



IMAGINE IT:

You're a parent, out in the park with your children on a sunny Saturday afternoon in Texas. One of your children trips while playing and twists their ankle. Your instinct is to load them up in your car and take them to the emergency room for an X-ray to make sure that nothing is broken and they will be able to heal properly.

Sounds like a simple, straightforward visit, right?

Photo by Jacob Wackerhausen

Except your child is also transgender, and filling out their intake paperwork is anything but routine in a state that is trying to use that fact as a reason to take away your ability to make decisions about your child's health care. A minor ankle sprain suddenly becomes a daunting risk of getting flagged for investigation by the state's Department of Family and Protective Services.

That anxiety is the reality facing far too many families in Texas, including Lisa, Jeff, Maya, and Max Stanton. In 2022, Texas Gov. Greg Abbott issued a directive mandating that parents providing their children with medically necessary health care for treating gender dysphoria should be investigated for child abuse. But that directive was only one piece of a larger campaign targeting transgender young people, their parents, their health care providers, and their advocates.

Over the past two years, the state's governor, attorney general, administrative agencies, and legislature have all played a role in targeting trans adolescents, undermining their ability to live healthy, equal, fully realized lives.

Families like the Stantons have been forced to consider making the impossible choice to uproot their lives and families in order to protect their children's health and well-being amid a rising tide of dangerous legislation and hateful rhetoric.

"I no longer feel that we are safe and can continue to use our voice to fight back without real repercussions for our family," Lisa said in a 2023 interview with Jewish Herald Voice.

When the Texas DFPS implemented the governor's directive to investigate parents of trans adolescents for child abuse, Lambda Legal was there. We filed two separate lawsuits to prevent those investigations from happening, winning multiple court orders to put a stop to them. The Stanton family stood alongside Lambda Legal, providing a declaration as members of PFLAG in one of those lawsuits.

The family continued to speak out for other transgender youth like Maya across Texas, including Maya's own testimony in the Capitol against a cruel measure prohibiting health care providers from prescribing the treatments that are critical for young people with gender dysphoria.



I know you don't understand what it's like to be trans, and that's okay. You don't have to; you just have to listen to us when we tell you who we are.



Maya's testimony at the Texas Capitol

"Do you understand how brave I have to be to come here and tell you over and over again to leave me alone and that I deserve the same rights as everyone else?"

"Close your eyes and imagine for one minute what it's like to be me," Maya continued. "Can you appreciate how certain I am in my identity to continue showing up in a world that does not understand or accept trans people? That I insist on living as my true self even when it makes my life harder?"

Unfortunately, the Texas legislature passed a ban on gender affirming medical care for minors, SB14, in May of 2023. Lambda Legal has been there fighting back, challenging the law up to the Texas Supreme Court.

And when the Texas Attorney General's office went after PFLAG, who has fought for its member families as a plaintiff in both of those cases, by demanding PFLAG turn over information and documents about its support for those families, Lambda Legal fought back, winning an injunction against those demands and blocking their implementation while the case continues.

But for the Stantons, who intended to join Lambda Legal as plaintiffs in the lawsuit challenging SB 14, the situation in Texas was quickly becoming untenable. After a privacy and safety issue occurred regarding Maya's medical records, it was clear their family could no longer safely remain in Texas.

The family chose to move to Colorado that July. "It's been a long road to get to this point," Lisa said. "It just gets to a tipping point when things have gone too far."

"Once again, we turned to Lambda Legal for guidance and support, helping us to identify next steps and find legal representation as we made the difficult decision to leave our home state behind," Lisa said onstage at our Liberty Awards National Dinner just last month.

The move has been difficult for their family and Maya has been sad to leave her friends, but, as Lisa described in an interview with the Human Rights Campaign, "**Having peace of mind here has allowed us to begin the healing process and start to truly live again,**" Lisa continued.

We are proud to stand alongside families like the Stantons — and all the families in hostile states for whom it is unsafe to speak out — to reaffirm the fundamental truth that transgender youth have always existed and deserve access to the same futures as everyone else, a future where trans kids can play sports with their peers and can receive critical life-saving medical care regardless of what state they live in. Lambda Legal will continue to fight to protect all families who simply want to make sure their transgender children are safe, happy, and healthy.





Fourth Circuit Bars Application of West Virginia Law to Transgender Girl

This April, the court voted to block application of a West Virginia law banning transgender student-athletes from playing on teams consistent with their gender identity, finding the law violates the rights of Becky Pepper-Jackson / Becky, a 13-year-old transgender girl and middle school athlete. Despite having been accepted as a member of the girls' track and field team for six seasons, Becky Pepper-Jackson / Becky would be kicked off this team if the discriminatory law were enforced. This ruling makes clear that singling out a 13-year-old transgender girl for disparate treatment because of her sex is discrimination, pure and simple, and we applaud the court for arriving at this just decision.



