



Women's Declaration International

Testimony of _____
Before the [BODY NAME: Committee or Chamber]
[Bill NUMBER]
[DATE]

OPPOSE

Thank you, members of the Law and Public Safety Committee, for allowing me the opportunity to provide written testimony in opposition to [BILL NUMBER]. My name is _____. I reside in _____ County, State of _____

I have been a registered Democrat all my life, but I am increasingly disgusted by my party's push for 'gender identity' to be enshrined in law at the expense of women's and girl's hard-won, sex-based rights. I have spoken to many long-time Democrats who feel the same. The Democratic Party is poised to lose elections based on this issue alone.

Women's Declaration International (WDI) is a global, nonpartisan group of volunteer women dedicated to protecting women's sex-based rights. [WDI USA](#) is its U.S. chapter.

The [Declaration on Women's Sex-Based Rights \(the Declaration\)](#) was created by the founders of WDI to lobby nations to maintain language protecting women and girls on the basis of sex rather than "gender" or "gender identity." Based on well established principles of international law, the Declaration reaffirms women and girls' sex-based rights and challenges the discrimination we experience from the replacement of the category of sex with that of "gender identity." It has over 30,000 signatures globally, from 159 countries.

Our interest in [BILL NUMBER] is based on Articles 1 and 8 of the Declaration. Article 1 reaffirms that the rights of women are based on the category of sex. It asserts that governments should maintain the centrality of the category of sex, not "gender identity", in relation to women's and girls' right to be free from discrimination. The inclusion of "gender identity" in a legal definition of sex necessarily replaces sex with "gender identity", a subjective, unprovable feeling based on stereotypes that harm women and girls. The conflict is unavoidable: Either sex is immutable and biologically based, or it is changeable based on a claim, or a lie. If a man can be a woman, the sex category of "woman" can not be protected in law from its historic and ongoing discrimination.

Article 8 of the Declaration, reaffirming the need for the elimination of violence against women, asserts that "violence against women is one of the crucial social mechanisms by which women as a sex are forced into a subordinate position compared with men as a sex", and that single-sex provisions should include those that "promote the physical safety, privacy and dignity

of women and girls”, specifically including prisons. [BILL NUMBER] contravenes international legal principles for humane treatment of imprisoned persons. Rule 11 of the United Nations Standard Minimum Rules for the Treatment of Prisoners (also known as the Nelson Mandela Rules) states that “[t]he different categories of prisoners shall be kept in separate institutions or parts of institutions, taking account of their sex, age, criminal record, the legal reason for their detention and the necessities of their treatment.” Subpart (a) of that rule states that “[m]en and women shall so far as possible be detained in separate institutions; in an institution which receives both men and women, the whole of the premises allocated to women shall be entirely separate.”

[BILL NUMBER] will require men to be housed in a women’s prison if they claim to be women. This will make the policy put in place by the New Jersey Department of Corrections in response to a [legal settlement](#) permanent and mandatory, placing incarcerated women at greatly increased risk of assault. This [policy is already under review](#) after 2 inmates became pregnant at the Edna Mahan Correctional Facility. While violent female offenders do exist, of the more serious indictable offenses, [men commit](#) around 85-90%; but for sexual offenses 98% of offenders are men. As of 12/19/21 in the State of California, of the 287 men seeking transfer to the women’s estate, 33.8% are registered sex offenders, and 25.8% were convicted of a sex offense.

As shown [here](#), [here](#), and [here](#), incarcerated women are frequently past victims of male violence, and so particularly vulnerable to being retraumatized. Being housed with men is an act of cruelty and terrorism. In fact, for any woman to be locked in a cell with any man, but especially a violent male criminal, forced to be alone with him to undress and even sleep in his presence, amounts to state-sanctioned torture. According to allegations in a pending California lawsuit, forcing incarcerated women to be housed with males constitutes cruel and unusual punishment in violation of the U.S. Constitution.

It is well established in human rights law that the stereotyped sex roles of men and women are a fundamental aspect of women’s inequality and must be eliminated. For example, see [CEDAW, Article 5](#). Saying that some boys and men are actually girls and women because they adopt stereotypes that have been forced on the female sex is a human rights violation.

Every New Jersey voter knows that men are never women. We urge you to uphold the safety, privacy, and dignity of incarcerated women by opposing [BILL NUMBER].

[NAME], Signatory
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