

# Senate Judiciary Committee

*Brendan Bunnell 271-4063*

**HB 1299**, permitting classification of individuals based on biological sex under certain limited circumstances and establishing that certain biological sex distinctions do not qualify as discrimination.

**Hearing Date:** April 21, 2026

**Time Opened:** 2:04 p.m.

**Time Closed:** 4:50 p.m.

**Members of the Committee Present:** Senators Abbas, Gannon, Altschiller and Reardon

**Members of the Committee Absent :** Senator Carson

**Bill Analysis:** This bill:

I. Permits classification of individuals based on biological sex in lavatory facilities and locker rooms, sporting competitions, and detention facilities.

II. Establishes that such forms of separation based on biological sex do not qualify as discrimination.

III. Requires instrumentalities of state or local government that classify lavatory facilities based on biological sex also provide a single occupancy bathroom which may be used by all regardless of biological sex or gender identity.

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**Sponsors:**

Rep. Kofalt

Rep. Noble

Rep. Sirois

Sen. Sullivan

Rep. Alexander Jr.

Rep. Notter

Sen. Avard

Sen. Ward

Rep. DeVito

Rep. Sheehan

Sen. Innis

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**Who supports the bill:** 28 individuals signed in support of the bill. For a complete list of those who signed in support of the bill please contact the Senate Judiciary Committee aide.

**Who opposes the bill:** 489 individuals signed in opposition to the bill. For a complete list of those who signed in opposition to the bill please contact the Senate Judiciary Committee aide.

**Who is neutral on the bill:** None.

## Summary of testimony the presented for HB 1217, HB 1299, and HB 1447:

**Representative Katy Peternel** introduce the HB 1217. She said the legislature had certainly heard more than its share of bills on the topic.

- She further stated that as long as society continued with what she described as the myth that men can be women and women can become men, bills such as this would continue to be necessary because, in her view, there is a duty to protect women from men in their spaces.
- Senator Gannon asked whether the bill encompassed sports fields, bathrooms, prisons, and locker rooms.
  - Representative Katy Peternel responded that prisons were not included. She stated that this bill addresses athletic or sporting events and lavatories only.
- Senator Altschiller asked whether Representative Peternel was saying that transgender people are a myth.
  - Representative Katy Peternel responded that she had not said anything about transgender people. She stated instead that men cannot be women and women cannot be men.

**Bonnie Bruno Hollis** testified in opposition to the bill. She referenced a recent hearing she attended in Representatives Hall where a legislator was asked whether he was aware that over one thousand voters had signed in online to oppose a CACR under consideration.

- She stated that the legislator responded that many people who sign in are activists and are prompted to sign in. She said that comment was meant to negate the people who signed in.
- She then stated that House sign-ins showed only 25 voters supporting House Bill 1217 and more than 600 opposing it.
- She stated that House Bill 1217 raises a similar concern about who is categorized and how people are categorized and classified. She said the bill asks the state to accept that two people living in New Hampshire may be treated differently under the law based on identity or classification rather than conduct.
- She stated that what the bill and the thinking behind it misses, in her opinion, is that identity does not determine a person's conduct, character, or abilities, nor whether someone is safe or unsafe, more capable or less capable, or more deserving of privacy than another.

- She stated that the bill moves the state away from the principle that all Granite Staters are afforded equal consideration under the law. She further stated that the bill itself acknowledges that such classifications raise concerns under existing anti-discrimination law, which is why the bill seeks to permit them.
- She concluded that when the law shifts from addressing conduct to classifying people on identity in ways that negate equal consideration, that is not a step forward but a step backward, and the legislature should not legalize that framework.

**Bonnie Sims** testified in support of the bill and stated that she was present as the Southern New Hampshire chapter leader of the Independent Women's Network, which she said supports practical policies that protect freedom, opportunity, and safety for women and girls.

- She stated that she proudly signed the amicus brief filed by the Independent Council on Women's Sports with 135 other female athletes in the United States Supreme Court case *United States v. Skrmetti*.
- She stated that she strongly supported House Bill 1217, House Bill 1299, and House Bill 1447, saying those bills protect single-sex spaces based on biological sex for women and girls.
- She stated that the obsession with the issue, in her view, comes from those who demand that girls surrender their privacy, safety, and fairness so that a tiny minority can pretend sex can be changed. She stated that, as gender experts have explained, gender identity is simply a subjective internal sense of self, a personal feeling with no foundation in chromosomes, gametes, or measurable biological reality. She characterized it as a belief rather than a fact and not sex.
- She then stated that this was happening in Peterborough at ConVal High School, where she said the United States Department of Education opened a formal Title IX investigation on March 31, 2026, because the district was actively violating Title IX by allowing biological males into girls' restrooms and locker rooms. She stated that when female students objected, the principal told them to stop using their own facilities, even saying "boys do not belong in girls' locker rooms, it is labeled harassment". She stated that similar Title IX violations were occurring in other New Hampshire schools.
- She stated that as someone who had experienced male violence, she understands the real fear these policies create for women and girls. She further asserted that many trans-identifying males are driven by autogynephilia, which she described as a sexual fetish where heterosexual men become aroused by presenting themselves as women.

**Rev. Jonathan Hopkins** of Concordia Lutheran Church in Concord testified in opposition. He stated that he was there to speak against all the bathroom bills. He said he was speaking both as a pastor and a father.

- He stated that there is much discussion about religious freedom, but what he does not hear in that discussion is anything about his freedom to practice his religion. He described his religion as one of loving his neighbor, listening to and understanding another person's story, especially when that story is different from his own, and seeking justice for those at the mercy of the rich and powerful.
- He said it is a religion that speaks peace as much as possible, a religion not of laws but of mercy, and a religion that does not see being transgender as a sin, but as a true expression of one's true self. He asked where his religious rights are in the public political discussion. He stated that he was there to stand for those rights and for siblings in Christ who would be hurt by the bill.
- He said he had heard elected officials who bring such bills state that they do not hate trans people. He stated that he had thought a great deal about that comment and would take them at their word that they do not personally hold negative feelings toward trans people. However, he referenced the biblical word *agape*, stating that when Jesus used it, it referred to the highest form of love.
- He also referenced the Hebrew word *hesed*. He explained that this form of love is not about feelings but about how one acts toward others. He then stated that these bathroom bills are hateful and hurtful. He said legislators might not hate trans people, but their bills do.
- He then stated that he also wished to speak as the father of a trans son. He said from the start that he sees his child as a man. He then said that for those who have trouble with that truth and do not see him as a man, he does not understand how such laws would be enforced. He stated that he did not think women would want his son, who previously would have used the women's restroom, to do so now because he looks like a man, talks like a man, and dresses like a man. He said women might call the police because a man used the women's room.
- He asked whether the state was going to ask people to show their genitals before using bathrooms or playing sports. He stated that what is more likely is that such laws would allow mob rule and would allow bigoted people to abuse others, especially his child. He stated that he was concerned for the safety of his child. He concluded that the bill hurts real people. As a Christian, he could not stand by and not speak up for love, and as a father, he would not be doing his job if he did not stand up for his child.

**Representative Katherine Prudhomme O'Brien** testified in support. She stated that she wanted to begin by asking why separate facilities were created in the first place and what the motives probably were, suggesting legislators should think about those original reasons whenever considering legislation. She stated that she did not think things had changed and that the reasons for creating those separate environments had not changed.

- She then referenced a 2019 study from the United Kingdom about rates of sex offenders among incarcerated males, broken down by males who present as male and males who present as female. She stated that about 17 percent of males who presented as male were incarcerated for sex offenses. She then stated that 59 percent of males who presented as female were incarcerated for sex offenses. She concluded that there is definitely a sexual component to the issue and that society should be able to talk about autogynephilia without fear.
- She stated that autogynephilia was a term created by psychologist Ray Blanchard in 1989 to describe males who are sexually attracted.
- She then stated that as a survivor of sexual abuse herself, and as someone who had spoken with hundreds of convicted sex offenders within the prison system in a rape survivor support group she was part of for many years, autogynephilia is when men are sexually aroused by the idea of themselves as a woman.
- She stated that in her opinion, and in the professional opinion of psychologist Ray Blanchard who studied the issue, the demand that others act as if such individuals are female and allow them in female intimate spaces is part of their fetish.
- She stated that she is offended that she is expected to affirm a male as female and participate in the sexual fetish of a male who is a total stranger to her, and to act as if this is normal when it is not. She concluded by stating that it is not unkind of her to tell the truth.

