

SDHSAA's Gender Equity/Transgender Policy Remarks

In recent years there seems to be some confusion around the nation related to gender. I would like to encourage this committee to resolve this confusion by first looking to science, and then to logic and common sense.

We know from science that our true individual identity comes from a unique DNA signature. Hypothetically, if I were to rob a bank and detectives were able to match my DNA with that taken from the scene of the crime, it would result in a certain conviction.

The detectives could also tell by examining the DNA whether it came from a human or an animal. And they could tell if the DNA belonged to a male or female, based on the chromosome makeup. In this hypothetical criminal case, if I were to argue before the judge that I my "deeply felt inner sense" was not that of a bank robber, and I also didn't have a history of bank robbery, it wouldn't change the outcome. I would still be rightly convicted, because DNA does not lie.

In the same vein, the SDHSAA should not be using a person's feelings or wishes or alleged identity as the basis for determining gender. Gender determination should be consistent with the individual's DNA.

This is not a trivial matter. As the policy notes, mistaken gender identity can be used for "gaining an unfair competitive advantage." But even in circumstances where the primary purpose of an altered gender identity is not for the purpose of creating an unfair competitive advantage, it will, though unintentionally, still end up being the end result, thus nullifying the integrity of the sport.

You must also consider the rights and expectations of the majority. One person should not be granted an opportunity to make 99 individuals sexually uncomfortable in the locker room or on the playing field.

There are also safety issues that must be considered. Males and females respond differently to different medications. For example, the FDA recommends half the dosage of Ambien for women compared to that recommended for men. Other drugs have as much as a three to one dosage ratio. Google it for more information. Obviously, these differences are not based on ones "gender identity" but rather their actual gender as encoded in their DNA. Consider that a female, participating in a male contact sport, can reasonably be expected to be injured due to the "unfair competitive advantage" referred to earlier. In such a case, a doctor may unknowingly overdose the injured, assuming their misrepresented gender.

In summary, while using a person's "gender identity" as a basis for sport participation may have been well intentioned, it is not good policy. It opens a can of worms, and is an unsafe practice. It also runs counter to the organization's values of "fair play," and "supporting a healthy lifestyle." Please rescind that portion of the policy.

I also have a comment for those who find themselves front and center on this issue. I too know what it is like to wish you were dealt a different hand. You see, I have type 1 diabetes. I wish very much that wasn't my lot in life. However, pretending that I don't have diabetes is the worst thing I can do for myself. Instead, I have accepted my unpleasant reality, and live with it the best I know how. In fact, that is why I wear an insulin pump, which makes my existence much better than if I were in denial about my true condition.

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PS. Since preparing my remarks, comments have been made about some legal aspects of this issue. Please let me remind you that what happens in California or New York does not apply to South Dakota, for lack of jurisdiction. Anybody can sue for any reason, and what matters is how the South Dakota Supreme Court or the 8th Circuit would decide the case. Both of those bodies are very conservative, and would likely decide in favor of one's true identity.