



WHAT DOES IT MEAN TO MAKE HISTORY?

As we enter 2023, we consider that question. For some, it means being the first - to hold public office or to throw a brick into a bar to start a much-needed revolution. For others, it may mean being the best-taking home the gold for diving at the Olympics or brilliantly writing about the intersections of race and sexuality. Whatever it means to make and shape history, this much is clear: **It takes sheer will, bravery, and tenacity.**

Since Lambda Legal's inception in 1973, we have embodied all of that in our litigation and advocacy. But making history wasn't and isn't our intention. From our founding, we simply wanted to use the law—the very thing standing in our way to equality—to fight for the lives and dignity of LGBTQ+ people and everyone living with HIV. And along the way, we did make history by winning cases, setting precedents, and creating new standards for how the law would be applied to our lives.

While it's crucial to celebrate our legacy, we also recognize there's more work ahead of us. Last year, we saw more than 300 anti-LGBTQ bills introduced; discriminatory bills, such as Florida's "Don't Say Gay or Trans," becoming law; and parents and doctors being criminalized for allowing trans youth access to gender-affirming care. The good news: This year and beyond, Lambda Legal will continue to lead the way to fight the bullies that stand in our way of equality.

In this edition of Impact, we revisit our inspiring past, revel in our present work, and prepare you for the fight ahead.

LAMBDA LEGAL'S IMPACT

In 1973, Bill Thom founded Lambda Legal with only \$25 in the bank and the organization's name taped to his apartment mailbox with a Band-Aid. The goal was to focus on litigation and law reform first, and education second. Nearly fifty years later, Lambda Legal has done just that, taking on cases and policy initiatives that address marriage equality, youth in schools, LGBTQ+ families, and workplace discrimination while creating education campaigns around HIV stigma, transgender sports bans and access to health care. The work we've done and continue to do has an indelible impact on the lives of everyday people. Take a look.

Kelly Easter (*Easter v. HHS*):

Kelly Easter had dreams of becoming a foster parent, but they were shattered when Bethany Christian Services, a federally funded foster care agency in Tennessee, denied her twice because she identifies as a lesbian. Lambda Legal filed a lawsuit on her behalf, and in June 2022, the United States Conference of Catholic Bishops (USCCB) backed down. The USCCB, which funds Bethany with taxpayer money, told the federal government it no longer has a religious objection to working with a single lesbian parent. Now, Kelly is a foster mom and couldn't be more thrilled. Her courage conveys that no one's religious beliefs give them the right to discriminate with taxpayer dollars. LGBTQ+ parents can offer loving and stable homes to children in need.

Frank & Rachel Gonzales (*PFLAG v. Abbott*):

Frank and Rachel are no strangers to being LGBTQ+ allies. As parents to a trans daughter Libby, they were loud voices against the 2017 anti-trans bathroom bills in their home state of Texas. When Governor Abbott issued a directive declaring gender-affirming medical care "child abuse" and ordering the child welfare agency to investigate supportive and loving parents, like Frank and Rachel, who were helping their children access life-saving care, the couple knew they had to speak up again. In 2022, as PFLAG members, they are part of a lawsuit with others to protect their children, and in September, a Travis County District Court blocked the Texas Department of Family and Protective Services (DFPS) from investigating more families.



Sgt. Nick Harrison (*Harrison v. Austin*):

When Sgt. Nick Harrison, a member of the D.C. National Guard, was denied a promotion to a position as judge advocate general (JAG), he was beyond livid. He knew their decision was solely based on his HIV status. At the time, the U.S. military's policy banned people with HIV from commissioning and deploying—both policies had detrimental impacts on any career advancement for service members who tested positive. Nick's lawsuit was consolidated with two Air Force members. In April, a federal judge ruled that the policies leading to discharge and constituting bans on deployment and commission were unlawful and unconstitutional. In September, the government agreed to a \$1,325,000 settlement for attorneys' fees and costs.

David Dinan & Vikranth ("Vik") Gongidi (*Cousins v. The School Board of Orange County*):

Florida residents David and Vik are extremely proud to be gay dads and are heavily involved in their children's schools. However, the "Don't Say Gay or Trans" law fosters an environment that stigmatizes and erases any mention of LGBTQ+ history, families and students. David and Vik didn't want their children to be ashamed of their family, nor do they accept any policy that prevents teachers from protecting students from feeling alone, ashamed, exposed, and bullied. That's why the family joined Lambda Legal's 2022 lawsuit, which argues that the law silences and erases LGBTQ+ students and families. Lambda Legal filed an amended complaint challenging the law and has asked the U.S. District Court to halt the law.

Jennifer Eller (*Eller v. Prince George's County Public Schools*):

Jennifer Eller loved being an English teacher at Prince George's County Public School, but when she came out as a trans woman, everything changed. For nearly a decade, she was bullied, harassed, and physically assaulted by other teachers, administration, parents, and even students. Despite her filing complaints, the school refused to protect her. Sadly, Jennifer was forced to resign. Lambda Legal filed a lawsuit on her behalf, and in September 2022, they reached a settlement. By standing up for herself, Jennifer will ensure that one of Maryland's largest school districts will progress toward being more welcoming and supportive of transgender and gender-diverse students, staff, and educators.