**Lily Tang Williams** testified in support of House Bills 1217, 1299, and 1447. She introduced herself as a resident, an American citizen by choice, and a candidate for Congress in New Hampshire's Second District.

- She stated that she was born and raised in China and described herself as a survivor of communism. She argued that communist systems use identity politics of oppressor versus oppressed to divide people and stir hate, division, and envy. She said that under Mao, young people were mobilized as Red Guards to destroy the "four old ideas," culture, habits, and customs. She stated that the Chinese regime attempted to redefine social norms from the top down by canceling sex differences and promoting a unisex, genderless society.
- She said she was diminished and marginalized as a little girl, mandated to dress and act like a boy, and criticized when wearing feminine clothing. She stated

that girls were not protected, abuse was common, and women were not treated with dignity. She described the purpose as collective utilitarian industrialization, which she equated with slavery.

- She stated that she respects transgender adults and their choices, but also wants biological women protected in sports and private spaces. She said women have fought for equal protection under the law for decades and urged the committee not to destroy that progress.

**Russan Chester** of Bedford testified in support and stated that she has a transgender child who identifies differently than assigned at birth. She said she still supports the bill, loves her child tremendously, and is heartbroken by the path chosen because of experiences her child would never have.

- She nevertheless stated that children should be allowed to feel comfortable wherever they may be. She said her transgender child is an adult and will continue using the bathroom they feel comfortable in, and that most people would likely never know they were transgender.
- She argued that society has normalized something that should never have occurred: men dressing as women and entering women's spaces. She said that should not exist.
- She added that many people identify differently and referenced New Hampshire's many state representatives, saying one bad actor should not define an entire group. She concluded that she should still be able to feel comfortable entering a women's space and not finding a man dressed as a woman.

**Grace Mack** testified in support of the bill. She said it was disappointing that women needed to appear to advocate for keeping men out of women's locker rooms and bathrooms.

- She stated that she had swum competitively for over ten years and coached for over six years. She said women's bathrooms and locker rooms are designed to help women feel safe.
- She noted that bills protecting girls' spaces had been vetoed twice in New Hampshire. As a twenty-year-old woman with sisters, who works with high school students and has coached athletes, she said that made her feel women's rights and safety matter less than affirming feelings. She argued that the Granite State has enabled feelings over safety.
- She stated that as someone who had firsthand experienced how frightening it feels to have men in women's bathrooms, she urged passage of the bill. She said keeping sports and bathrooms separated by biological sex is not hateful or discriminatory, but truthful.

- She concluded that women should not have to give up sports, bathrooms, or locker rooms to affirm false identities.

**Victor Orlando** of Hollis testified in support of the bill. He introduced himself as the son of his mother, husband of his wife, and father of his daughter. He said the most important title he has is father. He stated that separate spaces for men and women exist not to exclude women from men's spaces, but because society recognizes the need to protect mothers, sisters, wives, and daughters.

- He asked the committee to look at history and ask why such spaces were created in the first place. He said it was to protect women and daughters.
- He stated that he has empathy for people who believe they are the wrong sex, but that does not mean society must sacrifice women's safety to reaffirm another person's belief. He concluded that women need protection, otherwise asking what society is for.
- Senator Gannon asked if protection included privacy.
  - Victor Orlando stated that protection includes privacy and means keeping women's spaces separate from men's spaces.
- Senator Altschiller asked whether transgender women deserve the same protection.
  - Victor Orlando requested clarification of the terminology, asking in reference to her question on transgender women if she was referring to biological men who believe they are women.
    - Senator Altschiller asked if Victor believed transgender women are women.
      - Victor Responded that he believes people with XX chromosomes are women and society must protect them.

**Aletheia Smith** of Ashland testified in opposition to House Bills 1217, 1447, and 1299. She stated that the bills remove rights from a marginalized population. She argued there is no evidence that transgender people are dominating sports.

- She stated that among thousands of Olympic medals awarded since transgender people have been allowed to compete, none were won by transgender athletes.
- She said that of the 67 percent of New Hampshire youth who play sports, totaling 253,670 youth, perhaps only two or three are transgender. She asked whether they are dominating athletics and answered no.

- She further said she would defy anyone to identify a transgender athlete from a lineup on the field. She stated there is no evidence that transgender women disproportionately assault women in correctional settings or bathrooms. She said the only evidence she hears in favor of such bills is that some people feel uncomfortable.
- She argued that the state would then be legislating comfort over her safety, because if she were forced to use a male bathroom she would be assaulted. She stated transgender women are four times more likely to be assaulted than cisgender women and girls.
- She said if people begin examining others to ensure they are not transgender, women and girls would bear the brunt of that embarrassing and invasive scrutiny.
- She concluded that these laws do not protect women and girls.
- Senator Altschiller asked if Aletheia was aware of the incident that had occurred at the Liberty Hotel in Boston where a cisgender woman was misidentified as transgender.
  - o Aletheia Smith stated that such vigilante behavior would become more prevalent under the bill. She added that women and girls who do not conform to white cisgender beauty standards because of height, weight, body shape, or haircut would be especially vulnerable.
  - o She further stated that less than one-half of one percent of New Hampshire residents are transgender, and that persecuting such a small minority would expose women and girls, cisgender and transgender, and gender-nonconforming people generally to harassment.

**Kat Legier**, the I-93 Regional Campaign Manager for the ACLU of New Hampshire, testified in opposition to House Bill 1217 and all similar bills. She stated that every day she works with LGBTQ+ Granite Staters and families who make New Hampshire a vibrant place to live and work.

- She said that whether legislators recognize it or not, transgender people are their neighbors, honorable colleagues in the building, and above all their constituents. She stated that committee members had likely used bathrooms with transgender people without realizing it, shared meals and places of worship with transgender people, shaken hands with them at polling places, been served by them in restaurants, received coffee from them, had groceries bagged by them, or been cared for by them medically.
- She stated that despite this, lawmakers had filed six separate bills restricting transgender people's right to use bathrooms and their right to human dignity. She said she frequently hears from transgender people and their families that

they are tired of coming to Concord week after week to justify their humanity in two or three minutes of testimony.

- She said they are tired of asking to use bathrooms without fear of harassment or assault. She stated that transgender people are more likely to be victims than perpetrators in bathroom settings.
- She said that when combined with the other copy-and-paste transgender bans, the cumulative burden is exhausting and traumatic. She concluded that these bills are a gross distraction from real issues such as affordable housing, child care, and adequately funded public education.

**David Trumble** of Weare testified in opposition to the bill. He stated that, in his view, the legislation attempted to legalize discrimination against transgender people. He argued that it would deny transgender individuals the opportunity to participate fully in society and would effectively deny their existence.

- He criticized what he described as the rhetoric surrounding the bill and objected to definitions of biological sex that he believed were circular and meaningless.
- He then addressed the sports provisions. He noted that the bill claimed strength, speed, or endurance generally gave biological males an advantage in the cases to which the bill would apply.
- He argued that studies showed transgender women no longer retained a competitive advantage after 12 months of hormone therapy, with evidence becoming even stronger after 18 and 24 months. He questioned why, if fairness in competition were the true concern, the bill did not instead allow participation after a set treatment period where no advantage existed.
- Senator Gannon asked about New Hampshire law regarding transgender medical treatment for minors. He stated that New Hampshire had passed laws allowing that practice.
  - Trumble responded that the state did not have a law prohibiting children from receiving such medication, but instead had a law prohibiting healthcare providers in New Hampshire from administering it.
    - Senator Gannon then noted that individuals already grandfathered in could continue treatment or travel to Boston for care, and apologized for interrupting.
- Trumble then described a hypothetical transgender girl who socially transitioned in elementary school, used puberty blockers, and later received hormone therapy. He stated that such a person would never have undergone a male puberty growth spurt, would have no testosterone, and might even have lower testosterone than other female competitors. He argued there would be no

competitive advantage and that the bill's only effect would be to reduce transgender girls' access to sports.

