

Opponent Testimony of HB2238
For the Senate Education Committee
March 6, 2023
Jonathan Smith
Topeka Resident and Father

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

My name is Jonathan Smith. I've been living in Kansas since I was four years old. Topeka is the only place that I've ever lived and worked. I have met many different people while working in the service industry in restaurants and as a truck driver for eight years. Although, I have never met someone so bigoted towards a people that they don't understand as the proponents of HB 2238.

I will start by saying that I am just an average white guy. I have been one my entire life. I have never felt that maybe I would be happier as a woman. I am who I always wanted to be, aspirations notwithstanding. If I felt completely wrong as a man, I would think it would be my constitutional right as an American to PURSUE THAT HAPPINESS, or perhaps that's just me being a patriotic American who has read the Declaration of Independence.

Why in the world would I ever care what or who someone else identified as if it didn't impact my life or my rights or the rights of others? This is where I will add that my brother-in-law is a Trans man. I knew the guy all the way back when he was in high school identifying as a woman. I will tell you in no uncertain terms. He was never happier than today, as he is, as a man. That is simply the truth that he lives. When we go to the movies, we go to the same bathroom. When we play sports, we are similarly athletic (neither one of us are making it to the professional league).

Which brings me to the most obvious point that must be saying. Whether he identifies as a guy, or not, does not make him any more or less athletic. The only thing that determines that is hard work, dedication, and practice. Those qualities are going to exist there, or not, whether he identifies as a woman or a man. If I decided tomorrow to identify as a woman (which is not even close to how any of this works, and if you truly think it works like this, then you need to educate yourself because that is embarrassing), and if I joined a woman's softball league or something, I would not be any stronger or faster than any of those other woman because I simply haven't trained or practiced or anything! Gender/sex does not decide skill/talent.

For the proponents of this bill to tell him, and more specifically ME, that he is incorrect living this life that he truly enjoys as a man, is downright ignorant. You couldn't think of a faster or more direct way of telling me that you have no idea the lives and stories of actual transgender individuals than expressing a want to pass this bill.

I will end by linking to a study by The American Academy of Plastic Surgeons in the National Library of medicine, in which it states that in 27 study groups totaling 7,928 transgender

patients, statistically 1% of those individuals presented regret after gender-affirming surgeries.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8099405/>

Let that study exist in direct opposition to the very VERY few people who come forward to talk about the enormous regret they have felt about THEIR specific experience that FAR from lines up with the VAST MAJORITY of cases.

This bill seems to be trying to protect women from this made-up threat of specifically transgender men taking their positions in sports. I want to unequivocally state how absolutely ridiculous this bill is to address any kind of real concern in that regard. If you want to protect ACTUAL women from REAL hardships in their sports careers, you need to pass legislation that can more successfully prevent gender based discrimination in sports. This bill merely makes it easier to have female athletes' genitals looked at. Something that, if it happened to MY daughter, you would NEVER stop hearing from me for the rest of your political careers. I would make it my mission for ALL of your constituents to know you as the genital-inspector. Do you hear how ridiculous this all sounds? This is the reality of the situation that proponents of this bill have put us in.

I, with much thought, request that you absolutely oppose HB 2238, the "Fairness in Women's Sports Act". It is a far-cry from any kind of real meaningful help for any real Kansas female athlete. Thank you for your time, and please return to work on REAL legislation.