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UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

LINDSAY HECOX, et al.,

Plaintiffs,

v.

BRADLEY LITTLE, et al.,

Defendants.

No. 1:20-cv-00184-CWD

DECLARATION OF PLAINTIFF LINDSAY HECOX IN SUPPORT OF MOTION FOR PRELIMINARY INJUNCTION

I, Lindsay Hecox, depose and say as follows:

1. I have personal knowledge of the facts herein. I am one of the plaintiffs in this case. I am nineteen years old and a freshman at Boise State University. I am a woman who is transgender.

2. I have a passion for running. I want to have the opportunity to be on a women's team and compete.

Experience running before college

3. I have always been a good runner. Even in grade school, I was noticed for my running ability and began to receive compliments. In middle school, I became more passionate about running. I wasn't on a team yet, but I was running as much as I could. It was my daily exercise. It has been a huge part of my life since then. Running has also helped my mental health.

4. My first experience running on a team was in high school, when I joined the track team my freshman year and the cross-country team my sophomore year. The experience was life changing. That's when I realized how much I like running with others and competing.

5. Running became my trademark thing in high school. I was the "runner person." I was known for doing it.

6. I had poor grades my freshman year of high school, but once I started running on a team and competing, my grades improved. I felt more competent and had a better sense of my identity.

7. I've found the positive energy of team competition bleeds over to other areas of my life. I remember in high school, at first I didn't feel like doing homework. But I found that when I put all my internal motivation into an upcoming race, it would increase my ability to complete my homework on time. The only way I can describe it is that the positive energy passes on to other areas of my life.

8. The team aspect of sports was really great for me. My teammates and I would hang out together after running or after meets. Those activities really brightened my life. I really enjoy forming relationships with my teammates.

9. I'm more motivated on a team because I don't want to let my team down. I always run better when I have someone running with me – it makes me want to run faster. In high school, I always wanted to do my best for my coaches and teammates. I wanted to show my team that I tried my best during the meet.

Starting college and transition

10. When I was thinking about college, Boise State appealed to me partly because of its beautiful campus and running trails.

11. Since I have been in college, I have been able to publicly express myself and live as the woman that I am and to begin my medical transition. I have been taking hormone therapy and my peers see me as just one of the girls.

12. Since I came to college and started my transition, I have developed greater independence, self-discipline, and self-motivation.

13. I was assigned the sex of male at birth but knew from grade school that something was different about me. I did not have the words at the time, but I was experiencing gender dysphoria. I actively started feeling unhappy in my gender in middle or high school. I remember wishing I could wear girls' clothes to school around 8th or 9th grade.

14. I did not start receiving professional treatment for gender dysphoria until after I had fully accepted and come out to myself as transgender. That was during May 2019, after graduating high school. I have been taking medically prescribed hormone replacement treatment since September 2019. Before I began taking hormones, I was not looking forward to my future at all. I felt empty and directionless.

15. Taking hormones has drastically improved my body image and has made me feel better in other ways. I am calmer, feel more at peace with my identity, and can see a bright future ahead.

16. My body has changed, including breast development, skin softening, fat redistribution – mostly in the face, and decreased body hair and muscle mass. I am very happy about all of these changes.

17. My treatment for gender dysphoria means that my testosterone levels have decreased. I regularly have those levels tested. My hormone levels are almost compliant with the rules for women in the Olympics. I have

less than five more months of hormone therapy to be compliant with the NCAA rule.

Running times

18. In high school, my personal track records were 2:09 for 800 meters, 4:51 for the 1600 meters and 10:48 for two miles. In cross-country, my best time on a 2.91-mile course was sixteen minutes flat.

19. Since I began hormone therapy, my times have gotten five to ten percent slower. My body is still changing from hormone therapy, but I'm training hard and trying to maintain or improve my times as much as possible. I'm pretty consistently doing my eight mile runs in sixty minutes, and I recently got 6 minutes and ten seconds in a time trial for a mile. I would expect to do a bit better in competition because of the motivation from running with other people. My goal is to run a mile in five minutes thirty seconds.