- He next discussed bathroom access. He said he agreed with a prior speaker that the bill would increase conflict rather than improve safety or privacy. He argued that forcing transgender women into men's bathrooms and transgender men into women's bathrooms would create situations where others might call security or directly confront them.
- He stated that under the current situation, many people used facilities without incident because others did not know they were transgender. He concluded that the bill would worsen matters and would not achieve its stated goals regarding either sports or bathrooms.
- Senator Abbas then asked Trumble about the reverse athletic scenario of a biological female transitioning to male and competing on a male team.
  - Trumble replied that the bill, as he understood it, did not address that circumstance. He then explained that the study he cited came from the Canadian Centre for Ethics in Sport and was titled *Literature Review Does Not Support Bans on Transgender Women Athletes*.
  - He summarized it as finding no firm evidence that transgender women retained a measurable performance benefit after 12 months of testosterone suppression. He said the review covered ten years of peer-reviewed studies and focused specifically on transgender women. The senator thanked him.

**Aimee Terravechia** introduced herself and stated that she was speaking on behalf of herself and her organization, 603 Equality. She said the committee had already heard from many people on many bills explaining why the proposal was a bad idea not only for the transgender community but for New Hampshire as a whole.

- She identified herself as someone whose gender identity aligned with the sex assigned at birth and stated that the bill would still make her life harder. She further argued that it would make life harder for people in the disability community.
- As the mother of two children, she said it would have made her life harder during the years when she needed to escort them into restrooms, and would also have made their father's life harder. She described the bill as having far-reaching consequences.
- Terravechia stated that privacy and safety were important for everyone, but argued that the bill would create more privacy and safety concerns rather than solve them. She asked the committee to consider business owners who would

effectively be deputized to inspect someone's gender before allowing restroom use if another person alleged they were transgender.

- She also asked senators to consider situations involving people who did not conform to expected gender presentation standards. She observed that the legislative building itself contained portraits of men wearing wigs, tights, and heeled shoes, arguing that standards of gender expression changed over time. She then invited questions.

**Nancy Brennan** stated that they had been asked to read testimony from someone who did not feel comfortable appearing in person. The written testimony came from a transgender woman and New Hampshire resident who opposed the bills.

- She stated that because of professional obligations she was submitting testimony to be read on her behalf. She identified herself as an attorney whose clients relied on her for guidance and strength in court.
- She explained that she appeared before judges and opposing counsel, many of whom had known her before she came out, and that she was addressed correctly, treated with dignity, and trusted to advocate for others. She said her work involved helping keep families housed, preserving stability, and ensuring fairness in difficult systems.
- She then contrasted that professional respect with the effect of the proposed legislation. She said that if she left a hearing and needed to use a restroom, she would be placed in an impossible position under the law. She stated she would be forced to enter a space that did not reflect who she was, risking confusion, confrontation, or humiliation.
- She argued that despite her accomplishments and public service, she would in that moment be reduced and demeaned in a way no professional or citizen seeking access to the courts should experience.
- She further stated that for transgender people, the issue was not politics but whether they could exist in public spaces without fear or degradation. She said there was no safe or reasonable alternative being offered, that avoiding restrooms was not sustainable, and that being forced into the wrong facility was not safe.
- She concluded by saying she was not asking for special treatment but for the ability to live and work in the state with basic dignity.

**Sylvia Springer** testified in strong support of House Bill 1217 and stated that her comments also applied to House Bills 1299 and 1447. She argued that women and

girls, as well as men and boys, deserved single-sex spaces, sports, and privacy based on biological sex. She said the bill protected biological reality and ensured that both sexes could have safe, private, and dignity-respecting spaces free from members of the opposite sex.

- Springer also disclosed that she was a survivor of child sexual abuse and said she was speaking for children who lived with that trauma and were afraid to speak out. She testified that if, as a child, she had lived in a world where men or boys could enter girls' bathrooms or school locker rooms, it would have compounded the trauma she had already suffered. She said even imagining that possibility for children today in schools or YMCA locker rooms was horrifying to her.
- She stated that there were girls and boys in New Hampshire schools who were sexual abuse victims and who, in her view, would be retraumatized if the bills were not passed. She said that if her testimony saved even one child abuse victim from additional trauma, she would be grateful.
- She quoted Nelson Mandela, stating that the true character of a society was revealed in how it treated its children. She also quoted Genesis, saying God created human beings male and female. She ended by asking members to vote yes on all three bills and wished them wisdom in doing so.

**Jillian Sadowski** testified in support and opened with a rhetorical question asking whether members had daughters, mothers, sisters, nieces, or grandmothers in their lives. She asked them to consider the women and girls they cared about and whether they cared about their well-being, safety, privacy, and dignity.

- She stated that her 16-year-old daughter, like all women, deserved the right to feel safe, secure, and protected in every public and private space. She added that she herself, as an adult woman, deserved the same sense of safety and protection, especially in bathrooms, changing rooms, and locker rooms, which she described as intimate spaces where privacy was paramount and where people should be free from fear of intrusion, harassment, or discomfort.
- She argued that protecting women and girls was not merely a preference but an imperative and moral obligation. She said society must safeguard the physical privacy and emotional comfort of biological females.
- She then asked why the long-established rights, comfort, and safety of biological women and girls were being compromised to accommodate what she described as a very small specific group of individuals. She asked who, in the current climate, was actively protecting women and girls, who constituted half the population.

- She concluded by stating that legislators needed to draw a firm line in the sand and described the matter as one of common sense, fairness, and biological reality.

**Scott Phyles** introduced himself and stated that he was from Somersworth. He testified in fierce opposition to the bill. He argued that the transgender community was currently and historically being used as a scapegoat to draw attention away from other issues and to inflame emotions. He said supporters of the bill had expressed fears about men in women's clothing entering bathrooms for sexual purposes.

- Phyles stated that, in his opinion, supporters of such bills generally fell into three categories: people who disliked transgender people, people who did not believe transgender people existed, and people who did not understand transgender identity and were therefore fearful.
- He referenced an earlier question from Senator Altschiller asking whether transgender women were women. He responded that transgender women were women who were not born as women, and he argued that the protections being discussed for women should also apply to transgender women. He then stated that he himself was a transgender man and fully a man, though he was not born male. He said that did not detract from his identity or existence as a man in New Hampshire.
- He added that he considered himself an athlete in some capacity and said he would be willing to answer questions about transgender male athletes.
- Senator Gannon then asked whether some supporters of the bill might simply be fathers concerned about their daughters' privacy rather than motivated by hostility.
  - Scott Phyles responded that he could understand that perspective, but said the bill as written would significantly and disproportionately affect the transgender community, which he believed remained relevant regardless of supporters' motivations.
- Senator Abbas then asked a follow-up question regarding a previous witness's testimony about hormone treatment and athletic equality. He said he had asked another person how often a biological female who became a transgender male played on a male team and whether, after 12 months of hormone treatment, the playing field became equal. He asked Phyles whether he knew of circumstances where the reverse scenario would be accurate.
  - Scott Phyles replied that, in his understanding, most research focused on transgender women, those being people born male who went through male puberty and later transitioned. He then described his own personal

experience as someone assigned female at birth who went through female puberty and played on women's sports teams.