STANDING UP FOR TRANSGENDER, NON-BINARY, AND GENDER NON-CONFORMING YOUTH AND ADULTS

In recent years, we've seen a spike in hateful rhetoric and violence that has made it increasingly difficult for transgender, gender non-conforming, and nonbinary people to live openly and authentically—especially in parts of the country where trans people enjoy the fewest legal protections. We see it in Florida's "Don't Say Gay or Trans" law which attempts to suppress all discussion about LGBTQ+ people in Florida schools. We see it in Texas, where supportive parents are being investigated by child welfare agencies, and Oklahoma, where schools are trying to ban transgender students from using the restroom that matches their gender. And sadly, we continue to see it in the continuing and increasing number of murders of transgender people, especially transgender women of color. This mistreatment, discrimination, and violence send the message that trans people should not exist—in our schools, our communities, and this world. **This must end.**

Kids like Becky Pepper-Jackson and Luc Esquivel need our support. Becky is a transgender girl from a family of runners who wanted to try out for and run with her West Virginia school's track club. And Luc is a 14-year-old in Tennessee who wanted to play on the boy's golf team. Enter transphobia: both states had enacted legislation to ban transgender students from participating in school sports. Lambda Legal went to court for both teens. We won in West Virginia when a federal court blocked the law. We're in court now in Tennessee, hoping for the same result.

Our message: Let's play fair.



Will Larkins, at home with his family.



Lambda Legal client Becky Pepper-Jackson at her first cross-country track meet. Photo courtesy of the family.

Children and teens like Will Larkins and the plaintiffs in *Cousins v. The School Board of Orange County*, *PFLAG v. Abbott*, and *Doe v. Abbott* deserve to live out loud and consequence-free. For Will, who identifies as gay and nonbinary, Florida's "Don't Say Gay or Trans" law fosters an environment that erases them and puts them in danger of bullying and isolation. We will be continuing to fight against this law in court. For the trans children and their families in Texas, we fought an injunction and won. We will continue to push forward to see that this policy is permanently eradicated.

Our message: Let our kids be kids and free to live their truth.

When West Virginia and Florida's Medicaid programs excluded coverage for gender-confirming surgical care for transgender Medicaid participants, Lambda Legal stepped in and said, "not on our watch." In West Virginia, we received a victory when a federal judge ruled in our favor. However, in October, a federal court denied our request for a preliminary injunction against Florida's anti-transgender Medicaid rule. But we will not back down. We plan to move forward on an expedited basis to ensure that trans-Floridians, including our plaintiffs August Dekker and Brit Rothstein, receive the care they need.

Our message: Everyone is entitled to life-saving gender-affirming care.

California's SB132 is a groundbreaking law that ended the state's prison system's policy of automatically housing trans women in men's facilities and protects incarcerated transgender people in many ways. Unfortunately, California's prison system has resisted the full implementation of the law. At the same time, an anti-trans organization filed a constitutional challenge asking a federal court to stop California from implementing SB132 altogether. We intervened in the lawsuit on behalf of four incarcerated transgender women so that their voices could be heard. California must do more, not less, to implement SB132.

Our message: Incarcerated trans people should be protected and respected.


GEARING UP FOR THE FIGHT AHEAD

It's no secret that anti-LGBTQ+ extremists—whether sitting on the highest court of the land or crafting laws in state and local legislatures—are determined to roll back the rights that our community has fought hard for and won. The stakes couldn't be higher now for our community, but with your vital and continued support, we will be ready for the challenges in 2023.

You are part of that fight—and our future. We are forever grateful.

The road ahead won't be easy. We will be combating the anti-LGBTQ+ laws passed in 2022 and more expected to be introduced in 2023; litigating against policies that punish the parents and doctors of trans youth for allowing them to seek gender-affirming

care; challenging policies that punish teachers for saying “gay” or “trans” in public school classrooms around the country, and winning new protections for our community in policy arenas and courts nationwide. Whether our cases are in State or Federal court, whether we win or lose, each time we say, “Not on our watch,” we set our own precedent—that LGBTQ+ people and everyone living with HIV are entitled to equal protections under the law.

Lambda Legal will never stop fighting. We're just getting started. 

Learn more. Support the fight.
Visit LambdaLegal.org



On October 18, 1973, a New York State Court overturned a lower court denial of Lambda Legal's application to register as a “benevolent and charitable” not-for-profit organization. This was Lambda Legal's first court case - and we won.

As we head into a milestone year, we're motivated both by the accomplishments of Lambda Legal's first fifty years, as well as the vision we have for the next fifty.

The work ahead will be guided by our strategic plan and strengthened by a new initiative to ensure our work continues far into the future. With expanded staff and resources, we will redouble our

efforts to ensure LGBTQ+ people and everyone living with HIV know that we've got their back.

Lambda Legal will have a new look and feel that tells the story of our past, present, and future. Our new brand will represent the ever-expanding definition of the LGBTQ+ community and our commitment to achieving legal and lived equality for all - especially those most vulnerable. We'll launch a new website that centers the stories of our courageous clients and preserves access to the important legal archives we offer as a movement resource. And, yes, we'll take a moment (or more) to celebrate this milestone with our community of supporters who made it possible, all counting down to our October anniversary date.

Check-out our
anniversary plans here:

▶ 50years.lambdalegal.org

We've come a long way in the fifty years since our founder Bill Thom organized a group of volunteer lawyers to forge a legal path forward for our community. **And we're just getting started.**