

Opponent Testimony of HB2238
For the Senate Education Committee
March 6, 2023
Jesse Borosky
Kansas Resident

Chair Baumgardner and Members of the Committee, thank you for the opportunity to provide opponent written testimony on House Bill 2238.

Hello, my name is Jesse Borosky, and I'm opposed to the adoption of HB2238. This testimony is deeply important to me as it negatively impacts all of the trans individuals and the cisgender women that I have and currently do work with.

As a psychologist working with adolescents and children, I can say with a good deal of certainty that this bill would have a negative impact on the mental health of our youth. Particularly, trans teens have been experiencing high levels of distress. It is well known that social transitioning provides the largest relief for these individuals, and this bill would prevent them from doing that by preventing them from identifying as their gender they feel most aligned with.

Another point worth noting is that this bill greatly demeans the young women and girls who do identify with their assigned gender. The assumption that women are inherently worse at sports is at best outdated. It's rather poor science to assume that something as complex and multi-faceted as athletic ability can be assumed to have a 1:1 relationship with testosterone. In a time when our young women and girls are experiencing record levels of sadness and poor mental health, it'd be inappropriate to send them the message that they are inherently inferior to cisgender men.

Finally, the question remains of how we define and ascertain biological sex at this point. Many individuals are born as intersex individuals, containing both "male" and "female" genitalia. These individuals are simply assumed to not exist based on the language of this bill. Additionally, is the assumption that some sports official will be checking our youth's genitals in order to let them play in a game? This sounds like a dramatic overreach of power.

In order to have children and teens play in accordance with ability level, it may be most appropriate to have co-ed sports and divide the students based on actual ability level, as opposed to a variable that isn't genuinely related to athletic ability.

Thank you again for taking the time to hear my testimony. I am deeply concerned with the mental well-being of our youth, and I believe this bill will only have negative consequences for the majority of them.