- o He said that after beginning testosterone as part of his social and medical transition, he felt physical changes, became stronger more quickly, and felt somewhat more competitive, though he said that might also have reflected increased confidence from living authentically. He emphasized that those changes did not make him an exceptional athlete or "Olympic all-star," but only shifted his abilities slightly.
  - o He added that he did not believe people transitioning in the opposite direction would gain some disproportionate advantage either.
- Senator Abbas then asked about fear being expressed on both sides of the debate. He said he heard transgender women being afraid to use men's bathrooms, while biological women also expressed fear or discomfort about transgender women using women's bathrooms. He asked Scott Phyles for his thoughts on hearing similar concerns from both sides.
  - o Scott Phyles responded that the fear being discussed was fear of men committing assaults in bathrooms. He reiterated that transgender women were not men, but women who were not assigned female at birth. He said he did not believe a significant portion of transgender women committed assaults and argued that people were incorrectly referring to "men in dresses," which he said were not the same as transgender women.
- Senator Abbas then asked a final question about when someone qualified as a transgender person and whether Scott Phyles meant someone who had fully transitioned.
  - o Scott Phyles replied that transition experiences varied and he did not want to speak for others. He said people could be transgender without receiving medical assistance and that transgender people had existed long before modern knowledge of testosterone and estrogen. He said he was uncomfortable making a definitive statement for all people.
- Senator Altschiller then asked whether the way someone experienced transition was different for everyone, with some common themes but unique personal experiences.
  - o Scott Phyles agreed, stating that just as everyone's life experience differed, every transgender person's experience was also different.
- Senator Altschiller then asked about the legislation removing protections from a previously protected class. She asked Scott Phyles to consider where society would be if the discussion instead involved removing protections based on race rather than gender identity.

- o Scott Phyles responded that he hoped he would be sitting in the same seat arguing that such action would be equally unjust. He said he had reflected on whether he would be speaking if he were not part of a marginalized community and hoped he would stand up for any marginalized group, including those facing discrimination based on race, religion, sex, or gender identity. He stated that all such protected categories were equally valid and worthy of protection.

**Representative Jim Kofalt** introduced HB 1299 and addressed comments made on both sides that implied fear or dislike of transgender people. He stated that such feelings were absolutely not his intention with the bill. He said his greatest concern was the privacy and safety of women and girls.

- Representative Kofalt stated that the concern did not always involve a transgender person using a bathroom aligned with identity. He said sometimes it involved someone who had never made any pretense of being transgender but sought to use another restroom, while others were afraid to intervene because of possible lawsuits.
- He said the bill sought to strike a common-sense balance that treated everyone with dignity and respect while recognizing narrowly defined situations where classification based on biological sex served a compelling state interest in privacy, physical safety, and fairness.
- He explained that the legislation applied in three scenarios: multi-person lavatory facilities and locker rooms, athletic competitions where strength, speed, or endurance typically gave biological males an advantage, and correctional or detention institutions where people were involuntarily confined. He said the bill explicitly stated that separation by biological sex in those settings would not constitute unlawful discrimination based on gender identity.
- He also said that any state or local government entity, including public schools, maintaining sex-based multioccupancy bathrooms would need to provide at least one single-occupancy bathroom available to everyone regardless of biological sex or gender identity. He argued that the bill would provide statutory clarity, protect privacy and safety, ensure fairness in women's sports, reduce risks in sensitive institutional environments, and preserve broad anti-discrimination protections elsewhere in state law.
- Senator Altschiller then asked whether Representative Kofalt's primary motivation was the safety of women and girls.
  - o Representative Kofalt replied that it was a serious concern.
    - Senator Altschiller then asked whether he was also concerned with the safety of transgender women and girls.

- o Representative Kofalt responded that he was, and said there had to be a way for everyone to get along in a world where norms were changing. He stated that there should be a path that preserved safety, dignity, and respect for everyone.
- Representative Kofalt then referenced an incident involving a 12-year-old girl in Milford who he said had been systematically harassed in a girls' locker room at Milford High School by a 17-year-old boy claiming to be transgender and claiming to be a lesbian. He characterized the matter as bullying and said there had been fear of acting because of threatened lawsuits. He said these were the types of situations the bill sought to address by giving local decision-makers latitude to make common-sense decisions.
- Senator Altschiller asked whether Representative Kofalt was suggesting transgender girls received a free pass to bully others and whether administrators failed to act simply because a student identified as transgender.
  - o Representative Kofalt responded that he believed fear of lawsuits had been a contributing factor to administrative inaction under those circumstances.
    - Senator Altschiller asked whether the matter had arisen at school board meetings or whether he was extrapolating,
      - o Representative Kofalt replied that it had come up at Milford school board meetings.
- Senator Gannon then summarized his understanding that the bill concerned safety in sports because of physical differences, privacy in locker rooms and bathrooms, and fairness on the playing field.
  - o Representative Kofalt agreed and added that he believed the House amendment requiring single-person bathrooms in public buildings, including schools, was a positive addition.

**Representative Lisa Mazur** introduced HB 1447 and noted that she was in support of all three of the bills on the topic. She testified that progressive groups in New Hampshire claimed concerns about privacy in girls' spaces were exaggerated or nonexistent, but she said from direct experience that such incidents were occurring.

- She said she had received calls from parents in her district whose daughters came home from middle school in tears because a biological boy was using their restroom. She stated that a 13-year-old boy said he was a girl and was allowed to enter the girls' bathroom, where he allegedly sat and watched them come and go, making them uncomfortable. She said parents had asked what law protected their daughters and that currently there was no clear answer.

- Representative Mazur said the issue was also personal. She stated that while using the women’s restroom in the State House, she heard a man’s voice while she was in a stall, which she found startling and unsettling.
- She said a space intended to provide privacy no longer felt private. She argued that women should not have to question whether private spaces were truly private.
- She explained that the bill defined sex as male or female based on biology generally tied to a birth certificate.
- She said it required public entities such as schools and government buildings to create policies maintaining sex-based separation in prisons, locker rooms, and similar spaces. She added that private organizations would be allowed, but not required, to adopt similar policies, and that such policies would not be considered discrimination under state law.
- Representative Mazur argued that House Bill 1447 was about privacy and safety and did not affect employment, housing, or general participation in public life. She said it addressed only the classification of intimate spaces such as bathrooms, locker rooms, and sleeping quarters.
- She stated that separating those spaces by biological sex had long been the standard and that the bill affirmed that standard while allowing exceptions for emergencies, maintenance, and parents assisting children. She concluded that the legislation balanced respect for individuals with the need to protect privacy, especially for women and children, and urged support for the bill.
- Senator Altschiller then questioned Rep. Mazur about her statement that the bill did not affect general participation in public life. She said using a restroom was a necessary part of participating in life.
  - Rep. Mazur stated that these were also very private spaces and she wouldn't do anything she would do in a restroom in a public space.
- Senator Gannon then clarified that she was referring to bathrooms, locker rooms, and prisons rather than sports fields.
  - Rep. Mazur confirmed those were the settings involved.

**Tania Cregger** of Brookline testified against all three bills. She said she had heard extensive discussion about biological sex versus gender but did not think supporters of the bills fully understood the distinction.

- She described biological sex as relating to genitalia, while gender was a social construct recognized as such for a long time. She argued that being a woman

was not solely about anatomy but involved one's whole identity and social role. She stated that if a person presented as a woman and was socially accepted as a woman, then that person was a woman.

- She said she had come to oppose many similar bills and believed this was the fourth time she had testified. She referenced a recent ruling by the Montana Supreme Court which she said recognized constitutional protections for transgender rights. She openly questioned whether the time and effort being spent opposing these bills would ultimately be wasted if courts later overturned them through litigation or class-action suits.
- She then addressed claims about whether a man could become a woman. She said estrogen was a powerful drug capable of producing profound physical changes, and stated she had seen people transition from very masculine to very feminine appearances in a relatively short time. She noted that such transition timelines could be viewed online.
- She also responded to earlier questions about transgender men in sports. She encouraged senators to look up Scott Pierry, whom she described as a world-record-holding transgender powerlifter. She argued that testosterone and transition from female to male could create a major competitive advantage over women.
- By contrast, she said she herself had been on hormone replacement therapy, estrogen, and testosterone blockers for more than a year and had experienced significant athletic decline. She stated that a climb she previously completed in under two hours now took three hours and remained unfinished halfway. She said losing testosterone meant losing muscle mass, strength, cardio capacity, and recovery ability, turning prior muscle into fat and creating a competitive disadvantage rather than an advantage.
- She added that transgender youth competing at normal school levels would not gain some decisive advantage, and that elite athletic prospects would more likely attend specialized private programs. When asked to wrap up, she concluded by noting that she expected to receive an updated birth certificate from the state of Maryland with a female gender marker.
- Senator Abbas then asked Cregger for clarification regarding studies suggesting that after 12 months of transition there was no competitive advantage. He asked whether similar timelines applied to female-to-male transitions.
  - Tania Cregger responded that she did not know of specific studies offhand, but said research showed male-to-female transition led to loss of muscle mass and cardio ability, which she said she could personally attest to. She added that people taking testosterone, including her brother on hormone replacement therapy, tended to bulk up, and she noted testosterone was banned in professional sports because it was a performance enhancer.

