



Chair Scott and Members of the Judiciary Finance and Civil Law Committee

The Council on LGBTQIA2S+ Minnesotans works for the implementation of economic, social, legal, and political equality for Minnesota's community of people who identify as lesbian, gay, bisexual, transgender, gender expansive, queer, intersex, asexual, and/or two-spirit. The Council strongly opposes HF1233, which seeks to create an exemption in the Minnesota Human Rights Act for women's athletics, prohibiting transgender and non-binary people from participating in sports teams that align with their gender identity.

Minnesota was the first state to ban discrimination against transgender people in 1993, after passing the Human Rights Act. The MNSHSL has used this policy as guidance and allowed trans athletes to participate on teams that align with their gender identity since 2014, without issue. For over a decade, Minnesota has also had the highest percentage of girls' sports participation in the countryⁱ. When we create inclusive policy that allows people to participate fully, those benefits spread beyond the initial group they were designed to help. Similarly, when we create policies that discriminate against the most vulnerable, it negatively impacts the well-being of othersⁱⁱ.

Sports provide people of all ages and genders with critical benefits, including improved physical healthⁱⁱⁱ, reduction in depression symptoms^{iv}, and increased teamwork^v. Being a part of a team can be life-changing, especially for people who face social isolation, including older adults^{vi}. Research shows that transgender people experience higher rates of anxiety and depression due to systemic discrimination and social stigma^{vii}, and inclusive sports participation has been linked to improved mental health and self-esteem^{viii,ix}. Excluding transgender people from these opportunities may increase their vulnerability at a time when support systems are most needed.

The Canadian Centre for Ethics in Sport recently conducted a comprehensive review of scientific studies on transgender athletes in sports. After analyzing all peer reviewed articles published in reputable academic journals, they concluded that transgender women who have undergone hormone suppression show no biological advantage over cisgender women. They also found that, on average, even prior to testosterone suppression, transgender women's bodies are significantly different from cisgender men's, with lower lean body mass and less strength. This finding, based on rigorous scientific evidence, confirms that assumptions about athletic performance based solely on sex assigned at birth do not account for the complex interplay of physiological, hormonal, and training-related factors that shape an athlete's abilities^x.

Research has made clear that variations between sexes are more complicated than reproductive biology or sex chromosomes; 1.7% of people have intersex conditions or variations in chromosomes that vary from the rigid definitions of sex proposed by HF1233^{xi}. This legislation not only erases the experiences of people who are intersex or have a disorder of sex development, but it fails to account for social factors that contribute to athleticism far more than biology. Financial resources, for example, provide athletes to access to better equipment, training programs, and proper nutrition^{xii}. Beyond differences in family incomes, sexism in sports has also led to a disparity in the financial resources invested in women's teams. This impacts the number and quality of staff hired for these teams (including medical staff) and

access to training facilities^{xiii}. These social factors have significantly contributed to the competitive differences seen between men and women.

Further, there is no evidence to support the claim that male athletes would pretend to be a transgender girl or woman to gain a competitive edge in women's sports. This claim overlooks both the societal pressures cisgender boys face to conform to traditional notions of masculinity^{xiv} and the significant evidence showing that transgender girls and women face additional hurdles and high rates of harassment, bullying, violence, and discrimination^{xv,xvi}.

Allowing discrimination in women's athletics will also fuel invasive gender policing, where any athlete who doesn't conform to rigid expectations of femininity – whether it be their height, strength, or even hairstyle – could be scrutinized, questioned, or forced to undergo humiliating medical examinations to “prove” their gender. This creates a hostile environment where women's accomplishments are undermined and participation comes with the constant risk of being deemed “too good” or “not feminine enough” to compete. Instead of protecting women and girls' sports, HF1233 will erode trust, inclusion, and fairness for all athletes, reducing opportunities rather than expanding them.

There is no evidence to support the idea that trans-inclusive policies negatively impact cisgender athletes^{xvii,xviii}. However, there is significant evidence showing trans-exclusive policies harm transgender people^{xix}, including increasing suicide attempts among transgender and non-binary youth by up to 72%^{xx}. There is also no fair or ethical way to discriminate against trans athletes without subjecting all athletes to invasive gender policing through medical or physical exams, an unacceptable violation of privacy and dignity^{xxi}.