Running in college

20. I want to try out for the women's cross-country team at Boise State this fall and the women's track team at Boise State in the spring of 2021. My understanding is that the first tryout session for cross-country is during the first week of school in late August.

21. I did not compete on any Boise State teams during my freshman year because I was focused on keeping my grades up, acclimating to college

life, and making sure I met the NCAA eligibility rules for women who are transgender.

22. I did organize a running club where students get together to run for fun and exercise. I enjoyed it, but it is not the same as being on a team and competing. There isn't the same camaraderie or chance to really push myself to improve.

23. In preparation for trying out in the 2020-2021 school year, over the last year I have trained consistently, maintained a balanced diet, and mentally prepared to try out.

24. In order to be ready to try out for the Boise State teams, I've been using my high school trainings to inform my running plan this year. During the week, I usually run five miles per day.

25. On Mondays, Wednesdays and Fridays, I do a solid five-mile run, but it's more of a recovery run where I'm not trying to go as fast.

26. My training plan for Tuesdays and Thursdays alternates every other week. One week on Tuesdays, I do one-mile intervals, and on Thursdays, I do tempo runs for three-miles with a one-mile cooldown and one-mile warm up. The following week, on Tuesday I do five 1000-meter intervals instead of 3-4 one-mile intervals. The following Thursday, I do a five-mile tempo run with 400-meter intervals and a break in between.

27. On Saturday, I do a long distance run of eight miles. The long runs are good for endurance and stamina. On Sunday I do a three-mile run.

28. I've been in touch with the Boise State coaches about the dates and process to try out for the teams.

29. The coaches said students come together to do paperwork in the first week of the semester and have time trials a few weeks later.

30. Being a part of a team is an essential part of the running experience for me. Competing on a team helps to motivate me and push me to do my best. It also helps me socially.

31. I think running cross country and track competitively in college is going to make me more motivated in life in general. Like in high school, I expect that motivation from pushing to do well on a team will also push me in other areas of my life –like getting a college degree or getting a job. If I push myself to do really well at a meet, I'll push myself to do well in other areas of my life.

32. NCAA-level running will be competitive and push me physically and mentally, as well as provide me with teamwork and connection that will help me grow as a person.

33. Training to prepare to try out for and compete on the Boise State teams is a substantial commitment of my time and my mental and physical work and energy throughout the summer.

34. I want to see how fast I could get with a college team to help me train. Being in a non-competitive college running club is not at all be the

same as being on a college team. It would be a big honor to represent my school in athletics.

35. If I was not able to try out for the women's cross-country and track teams, it would feel like I have a hole in my heart from wanting to do something so badly that I have worked towards for so long – not only in my physical training, but in my mental planning. Being on a women's team would affirm who I am as a woman—I don't want that to be taken away.

36. My identity does not hinge on competing on a women's team – *I am a woman.*

37. I would not compete on a men's team. I am not a man, and it would be embarrassing and painful to be forced onto a team for men – like constantly wearing a big sign that says "this person is not a 'real' woman." I would be an outcast on the men's team.

38. As a college athlete, you usually get four seasons of eligibility for each sport within a five-year period. I have four more years of eligibility left. If I miss this fall, I cannot get that period of eligibility back.

39. I just want to run. I want to compete. I want to be on a team. I have looked at the rules for the NCAA, trained hard and am really excited for an opportunity to join the women's teams.

40. I would be devastated if I were excluded from trying out for women's cross-country and track teams at Boise State.

I certify under penalty of perjury pursuant to the laws of the United States that the foregoing is true and correct.

Executed this 29 day of April, 2020.

Lindsay Hecox

Lindsay Hecox

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 30th day of April, 2020, I filed the foregoing electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notice of Electronic Filing:

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DATED this 30th day of April, 2020.

/s/ Richard Eppink