**Melissa Bailey** of Bedford stated that she was a candidate for Congress in New Hampshire's 1st Congressional District and said that, although she was a candidate, she was appearing that day as a mother and as a strong and unequivocal supporter of all three bills before the committee: HB 1217, HB 1299, and HB 1447.

- She stated that she was a proud graduate of Lebanon High School, where she had run track and played soccer. She said that at the time she did not realize she was benefiting from generations of women who had fought for protections and the right to safe and fair spaces.
- She then said she never imagined that only thirty years later her own daughter, now a senior in high school and an athlete like she had been, would face the possibility of having those protections removed.
- She referenced an event the previous November where Paula Scanlan spoke at University of New Hampshire. Bailey stated that Scanlan had described being forced to compete against and share a locker room with Will Thomas, whom Bailey identified as a biological male. Bailey said Scanlan and her teammates had been required to undress and change in front of a six-foot-four male eighteen times per week, which Bailey described as horrifying.
- She said what stayed with her most from Scanlan's remarks was that Scanlan had waited for adults in her life coaches, administrators, and teachers to step in and protect the girls, but that they never did. She said those adults instead silenced and shamed girls who tried to defend themselves.
- She declared that she refused to be that kind of adult. She stated that she would not sit silently while her daughter and her daughter's friends and classmates were told their safety, privacy, and fairness did not matter. She added that her daughter would never have to look back and say she had waited for her mother to act and that nothing was done. Bailey concluded by saying girls and women deserved their own spaces, that biology was not bigotry, and that protecting daughters was not hate.

**Simon Amaya Price** testified in support of all three bills and stated that he used to be transgender. He characterized the bills as simple legislation declaring that classifying people by sex in bathrooms, locker rooms, and sports was not unlawful.

- He argued that it did not force anyone to do anything, but instead protected those who wished to provide same-sex segregated spaces from retaliation. He said the bill maximized freedom because businesses and schools could protect women's privacy and safety if they chose, and those who disagreed could take their business elsewhere. He added that no one lost rights unless one believed men had a right to women's bathrooms and locker rooms.

- He then discussed his personal experience. He said that as a teenager he had believed he was born in the wrong body and that activists had told him he would either transition or die. He stated that he never used women’s spaces or competed on women’s teams and that he did not kill himself.
- He then alleged that in spaces involving trans-identified males he observed overlap with incel culture, extreme misogyny, and a practice he called “transmaxing,” which he described as transitioning in order to gain easier access to women. He further claimed that some trans-identified males discussed “euphoria boners,” which he described as arousal from being in women’s spaces or being referred to as women. He asserted that autogynephilia was real because he had heard such statements directly.
- He said opponents would claim the bill was hateful and caused suicide, but he argued they were wrong and that data showed otherwise. His testimony was cut short for time, and he concluded by saying he strongly supported the bill and would be happy to answer questions.

**Bonnie Bruno** returning to testify again stated that, in response to an earlier question about whether opponents would still be present if the issue involved another protected class, the answer was emphatically yes. She argued that legislation like the bills under consideration was “fill in the blank” legislation, meaning it could target any disliked group, just as had happened historically with other marginalized communities.

- She continued by saying that some supporters repeatedly invoked women, but did not represent what the speaker wanted or needed in society. She said it was more important for laws to treat people equally and never acceptable to create a subset of people who could be treated differently under the law. She argued that many existing laws already addressed misconduct and violence, and that laws themselves did not guarantee privacy, safety, or fairness. She said that when laws were based on identity, they had major consequences for equality and civil rights.
- She then stated that if Simon Amaya Price entered a women’s restroom, it would be frightening, emphasizing that Price was a transgender man. She argued that the bills created a “can of worms” by endangering transgender men and transgender women alike. She also said that some cisgender women with masculine appearances would likely be harassed under such a law because they were often mistaken for men in public. She concluded that it was more important to focus laws on conduct, behavior, and equal treatment rather than identity-based separation.

**Claire Abernathy** then introduced herself as a detransitioner and an ambassador for the Independent Women's Forum. She asked the committee to pass HB 1217, HB 1299, and HB 1447.

- She testified that she hit puberty early and felt uncomfortable and confused by her developing body. She said that at age twelve she began socially transitioning at school without her parents knowing, changing her name and presentation. Around age thirteen, she came out to her family as transgender. Shortly after turning fourteen, she began taking testosterone injections. She said that despite doing so, her stature and distinctly female body shape remained largely unchanged.
- She stated that she later moved to a new school district where no one knew her history and where she was allowed to use boys' restrooms and locker rooms. After about a month, she said two boys followed her into a restroom and assaulted her by smashing her face into a mirror and punching and kicking her. She said the school gave all three students detention and told their parents that boys would be boys.
- She said that after the incident she intentionally dehydrated herself to avoid using school restrooms, which she said caused lasting kidney and bladder damage in addition to urological atrophy caused by testosterone. She said that one of the same boys later cornered her in the locker room after gym class and sexually assaulted her, threatening to kill her if she told anyone.
- She stated that she did not believe the school would help, so she stayed silent and stopped changing clothes for gym class. She argued that policies protecting single-sex spaces, defining sex, and resisting gender ideology had meaningful implications for children's health and safety. She said passage of the bills would give vulnerable children protections she wished she had received. No questions were asked.

**Rae Strand** then began by issuing a content warning for sexual assault. Strand introduced themselves and testified in opposition to HB 1447 and the two related bills. Strand said that from ages eighteen to twenty-one they had lived in North Carolina during the period of the state's well-known bathroom bills. Strand said they attended Warren Wilson College while a new academic building, Boone Hall, was being constructed.

- Strand explained that after construction ended, building code inspections required male and female bathroom signs to remain posted. They said students repeatedly removed the signs at night, requiring the dean of student life to replace them each morning. Eventually, according to Strand, the dean posted a message saying the school would remove the signs once inspectors stopped visiting.

- Strand recounted being stopped while walking toward a bathroom by a professor who initially challenged them, then apologized after seeing their face and feminine features. Strand said the professor explained concern that inspectors might cite the school if someone who looked like Strand entered a certain bathroom. Strand then told the committee that whatever lawmakers meant by “biological woman,” Strand met that definition, stating they had been born female and possessed female anatomy. Strand argued that despite being the type of person supporters claimed to protect, people like Strand would again be stopped and scrutinized if HB 1447 passed.
- Strand then disclosed that at age twenty-one they had been sexually assaulted in a shower and that the attacker had held their head underwater in an attempt to silence them. Strand argued that men who commit sexual violence do not need disguises or bathroom access laws to offend, but simply commit rape regardless.
- Strand said legislators were creating a crisis that did not exist while ignoring actual sexual violence. Strand contrasted that with the last transgender woman they met in a public restroom, who complimented Strand’s eyeliner and borrowed boots because her own shoes hurt her feet. Strand concluded by urging lawmakers not to imitate North Carolina and to focus instead on punishing violent men.

**Representative Sherri Reinfurt** then introduced herself as representing Goffstown District 29. She testified as a co-sponsor in support of HB 1447, but said she was speaking most importantly as a mother and grandmother because children’s safety and clarity of boundaries mattered.

