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CALIFORNIA PASS RESOLUTION CELEBRATING INTERSEX PEOPLE, FIRST LEGISLATION OF ITS KIND TO ADDRESS INFANT SURGERIES CONDEMNED BY HUMAN RIGHTS EXPERTS

(Sacramento, CA) — Today the California legislature passed Senate Concurrent Resolution 110, authored by Senator Scott Wiener (D-San Francisco). This resolution, widely supported by the intersex community, is the first-ever successful piece of state legislation to explicitly recognize the human rights violations faced by intersex people and celebrate their bodily autonomy.

Senate Concurrent Resolution 110 acknowledges non-consensual procedures to cosmetically “normalize” variations in intersex children’s sex characteristics as human rights violations and calls on the medical community to put an end to the practice. As many as 1.7 percent of babies are born with intersex traits—meaning their chromosomes, gonads, or internal or external sex organs challenge the idea of sex as an exclusive “male” or “female” binary. Diverse sex characteristics, such as a larger-than-average clitoris, typically pose no health risks requiring surgical intervention in infancy.

Since the 1960’s, doctors in the U.S. have framed intersex births as social emergencies, performing surgeries such as clitoral reductions, orchiectomies, and vaginoplasties on infants to “normalize” intersex bodies long before any opportunity for an individual to make their own informed decision. These procedures are medically unnecessary, irreversible, traumatizing, and can permanently reduce sexual sensation. Genital surgery on infants is only medically necessary in the rare cases when urine cannot exit the body, or internal organs develop outside the body.

SCR-110 was sponsored by interACT, an organization that advocates for the human rights of children born with intersex traits, and Equality California, and was co-authored by forty-six other California legislators. SCR-110 was also supported by the Gay and Lesbian Medical Association, the Children’s Advocacy Institute, the Trevor Project, Lambda Legal, National Center for Lesbian Rights, the ACLU, PFLAG, and others.

“This resolution recognizes that California’s intersex community is a part of our state’s diversity and should be embraced,” said Senator Wiener (D- San Francisco). “Physicians should not immediately seek to ‘correct’ how people are born through irreversible surgeries, unless they are medically necessary. These surgeries can have significant
negative impacts on people’s lives, particularly if the gender chosen by the physician and parents is different from the child’s ultimate gender identity. I am proud that the California Legislature understands that intersex people deserve the right to identify with the gender of their choosing, and not have that decision be made for them before they are able to consent.”

“On behalf of the intersex community, interACT is thrilled that California is the first state to send a clear message of support to intersex children and their families that they are perfect just as they are,” said Kimberly Zieselman, Executive Director of interACT. “We look forward to bringing the message of SCR-110 to the medical community to ensure ethical, compassionate care for this vibrant population.”

SCR-110 recognizes that intersex children are not an aberration to be corrected but an important part of California’s diversity—worthy of affirmation and celebration just like all children. This path requires medical care that affirms their right to participate in life-altering medical decisions that can safely be deferred until they are able to decide for themselves.