

The Honorable Marsha J. Pechman

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**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE**

Case No. 2:17-cv-01297-MJP

RYAN KARNOSKI, et al.,
Plaintiffs,
v.
DONALD J. TRUMP, in his official capacity as
President of the United States, et al.,
Defendants.

**DECLARATION OF RYAN
KARNOSKI IN SUPPORT OF
PLAINTIFFS' MOTION FOR
PRELIMINARY INJUNCTION**

NOTE ON MOTION CALENDAR:
October 6, 2017
ORAL ARGUMENT REQUESTED

I, Ryan Karnoski, declare as follows:

- 1. My name is Ryan Karnoski. I am a plaintiff in the above-captioned action. I have actual knowledge of the matters stated in this declaration.
- 2. I am a 22-year-old man and I live in Seattle, Washington with my fiancée. I am currently registered with the Selective Service.
- 3. I am a member of both the Human Rights Campaign and the American Military Partner Association.
- 4. I am a mental health clinician in Seattle, Washington, and I would like to put my social work skills to use for the military. Social work is an area for which there can be significant need in the military, including in the Army and the Navy.
- 5. I hold a Masters in Social Work from the University of Washington School of Social Work's Child Welfare Training Advancement Program. Given that I hold a master's

1 degree, I aspire to serve as an officer in the military.

2 6. I come from a family with a legacy of military service. My grandfather and step-
3 grandfather served in the Army during the Korean War, and I have other relatives who have
4 served in the Army and Navy.

5 7. My desire to join the military came into sharper focus following the death of my
6 cousin, who was killed in action in Afghanistan in 2009. My cousin's death—and the toll that it
7 took on surviving family members—further impressed upon me the tremendous sacrifice that
8 service members make for our country. I also realized my own desire to serve in the military was
9 motivated by more than simply family legacy: it was a personal calling and it is something that I
10 have long dreamt of being able to fulfill.

11 8. I am transgender. I was assigned the sex of female at birth. However, I have
12 known for many years, since approximately early 2012, that I am male.

13 9. I began living openly as male in 2014.

14 10. In consultation with health care professionals, I have taken clinically appropriate
15 steps as part of my medical transition.

16 11. I have taken legal steps to transition. In March of 2014, I legally changed my first
17 name to Ryan. At that time, I also changed my name and gender marker to male on my driver's
18 license, birth certificate, social security card and records, and passport.

19 12. Because I have wanted to enlist in the military for many years, I have followed
20 the policies about service by transgender people closely.

21 13. ● On June 30, 2016 Secretary of Defense Ash Carter announced a new policy that
22 lifted the ban on transgender people serving in the U.S. military.

23 14. I remember reading Secretary Carter's contemporaneous public statement. He
24 said:

25 We're talking about talented Americans who are serving with distinction or who
26 want the opportunity to serve. We can't allow barriers unrelated to a person's
27 qualifications prevent us from recruiting and retaining those who can best
28 accomplish the mission.

15. His announcement made me feel like I finally could be respected as an equal by

1 my government. Effective immediately on June 30, 2016, transgender military members were
2 allowed to serve openly. Additionally, the new policy moved the military one step closer towards
3 allowing transgender people to enlist or commission into the military by initiating a process
4 towards developing a practice and policy that would be inclusive of transgender individuals
5 wishing to serve. I was so excited to be one step closer to helping fill the significant need to
6 support our troops and their families, many of whom require mental health support to deal with
7 the burdens that come with military service.

8 16. I am ready and able to pursue a military career. In fact, I contacted military
9 recruiters in or around September 2016, but I was open about my transgender status and
10 discussed with a recruiter having to wait until the current accessions bar was lifted. I was
11 referred to recruiting offices in King County, Washington, as my point of contact for further
12 communications regarding my accession.

13 17. On July 26, 2017, President Trump posted three tweets that introduced a reversal
14 of the inclusive policy for current and prospective service members, and later issued a
15 memorandum ordering a ban on service by transgender people in the military.

16 18. I am devastated by the judgment within the White House about my ability to serve
17 in the military, as well as by the implementation of President Trump's tweeted ban on
18 transgender service. It has painful to have to watch people in power and in the media talk about
19 transgender people as if we are unfit to serve, even though we are able-bodied and desire to serve
20 our country. I have seen first-hand the burdens and suffering imposed on families who have lost
21 loved ones in combat, and want to devote my professional energy to helping people cope with
22 those difficult circumstances. I have made careful plans to be able to do exactly that, and this
23 new policy has upended them.

24 19. The President's tweets and the resulting policy have caused me to feel out of
25 control of my professional future, and distressed that the military is turning away highly
26 qualified people during a time of significant need. Military social workers can help service
27 members and their families deal with anything from long separations from each other, to trauma
28 experienced during service, to the medical and financial stresses that can flow from military

1 service. If I am denied the equal opportunity to seek to commission into the military, then I will
2 not only be foreclosed from career opportunities and advancement for which I would be eligible,
3 but, more importantly, I will not be able to serve a population that has a crucial and urgent need
4 for qualified mental health professionals.

5 20. I am a man, and I am fit to serve in the military as a man. I believe that the new
6 policy directed by President Trump reflects deeply troubling misconceptions about transgender
7 people not being real men and women. I believe that the transgender ban is an effort to erase my
8 identity entirely.

9 21. By implementing this discriminatory ban, the President of the United States, my
10 country, the Secretary of Defense, and the Department of Defense have sought to mark me as
11 inferior, marginalize me, and stigmatize me. In doing so, they have caused me great distress,
12 discomfort, and pain.

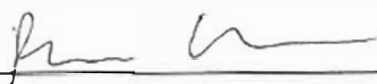
13 22. If permitted to do so, I would seek commission into the military.

14 23. I have engaged in speech and conduct disclosing my transgender status and
15 expressing my gender identity and want to continue to be able to do so. For example, it is critical
16 to me to be able to express that I am a man, and for others to understand that I am male.

17 24. All that I want is to live openly as the man I am and to be treated with respect and
18 dignity by the military.

19
20 I declare under the penalty of perjury that the foregoing is true and correct.

21
22 DATED: September 13, 2017



Ryan Karnoski

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CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that on September 14, 2017, I caused true and correct copies of the foregoing documents to be served by the method(s) listed below on the following interested parties:

By Hand Delivery:

US Attorney’s Office
700 Stewart St., Suite 5220
Seattle, WA 98101-1271

By Registered or Certified Mail:

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

Secretary of Defense James N. Mattis
1000 Defense Pentagon
Washington, DC 20301-1000

President Donald J. Trump
1600 Pennsylvania Ave. NW
Washington, DC 20500

I hereby certify under the penalty of perjury that the foregoing is true and correct. Executed on September 14, 2017 at Seattle, Washington.

s/Rachel Horvitz
Rachel Horvitz, *Paralegal*