

April 8, 2026

Good morning, Chairman Gannon and members of the Judiciary Committee.

My name is Shawne Cox. I am a concerned New Hampshire father and a strong advocate for biological reality. I believe that both women and girls and boys and men deserve safe, private, single-sex spaces based on biological sex — spaces free from individuals of the opposite sex, whether those individuals are women who believe they are men or men who believe they are women. Everyone deserves dignity and safe spaces.

I rise in strong support of Senate Bill 459 as amended. I appreciate the committee's work to protect biological sex in athletics and involuntary facilities. However, the bill still needs to be strengthened further to fully protect everyone — women, girls, men, and boys.

As currently amended, SB 459 only covers athletic competitions and prisons or juvenile detention centers. It does nothing to protect boys and men — or women and girls — in most restrooms, most locker rooms, showers, or changing areas — the everyday spaces where we are all entitled to privacy and safety. Partial protection is not protection — it is surrender. We must expand the bill to cover all single-sex facilities where males or females undress, shower, or use the bathroom.

This is not theoretical. Just last week, on March 31, 2026, the U.S. Department of Education opened a Title IX investigation into the Contoocook Valley School District in Peterborough for allowing biological males into girls' restrooms and locker rooms. Female students complained about privacy violations, yet the district put gender ideology over girls' dignity. Assistant Secretary Kimberly Richey stated clearly: "Young women should never feel unsafe or uncomfortable in their intimate spaces because their school leaders care more about gender ideology than protecting girls' dignity and privacy."

As the amicus brief from the Independent Council on Women's Sports in the U.S. Supreme Court case *United States v. Skrmetti* proves, fair sports — and fair private spaces — depend on biological reality. Biological sex is the dominant factor in athletic performance, and the same immutable differences that create male advantages also make separate spaces essential for both sexes. Here are just five key male advantages over females:

Greater muscle mass and strength — men have more than 12 kg of additional skeletal muscle and women have only 50–60% of men's upper-arm strength and 60–80% of men's leg strength.

Larger, denser, stronger bones with better leverage — men are 7–8% taller on average, providing greater power in jumping, throwing, and explosive movements.

Clear performance advantages even before puberty — 9-year-old boys are 9.8% faster in sprints, 16.6% faster in the mile, jump 9.5% farther, and have 13.8% stronger grip than 9-year-old girls.

Higher androgen exposure from infancy — male infants experience a "mini-puberty" with significantly higher testosterone levels that imprint lasting structural differences in muscle, bone, and body composition.

Advantages that remain even after testosterone suppression — eleven peer-reviewed studies show that after 12–36 months of hormone therapy, male muscle mass, strength, and performance still far exceed those of biological females.

Biological sex is not the same as gender identity. Gender identity is a subjective internal sense of self. It cannot override these biological facts — especially where privacy, safety, and fairness are at stake.

New Hampshire must lead. A strengthened SB 459 will restore what men, women, boys, and girls have always had: safe, private, single-sex facilities based on biological sex. It is not controversial. It is common sense.

I respectfully ask you to move this bill forward and further amend it to fully protect every restroom and every locker room for both sexes. Stand with the men, women, boys, and girls of New Hampshire. I support this bill with recommended amendments that I suggested above.

Thank you for your time and for your service.
Shawne Cox