly too complex of a topic for school systems - especially when led by people who clearly do not have a basic understanding of biology - to be using the term to regulate and police students' bodies and participation in extracurricular activities.

I'll let the social science experts explain gender to you in more detail, but gender is a social construct. Gender is a performance. It's an identity. Gender is not the same as sex, and it is certainly not binary or rigid. Although most people identify with the gender they were assigned at birth based on the genitalia that they were born with, that is not the case with some people. Bodies are complex, and so are human minds. Trying to put either of these things into a binary set of boxes is illogical, unscientific, and unnatural. Further, trying to control people's behavior and access to basic needs like healthcare and education, and participation in regular human experiences like sports and other extracurriculars, is preposterous. Ridiculous. Absurd. Nonsensical. Impossible, even.

Even if I had never met a transgender person, this ballot measure would make absolutely no sense based purely on biology.

However, I have met transgender people. Many of them are my closest loved ones. Like all people, some are lovely and some are not. They are people. They have always

existed in every civilization, and they always will. They make the world a better place. The only real difference between cisgender people and transgender people is that cis people identify with the gender they were assigned at birth based on their genitalia, and trans people do not. They are not dangerous. They are not a threat. They are being scapegoated by the elites who are looking for someone to blame, because they don't want working class people to know who is really to blame for our problems. I'll give you a hint: it's not transgender people. It never has been. We must stop treating them like the problem when all they want is to exist authentically in peace.

Although I could continue, I will end my testimony here. This ballot initiative is ridiculous. DO NOT pass the ballot measure into law immediately without sending it to voters. DO either do nothing and send it on to voters so we can vote against this absurd and discriminatory proposal, OR send it to voters with an attached "competing measure" option which gives voters a "pass A" or "pass B" or "pass neither" option on the ballot, where option B is protections for transgender students, AND make sure you talk with people from transgender and LGBTQ+ advocacy groups to help you write the language.