Fourth Circuit Rules North Carolina and West Virginia Can't Deny Transgender People Coverage for Medical Care

Also in April, the court delivered a groundbreaking ruling affirming that North Carolina and West Virginia cannot discriminate in their coverage of medical care for transgender people.



Our clients in both cases were denied coverage for medically necessary care prescribed by their doctors just because they are transgender. This victory sets a clear precedent not only in North Carolina and West Virginia but also for ALL jurisdictions within the Fourth Circuit.

We celebrate this victory for our plaintiffs and all transgender people in Maryland, Virginia, West Virginia, North Carolina, and South Carolina who need and deserve equal access to this medically necessary — and sometimes life-saving — care.

The court ruled in favor of transgender plaintiffs in two separate lawsuits, finding both states' denial of coverage for medical care to be discriminatory and unconstitutional.

Settlement of Case on Behalf of Former Military Cadet and Midshipman Living with HIV

A settlement was reached with the Department of Defense (DoD) in a lawsuit filed in 2018 on behalf of a former Navy midshipman and a former Air Force cadet, who were denied commissions after graduating from their respective service academies because they are living with HIV. The settlement provides for both to be commissioned as officers in recognition of the status and military careers they qualified for and earned years ago. It's important to know that this settlement follows the June 2022 DoD policy changes

that confirmed service members living with HIV who are asymptomatic with undetectable viral load will have no restrictions applied to their deployment or to their ability to commission based solely on their HIV status. Service members living with HIV, once affected by an outdated, discriminatory policy, no longer face discharge, bans on commissioning, or bans on deployment simply because they are living with HIV.



LAMBDA LEGAL REPORT SPOTLIGHT

Safe Havens II Report:

We Must Affirm and Protect Transgender, Nonbinary, and Gender Diverse Youth in Out-of-Home Systems.

Due to inequities and family rejection, TNGD youth are over-represented in juvenile legal, child welfare, and youth homelessness systems (“out-of-home care”). They face significant barriers to support, care, and affirmation, heightening risks to their health and well-being. The Safe Havens II report uniquely brings together and centers the voices of TNGD youth with lived experience in out-of-home care systems and advocates. This update to 2017’s groundbreaking Safe Havens report, the first comprehensive analysis of the troubling lack of explicit laws and policies to protect TNGD youth in out-of-home care, includes video and audio interviews of youth with lived experience led by report co-author Elliott Hinkle, a nonbinary young adult with lived experience in Wyoming’s foster care system. In addition to a call to action for systemic improvement from our youth

contributors, the report captures improvements in system-specific law and policy and the wave of harmful policies at the state level. We also focus on the lack of efforts nationwide to prevent system involvement, the particular challenges faced by nonbinary youth in out-of-home care, and ways youth can hold systems accountable.

Learn more at safehavensreport.org



NEW REPORT:

Urgent Call for Biden Administration to Address Declining LGBTQ+ Representation on Federal Bench

On May 21, Lambda Legal released a new report documenting progress by the Biden administration on diversifying the federal bench. The report highlights the notable strides in diversifying the federal judiciary, as well as the concerning trends regarding the representation of LGBTQ+ people and people living with HIV. The unique perspective of judges who understand what’s at stake is indispensable in filling critical gaps in our legal system and restoring the legitimacy of critical institutions that have a profound impact on countless lives. In twenty-six states, including most states in the South and Midwest, a litigant

does not have a chance of having their case heard before an openly LGBTQ+ federal judge, from a district court trial through the appeal process to the Supreme Court. And there has never been an openly transgender, nonbinary, intersex, or bisexual federal judge or a federal judge living with HIV. Lambda Legal urges swift action to fill all current and future vacancies with fair-minded judges dedicated to civil rights, underscoring the urgency of fair representation on the bench amidst escalating challenges to LGBTQ+ rights nationwide.

You can read these reports and others at lambdalegal.org/publication

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LAMBDA LEGAL’S SPEAK OUT CAMPAIGN GIVES TRANSGENDER AND NONBINARY VOICES A PLATFORM TO SHARE THEIR STORIES AND EXPERIENCES, IN THEIR OWN WORDS AS THEY NAVIGATE THE CURRENT CHALLENGING SOCIAL AND POLITICAL CLIMATE.

SPEAK OUT: features transgender and nonbinary youth and adults who are Lambda Legal plaintiffs and staff, as well as community members, activists, and advocates such as Jazz Jennings, Desi (Desmond is Amazing), and others.

