

Submitter: lynsey piccolo
On Behalf Of:
Committee: Senate Committee On Rules
Measure: SJR33

Dear Committee,

April 25th, 2023

Certainly we support rights to reproductive autonomy, abortion access for any female who wants or needs it, and we support the right for any two consenting adults to marry, and have all related legal protections therein, irrespective of sex. While we support these aspects of the proposal we experience the inclusion of “gender ideology” as an unfriendly amendment that can compromise and be in conflict with sex based rights. We support every individual’s right to self expression, to the extent one does not infringe on the rights of other persons. Anyone should be free to identify however they want; however when it comes to legal documents and policies, we need to understand the conflicts, confluences & collisions of freedoms that can exist between these terms & agendas and protect our sex-based rights. “Gender” is socially constructed, not innate. It does not have a consistent definition, only a subjective one based on ideas and feelings, and is not concrete or clear “Gender identity” and biological sex are distinct matters, and to assert otherwise reinforces sex role based stereotypes and is harmful to all of us, and particularly gender non-conforming people. We ask that these topics be considered separately for adoption to the Oregon constitution.

Currently, there are a growing legal collisions and conflicts between rights based on sex, and the nebulously defined “gender identity”, which can have the impact of undermining sex-based rights. When it comes to defined legal protections it is sex, not gender, that is clearly & legally definable. We have concerns about who/what is supposed to be protected on what basis, and what the implications of these policies are for women. Promoting the concept of ‘gender identity’ which has no clear definition, puts it in conflict with biological sex, and challenges the right of women and girls to define themselves on the basis of sex, and to assemble and organize on the basis of their common interests as a sex. In sports we are seeing the opportunities for female athletes eroded by privileging the assertions of access based on “gender identity”.

These impacts include challenging the rights of lesbians to define their sexual orientation on the basis of sex rather than ‘gender identity,’ and to assemble and organize on the basis of their common sexual (not gender) orientation. We speak up for our lesbian sisters as well when we assert their rights to be in single sex female only spaces.

Sex based rights are being eroded, including women's rights to privacy, dignity, safety, and setting boundaries. Self-ID policies that result in housing male inmates in women's correctional facilities and institutions hurt women. & is a violation of the Rights of Incarcerated Women to Single Sex Prisons (Geneva Convention 1949 and the United Nations Standard Minimum Rules for the Treatment of Prisoners 1955, 2015) There are safety issues for both female bodied women and male gender non-conforming persons who are serving prison sentences, and safeguarding should be paramount. It is unacceptable to compromise the safety of female inmates in the name of safety and identify validation for trans identified inmates.

Thank you for taking time to read and consider our concerns that we take due care and consideration here, and better understand the impacts and infringements and undermining of the inclusion of gender identity proposals on sex based rights, which are already protected by the Oregon Constitution.