- Representative Reinfurt said the bill was not anti-transgender but about protection. She explained that she was the mother of five children and grandmother of sixteen children. She said she viewed the issue through the eyes of her children, grandchildren, and 86-year-old mother. She asked listeners to think back to when they were young and to consider that bathrooms and locker rooms were places where children, grandchildren, and aging parents were most vulnerable.
- She argued that blurring the lines around such spaces created confusion and opened the door to harmful possibilities.
- She said the bills closed the door to that possibility by establishing clear boundaries that protected privacy and reduced risk before harm occurred.
- Representative Reinfurt stated that she would never be comfortable with the possibility of a grown man sharing a private space with one of her young grandchildren. She said legislators had a duty not merely to react after harm happened, but to prevent it.

- Senator Altschiller then asked Representative Reinfurt how she would protect a grandchild who was transgender from a bill like this.
  - Representative Reinfurt responded that she would advise such a child to find an appropriate space to use the bathroom. She said she herself did not even use the bathroom in front of her husband and would tell her grandchildren there were accommodations available so they would not feel unsafe. She said ensuring safety applied to everyone, including transgender individuals.
- Senator Altschiller followed up by asking whether creating a separate but equal space was simply capitulating to people who were uncomfortable with transgender people and wanted them to go elsewhere.
  - Representative Reinfurt replied that accommodations and resources existed so everyone could feel comfortable.
- Senator Altschiller then asked whether the bill carved a protected class out of existing protections and allowed discrimination.
  - Representative Reinfurt rejected that characterization, saying the bill was about requiring public places to create policies and accommodations for people uncomfortable in biological-sex restrooms or other users.
    - The senator then asked whether such logic had worked out well with segregated water fountains.
- Senator Gannon then asked Representative Reinfurt whether she believed privacy protection was a compelling state interest.
  - She replied that it was one hundred percent a compelling state interest.

**Tye Thompson** introduced themselves as a transgender person, stated their pronouns were they/them, and said they were a resident of Nottingham, NH. Thompson testified in opposition to all three bills.

- Tye Thompson argued that the legislation unfairly targeted the transgender community in New Hampshire and was driven by a vocal minority spreading fear, misinformation, and stereotypes while denying the existence of transgender people. Thompson said repeated references to “men in dresses” erased the reality of transgender women.
- They contended that the bills were dangerous because they allowed both individuals and institutions to discriminate. Thompson said by legalizing

individual choice in enforcement, lawmakers would effectively deputize the public to police gender.

- They argued this would increase surveillance of women’s bodies and foster mistrust. Thompson further stated that policing women’s bodies, whether cisgender or transgender women, correlated over time with higher rates of intimate partner violence, homicide, and assault.
- Tye Thompson said they had read hostile online comments whenever advocacy groups called for testimony on such bills, including threats of personal violence based on imagined threats that did not reflect real daily life. They argued this was part of a national political strategy of othering marginalized people.
- They added that existing laws already addressed harassment and protected privacy and safety. Thompson said two Republican governors had previously identified such bills as attempts to solve problems that did not exist and as contrary to New Hampshire’s Live Free or Die philosophy.
- Thompson argued that exempting biological-sex classifications from anti-discrimination law signaled that some citizens were less deserving of protection and participation in public life. They urged the committee to recommend the bills inexpedient to legislate.
- Senator Gannon then asked Thompson about the phrase “vocal minority” and whether they had survey evidence showing that such bills lacked broad public support in New Hampshire.
  - Thompson responded that sign-ins and testimony numbers on prior bills had shown overwhelming opposition from New Hampshire residents, even if legislative decisions had not reflected that opposition.
    - Senator Gannon replied that the sign-up lists for the current hearings appeared close and perhaps even showed more support, but thanked Thompson for the response.

**Sharon Fellows** of Peterborough and stated that she was speaking on behalf of Women's Declaration International. She testified in strong support of HB 1217, HB 1299, and HB 1447. She said the organization’s interest in the bills was based on Article One of the Declaration on Women’s Sex-Based Rights, which reaffirmed that women’s rights were based on the category of sex, defined as reproductive biology.

- She contrasted sex with gender, which she described as stereotyped roles of masculinity and femininity imposed on both sexes and contributing to women’s inequality.

- She stated that the declaration urged states to maintain the centrality of sex, rather than gender identity, in laws concerning the rights of women and girls to be free from discrimination.
- She argued that women and girls faced discrimination because of their female biology and could not identify their way out of sex-based discrimination. She contended that a conflict therefore existed between gender identity and sex in public policy. She described gender identity as regressive sexual stereotypes that were materially harmful to women and girls and should not be codified in law.
- She further stated that the organization supported equal rights for people who did not conform to sex stereotypes. She said the group had proposed federal legislation providing civil rights protections for women and girls on the basis of sex, for lesbians, gay men, and bisexual individuals on the basis of sexual orientation, and for everyone on the basis of nonconformity with stereotypes. However, she said it would not create protections based on subjective feelings.
- She argued that it was the physical reality of being female that required protection from discrimination. She concluded that because HB 1217 defined sex and related terms in a way generally consistent with the declaration, the organization urged its passage.
- She then stated she also wished to offer personal testimony as a parent and taxpayer in the ConVal School District.
- She said the district was under investigation by the U.S. Department of Education for alleged Title IX violations of female students' rights. She claimed that, in a manner typical of public schools across the country, ConVal administrators had given male students explicit permission to use girls' restrooms and locker rooms.
- She further alleged that when female students objected, the principal at ConVal High School instructed the girls to change elsewhere because removing the boys would be discriminatory.
- She added that district policies classified accurate identification of sex as discrimination, and that students were effectively told it was hateful to say that a boy was a boy.
- She argued that concerns about complexity had not been raised when lawmakers previously allowed the elimination of girls' and women's single-sex spaces. She contended that school boards continued to enforce such policies despite what she described as overwhelming public opposition.
- She stated that girls and young women had a reasonable expectation of privacy in places where they undressed and attended to personal needs, and added that boys and young men had the same right.

- She concluded that the bills were New Hampshire’s answer to alleged violations of Title IX and constitutional rights to free expression, freedom from state-mandated religion, and the right to petition for grievances. She urged the committee to vote yes.

**Jessica Powers** stated that she had been listening to most of the testimony on the bills throughout the year and did not have anything new to add substantively. She said she mainly wanted to provide another face to who would be affected or potentially affected by the bills.

**Beth Scaer** of Nashua argued that transgender rights activists lived in what she described as a fantasy land because they imagined that males entering female spaces had no harmful intentions.

- She cited the case of former New Hampshire Representative Stacie Laughton, whom she described as the first transgender legislator in the United States, and noted that Laughton had been arrested and convicted of sexual crimes against children.
- Scaer then asserted that many trans-identifying males had autogynephilia, which she described as a sexual fetish in which heterosexual males became sexually aroused by presenting themselves as women. She said there were many additional examples of trans-identified males being sexual predators and claimed such cases could easily be found online.
- She argued that even if some of these individuals had no harmful intent, it would still be wrong to permit them access to women’s bathrooms, locker rooms, and private spaces because women should not be forced to see male genitalia or expose their own bodies to males.
- She stated that little girls and rape survivors should not be terrified in places created as safe refuges.
- She characterized previous remarks made by those opposed to bills like these as dangerous entitlement.

**Dr. Heather Barber** testified in opposition to HB 1217, HB 1299, and HB 1447, specifically objecting to the sports-related components. She said she was a retired faculty member from University of New Hampshire and that her field of study was sports psychology. She stated that over twenty-eight years at the university her research focused on girls’ and women’s sports experiences as well as LGBTQ experiences in sports.

