



November 19, 2020

Testimony in Opposition to House Bill 369

Chairman Hambley, Vice Chair Patton, and Ranking Member Brown:

My name is Aaron Baer, and I am president of Citizens for Community Values, Ohio's largest Christian public policy organization. I'm here today to speak on behalf of the over 3,000 churches in our Church Ambassador Network, 65 Evangelical and Catholic schools in our Christian schools' network, and tens of thousands of members and supporters across the state to urge you to strongly oppose House Bill 369 in any form.

However, let me start by making one thing clear: we understand the sensitive nature of this conversation. We come to this issue with an open mind and heart wanting to hear our neighbors and their concern. We've looked at this bill at every angle, and have had leading legal minds from across the country analyze it to help us understand the full implications of the legislation and if there's any way to make it work.

And I tell you in full confidence, this bill is deeply flawed to its core, and represents the greatest threat to women, children, and religious freedom in our nation.

The bottom line is that the bill is based on a fundamental lie: that sex is distinct from gender identity or gender expression, or put another way, that a man can become a woman, or a woman can become a man.

Or to a finer point, that a 6-year-old boy can become a girl, or vice versa.

This is a medical reality: no amount of surgery, hormone injections, or compliance with gender stereotypes can change the biological realities of our bodies that are engrained in our DNA.

And I will tell you, that truly most people in this room would acknowledge this to be true, if not in public, but a whisper.

Starting from this faulty premise, that a man can become a woman, this bill is doomed for failure and unbelievably negative consequences. Our genetic and biological make-up is not a "social construct" that we can just name and claim. It's as real as this podium I stand behind, and in many ways it's absurd this has to be said.

The bill before you fundamentally reframes our society from the ground up. Opportunities promised girls in athletics will be lost, as they were for the high school students Selina Soule, Chelsea Mitchell, and Alanna Smith in Connecticut when two male athletes were allowed to compete in the girls' track competition, beating them out of reaching the podium, and denying them a fair playing field.



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The bill will put religious employees in the private and public sector at risk of litigation and defamation like a similar bill did to Kelvin Cochran, the former Atlanta Fire Chief. Chief Cochran had previously worked for the Obama Administration and was nationally recognized as one of the leaders in his field. But was fired because he produced and shared with some friends in his office a 162-page Bible Study that had one page on a biblical sexual ethic.

Employees in the city of Atlanta didn't like the book for this reason, and filed sexual-orientation discrimination claims against him. An investigation revealed that no employee had ever been denied an opportunity because of their sexual orientation, but the mayor of Atlanta fired Chief Cochran anyway.

5 years later, the City of Atlanta had to pay a \$1.2 Million settlement to Chief Cochran for their unlawful acts prompted by legislation just like HB 369. But Chief Cochran lost 5 years of his professional career and had his name dragged through the mud.

And how many more Chief Cochrans are out there that will never get their justice because of a discriminatory law like this?

Or the story of Pascha Thomas' daughter, a kindergartner in Georgia. Pasha is a low-income, single mother. Her public school implemented a policy similar to HB 369, which would allow biological boys into girls' facilities if they "identify" as a girl.

One day Pasha's 5-year-old daughter went to the bathroom, and a little boy, a class mate, followed her in. The little boy identified as a girl. He proceeded to push Pascha's daughter up against a wall and stick his finger into her vagina, through her underpants. A policy like HB 369 enabled this rape.

I'm now going to stop talking to you as the president of CCV, and talk to you as the father of two young girls, four and two. This situation is real. You cannot close your eyes to it. You cannot allow the Chamber of Commerce and other well-funded interest groups tell you that there's no harm in these laws. When you redefine reality, there are devastating consequences. And it's up to you to see through the lies, and do what's right.

Members of the Civil Justice Committee, I could go on and on with stories of how these laws have been used to violate the privacy, safety, religious freedom, and equitable treatment of countless Americans.

But let's spare ourselves the time and pain of having to relive all the devastation these laws cause. There are countless people across the state that would love to be here. But you know as well as I do that the cultural pressure behind this issues silences so many from speaking up. I urge you in the strongest way to walk away from this legislation, and stand up for our children, families, businesses, ministries, and communities.