Minnesota has long prioritized fairness and inclusion for all its students. We urge the committee to reject HF1233 and instead focus on policies that support all children, ensuring that every person – regardless of gender identity – has the opportunity to learn, grow, and thrive in a safe and welcoming environment.

Sincerely,

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Sources

- ⁱ John Volk, "Minnesota is National Leader in Girls' High School Sports Participation," *The Minnesota Star Tribune* (June 20, 2025).
- ⁱⁱ Angela Glover Blackwell, "The Curb-Cut Effect," *Stanford Social Innovation Review* (2017).
- ⁱⁱⁱ Pekka Oja et al, "Health Benefits of Different Sports: a Systematic Review and Meta-Analysis of Longitudinal and Intervention Studies Including 2.6 Million Adult Participants," *Sports Medicine* 10, 46 (2024).
- ^{iv} Hyejin Band, Mido Chang, and Sunha Kim, "Team and Individual Sport Participation, School Belonging, and Gender Differences in Adolescent Depression," *Children and Youth Services Review* 159 (2024).
- ^v Zhiling Shen et al, "Does Participation in Sports Competitions Enhance Interprofessional Teamwork Among Medical Students? Evidence from a Medical School Curriculum Experiment," *BMC Medical Education* 24 (2024).
- ^{vi} Lauren M. Robins et al, "The Association Between Physical activity and Social Isolation in Community-Dwelling Older Adults," *Aging and Mental Health* 22, 3 (2018).
- ^{vii} Walter O. Bockting et al, "Stigma, Mental Health, and Resilience in an Online Sample of the US Transgender Population," *American Journal of Public Health* 103, 5 (2013).
- ^{viii} Michael J. Panza et al, "Adolescent Sport Participation and Symptoms of Anxiety and Depression: A Systematic Review and Meta-Analysis," *Journal of Sport and Exercise Psychology* 42, 3 (May 2020): 201-218.
- ^{ix} Scott L Zuckerman et al, "The behavioral, psychological, and social impacts of team sports: a systematic review and meta-analysis," *The Physician and Sports Medicine* 49, 3 (Sept. 2021):246-261.
- ^x Canadian Centre for Ethics in Sport, "Transgender Women Athletes and Elite Sport: A Scientific Review" (2025). Retrieved from: [transgender-women-athletes-and-elitesport-a-scientific-review-en.pdf](#)
- ^{xi} United Nations, "Estimated 1.7% of Newborn Babies are Intersex," (November 12, 2016).
- ^{xii} Katerina Jennings and E. Braun, "Beyond Suppressing Testosterone: A Categorical System to Achieve a "Level Playing Field in Sport," *American Journal of Bioethics* (2023).
- ^{xiii} Canadian Centre for Ethics in Sport (2025).
- ^{xiv} Matthew G. Nielson et al, "Investigating the Relation Between Gender Typicality and Pressure to Conform to Gender Norms," *Sex Roles* 83 (2020).
- ^{xv} Jenifer K. McGuire et al, "School Climate for Transgender Youth: a Mixed Method Investigation of Student Experiences and School Responses," *Journal of Youth and Adolescence* 39, 10 (2010).
- ^{xvi} Minnesota Department of Education, "Results of the 2016 Minnesota Student Survey."
- ^{xvii} Amira Hasenbush, Andrew R. Flores, and Jody L. Herman. "Gender Identity Nondiscrimination Laws in Public Accommodations: A Review of Evidence Regarding Safety and Privacy in Public Restrooms, Locker Rooms, and Changing Rooms," *Sexuality Research and Social Policy* 16, 1 (July 2018).
- ^{xviii} Canadian Centre for Ethics in Sport (2025).
- ^{xix} Jennifer R. Pharr et al. "Serial Mediation Analysis of the Association of Familiarity with Transgender Sports Bans and Suicidality among Sexual and Gender Minority Adults in the United States," *International Journal of Environmental Research and Public Health* 19 (August 2022).
- ^{xx} Wilson Y. Lee, "State-Level Anti-Transgender Laws Increase Past-Year Suicide Attempts Among Transgender and Non-binary Young People in the USA," *Nature Human Behavior* 8 (2024).
- ^{xxi} *Hecox v. Little*, 79 F.4th 1009 (9th Cir. 2023)