- She said she loved sports and had spent most of her professional life defending their benefits. However, she stated that if these bills passed she would have to reconsider that support. Drawing on her experience as an athlete, coach, and sport psychology consultant, she said the best teams were those in which all players were committed to making each other better, particularly when individuals were different from one another. She argued that there was nothing inherent about being transgender that prevented that dynamic.
- She explained that sport, especially youth and high school sport, was often understood as a place to build character, teamwork, confidence, communication skills, and healthy physical development. She said it should not be a place where adults encouraged young people to point fingers at someone perceived as different.
- She argued that such messaging interfered with the beneficial aspects of athletics. She further stated that research on transgender participation in sports was clear in showing that both transgender and cisgender individuals benefited from playing on teams consistent with their gender identity.
- She also criticized the time spent by the legislature on these issues, noting that more than twelve, now fourteen, hours had already been devoted to hearings on transgender bathroom and sports bills that session, not including time spent drafting legislation and recruiting sponsors.

**Sam Hawkins** representing NAMI New Hampshire testified in opposition to HB 1217, HB 1299, HB 1447, and similar bills under consideration. He stated that he had previously testified before the committee about concerns regarding the mental health impacts of discrimination, as well as how stigma and discrimination affected people's willingness to seek help.

- Hawkins said he wanted to emphasize the mental health impact of the hearing process itself. He noted that several speakers had mentioned that these hearings had occurred repeatedly, and he stated that they did not have to continue happening. He said he was gravely concerned about transgender and nonbinary Granite Staters who had to sit in the room and repeatedly listen to statements questioning their humanity over and over again. He urged the committee to oppose the bills and to consider the effects of both the policies and the legislative process on constituents.
- Senator Abbas then asked Hawkins about HB 1299 and HB 1217, which he said would allow public or private entities to make their own policies. He specifically asked why there was opposition to allowing a private establishment to adopt its own policy, noting that if someone disagreed they could choose not to patronize that business.

- o Sam Hawkins responded that from the perspective of his organization's focus on mental health, he understood the question but believed it was not as easy as simply choosing not to go somewhere. He said having to map out which parts of one's town, community, or state were safe or unsafe would not be conducive to wellness or mental health.
- Senator Abbas then said that both supporters and opponents of the bills seemed to raise safety concerns, albeit for different reasons, and asked whether those concerns would apply to both transgender and non-transgender people.
  - o Sam Hawkins replied that over several years of work on these policies he had seen research, both nationally and in New Hampshire, showing that discriminatory policies negatively affected the mental health of LGBTQ youth and that access to affirming spaces was a protective factor against suicidality. He added that he had not seen data showing an outsized risk to health or safety from sharing a bathroom with a transgender or nonbinary person.
- Senator Altschiller asked whether having sixteen such bills in one session, combined with repeated rhetoric and fearmongering, constituted a form of stochastic terrorism.
  - o Sam Hawkins responded that he did not know whether he had the full definition to adopt that term, but said it was not speculation to state that people had told advocacy groups they no longer felt comfortable coming to the State House to defend their rights and that some were leaving the state. He said the impact extended not only to LGBTQ people but also to their families, friends, and loved ones.
- Senator Altschiller followed up by asking whether Hawkins was describing hostile public rhetoric amplified across platforms that caused people to feel unsafe participating in government. During the exchange, the chair interrupted to state that the senator was wandering off topic.
  - o Sam Hawkins then clarified that, not solely on this issue but largely because of the political environment, legislative atmosphere, and rhetoric from speakers, people did find it difficult to engage with the process. Another attempt by the senator to connect rhetoric from the White House and executive orders was cut off by the chair, who ended the exchange and thanked Hawkins.

**Rebecca Hoskins** of Concord New Hampshire said she wanted to raise issues not yet addressed. First, she argued that intersex people had been excluded from the discussion. She asked where intersex inmates would be housed, where intersex people would use the bathroom, whether intersex people could play sports, and how intersex students would be treated under the bills.

- Hoskins then noted that some cisgender girls were physically larger or stronger than others, mentioning that there was one girl on the Concord High School wrestling team. She asked whether lawmakers intended to create an entirely separate sports team for such students or simply continue current practices. She argued that in trying to redefine categories, lawmakers were circling back toward discrimination against cisgender women and girls.
- She also identified herself as gender nonconforming and asked whether someone seeing her in a bathroom without knowing her name or hearing her voice would know her biological sex. She said in her experience the answer was often no, and that people had expressed confusion or asked questions.
- She further stated that some representatives in the New Hampshire State House had openly said the purpose of such legislation was to drive people like her from the state. Hoskins responded that New Hampshire was her home, she was born there, she loved it, and she was not leaving.

**Janelle Hall** testified in opposition to all three bills and stated that she was the mother of two adult daughters. She explained that she wanted to offer a personal perspective rather than focus narrowly on the text of the legislation.

- She said she related to the transgender community as a woman of color who grew up with a Black father and a white mother and experienced social division and questions about identity.
- She recalled growing up in the suburbs of Boston and feeling that she never fully fit into categories of being white or Black.
- She stated that after moving to New Hampshire, where she said she was part of less than two percent of the population, she continued to understand what it meant to feel outside the majority.
- She then described her daughters growing up in Sandown and attending dance in Chester, where boys and girls practiced together, performed together, and also played co-ed tee-ball together. She argued that society had previously found ways for children to coexist and that lawmakers were now becoming overly fixated on the transgender community.
- She said people needed to step back, remember everyone was human, and learn to coexist. She concluded by saying the bathroom legislation felt like going backwards and urged the committee to recommend the bills inexpedient to legislate.

**Russan Chester** of Bedford testified in support of all three bills. She stated that she had played on an all-boys football team while growing up and had fought hard for the

right to do so. She said accommodations had been made so that neither the boys nor she felt discriminated against or uncomfortable, though she also understood why some had not wanted her on the team.

- She said that she was also the mother of a transgender child who had been born female and now identified as male. She stated that her child generally passed as male and used men's bathrooms, but would never attempt to use a urinal and instead used a stall because of feeling unsafe around heterosexual men in men's bathrooms.
- She then described an incident involving her four-year-old grandchild. According to Chester, her child refused to take the young female child into the men's bathroom, attempted to ensure the women's restroom was empty, and then allowed the child to enter alone. Chester said another individual who identified as transgender then confronted and criticized her child for not taking the minor child into the women's restroom.
- Chester argued that the broader issue had become overly sensitive and exaggerated. She referenced earlier testimony claiming that less than 0.05 percent of New Hampshire residents were transgender while others had said people interacted with transgender individuals every day. She said she doubted both statements could simultaneously be true.
- She also responded to earlier testimony that supporters of the bill either disliked transgender people, denied their existence, or did not understand transgender identity. Chester stated that she fit none of those categories. She said she loved her transgender child, understood the desire for acceptance, and did not hate anyone. She urged people to stop attacking one another and become less polarized.

**Nancy Brennan** of Weare New Hampshire testified against all three of the bills. She began by stating that many women had experienced physical and sexual assault and trauma. She referenced the Epstein files, men in positions of power, and abuse scandals such as the Sununu Youth Services Center as examples of why some women were afraid. She argued, however, that statistics repeatedly showed men were the ones assaulting women.

- She said it was unfortunate that some people were using women's real trauma to target transgender people. She argued that science and history showed gender was real and that both sex and gender were more complex than once believed. She stated that claiming there were only two genders was like claiming the earth was flat. She said scientific understanding evolved over time and should be taken seriously.
- She then referenced studies suggesting that transgender brains in some ways more closely aligned with the brains of cisgender people of the gender they

identified with than with the sex assigned at birth. She acknowledged these were early studies but said they were worth considering because they showed society might not know as much as it assumed.

- She concluded by arguing that facts alone were not enough if lawmakers did not listen to transgender people and their families.

**Representative Katherine Prudhomme O'Brien** testified again and stated that for many years she had personally known and spoken with transgender people, including long before the issue became a major national topic. She said she wanted to correct several points raised by prior speakers.

- She said that Ray Blanchard, who coined the term autogynephilia, had not been discredited. She stated that while people disagreed with his work, disagreement was not the same as professional discrediting. She added that he was still listed as a full professor of psychiatry at the University of Toronto.
- She also referred back to Stacie Laughton, the transgender former state representative who had used women's bathrooms in the State House. She noted that there was now a single-stall bathroom in the State House and described that as a good compromise.
- She further cited a 2019 study commissioned by the Parliament of the United Kingdom concerning offending rates of transgender women in prisons, titled *Evidence and Data on Trans Women Offending Rates*, which she said had been prepared by professors Rosa Freedman, Kathleen Stock, and Alice Sullivan. She encouraged people to read it and make their own judgments.
- She concluded by stating that discussing these issues was not stochastic terrorism but a fair and necessary public debate, and that women should be treated well.

**Grace Mack** of East Hampstead New Hampshire and a field representative for Turning Point USA said she returned to testify again because hearing earlier testimony had increased her concern and strengthened her support for the bills.

- She said she had heard multiple speakers claim that a person could be transgender without any hormone therapy and simply state that they were transgender. She argued that this was precisely why supporters of the bills were concerned about men claiming a transgender identity in order to gain access to women's spaces.
- She said Representative Mazur had already testified that such incidents were occurring in New Hampshire among boys, teenagers, and adult men, and she

argued that the public could not ignore that simply because it lacked media coverage.

- She then said it was disheartening and infuriating to hear the bills described as fearmongering or terrorism. She stated that supporters were not motivated by hate. She said she had participated in theater for many years, had known transgender people personally, and had been friends with some. She argued that the bills were about protecting girls' bathrooms and not allowing feelings to override facts or science. She contended that sex was the only fixed category, while gender was a later social construct.
- She also said it was troubling to hear claims that assaults and domination in sports were not happening. She stated that she had seen examples and read many articles showing otherwise. She concluded by saying she loved New Hampshire, wanted to remain there, hoped to raise a family there, and hoped the bills would pass.

**Tye Thompson** of Nottingham New Hampshire returned to testify again in opposition. He asked the committee to consider a 2025 brief published by the UCLA School of Law Williams Institute concerning safety and privacy in public restrooms and gendered facilities.

- He said the study reviewed criminal incident reports involving assault, sex crimes, voyeurism, and related misconduct in bathrooms, locker rooms, and dressing rooms in jurisdictions with non-discrimination laws allowing transgender people to use facilities aligned with gender identity.
- He summarized the findings as showing that incidents of privacy and safety violations in such spaces were rare, that there was no significant change in matched localities after passage of these laws, and that there was no evidence restroom access for transgender people caused increased harm. Thompson said much of the hearing had focused on feelings of fear, while actual data suggested no measurable increase in risk. Thompson urged lawmakers to rely on objective evidence rather than subjective discomfort.

**Amy Terravechia** of 603 Equality then returned to testify. She said she wanted to address several claims made earlier.

- Amy Terravechia responded to a state representative's comments about the history of sex-segregated bathrooms. She said such bathrooms arose in the late nineteenth century as a response to the industrial revolution and women entering the workforce. She added that they were called restrooms because women were considered too delicate to work a full day without a place to rest.

She argued that the original rationale was rooted not in safety and privacy, but in misogynistic assumptions.

- She said gendered restrooms became more common as women entered mill buildings and later expanded during World War II. She also returned to a prior statement that she spoke with transgender people every day through her work. She said she heard overwhelming concern and saw the toll these bills and surrounding rhetoric took on transgender residents. She identified herself as a registered lobbyist, noting that this was why she wore an orange badge.
- She added that her organization was not a large institution but relied on grassroots supporters. Terravechia said she wanted to give voice to hundreds or thousands of New Hampshire residents who could not attend hearings or did not feel safe doing so.

**Scott Phyles** of Somersworth New Hampshire returned to testify. He said he wanted to address an earlier question concerning mental health. He stated that the rhetoric and growing number of anti-transgender bills had personally affected him. He said such legislation had increased over time and accelerated recently.

- He referenced violence in the country and also cited a Kansas law that sent letters invalidating transgender residents' driver's licenses. He said that after socially, medically, and legally transitioning, he had changed the sex marker on his own license from female to male. He explained that because such records existed, he feared governments would know exactly where transgender people were if they wanted to target them.
- He became emotional while describing a visceral fear he had felt over recent months, saying he did not know how quickly or aggressively changes might be implemented. He said he felt somewhat safer now that issues were proceeding through committee hearings and votes rather than sudden executive action. He argued that suggestions of separate facilities or segregation were dehumanizing and not part of an inclusive society. He said every bill like these was one more step toward erasing transgender people from public life. He concluded that transgender people were simply trying to live their lives, improve their communities, and be happy.
- Senator Altschiller then asked Scott Phyles whether a social transition was as valid as a medical or surgical transition.
  - Scott Phyles responded that he could only offer his own perspective. He explained that before identifying as male he hated long hair, disliked tight-fitting clothing, and disliked appearing female, though he did not yet understand why. He recalled being removed from a Marshalls changing room before changing anything except cutting his hair because he naturally appeared masculine.

- o He said social transition for him involved telling family and friends, using his chosen name Scott, using male changing rooms, and wearing men's clothing. He emphasized that not everyone's experience was the same and that some people did not move from one end of a binary to the other.
- o He then described medical transition as involving hormones or surgeries, noting that not everyone could pursue those options because of health or financial barriers. He said he was fortunate to have insurance through his parents until age twenty-six and to receive care in Massachusetts. He said those medical choices were personal and that they gave him physical changes he wanted, such as a deeper voice and facial hair.

**David Trumble** of Weare returned to testify in opposition, focusing on HB 1299 and HB 1447. He said little attention had been paid to people confined in mental hospitals or prisons.

- He cited RSA 135-C:56 and RSA 135-C:57, which he said established fundamental rights to treatment and consent in mental health settings. He argued that forcing a transgender woman into a men's ward would conflict with that person's identity and treatment needs, making the bill inconsistent with state law.
- He then discussed prisons, stating that studies showed transgender women housed in men's prisons or jails were thirteen times more likely to be victims of sexual assault and that forty to fifty percent would be raped. He argued that such outcomes would raise serious concerns under the Eighth Amendment to the United States Constitution.
- He concluded more broadly that after attending many House and Senate hearings, a fair-minded observer should recognize that transgender people were like everyone else: respectful, intelligent, decent, and dignified. He said they continued to testify respectfully even while facing legislation that would remove civil rights. He argued that the testimony itself showed there was no need for these bills.

**Simon Amaya Price** returned to testify and stated that he used to be transgender and that he was also afraid. He claimed that transgender rights activists threatened to kill him weekly because he had left what he called the cult of gender ideology. He said he received pictures of guns and knives along with threats of torture, rape, and murder directed at him and his family.

- He then argued that males identifying as women were a very small share of the population but were disproportionately represented among sex offenders in prison. He claimed studies from the United States, the United Kingdom,

Sweden, and Canada showed that males who transitioned retained male patterns of violent and sexual criminality. He also cited MMA fighter Fallon Fox and quoted Fox boasting about injuring women opponents. Price concluded by urging passage of the bills.

**Tania Cregger** of Brookline New Hampshire returned to testify again in opposition. She responded to recent speakers, stating that passionate claims had been made. She specifically noted that Simon Amaya Price had described receiving threats but had not produced evidence such as police reports.

- She then urged lawmakers to step back and remember that this was fundamentally a bathroom bill. She asked members to recall that ten years earlier bathroom legislation had not been a major issue even though transgender people still existed in society.
- She argued that the matter had become prominent only because transgender people were being used as a political football for attention, clicks, and partisan gain. She said the issue should be put down because it was ridiculous.

**Rebecca Hoskins** of Concord returned to make two additional points.

- First, she said that in many places such as local YMCAs, family changing or restroom areas already existed for opposite-sex parents helping children, making new legislation unnecessary.
- Second, she responded to the earlier discussion of social transition. She said she was both gender nonconforming and disabled, and because of disability she was not pursuing medical transition. For that reason, social transition was all she had available and was fully valid for her. She explained that her gender expression varied from day to day, with some days favoring dresses and other days favoring a three-piece suit. She said what mattered was being able to experience joy and euphoria in that identity, and that bills like these made her afraid to express that joy.