



# A YEAR OF LEGISLATIVE ATTACKS

Lambda Legal clients at home in Iowa. Joe, Berry, and Brigit Stevens.

**In 2023, we have seen an unprecedented attack on our community with nearly 600 anti-LGBTQ+ bills introduced in 47 states across the country - a majority of which target vulnerable trans and nonbinary youth.**

These bills include efforts to ban gender-affirming medical care for trans youth, restrict access to restrooms and sports programs for trans students, target drag performances, block access to accurate identity documents, and censor classroom discussions, curriculums, and books. In many states, the legislative majority is held by those who oppose LGBTQ+ equality. This makes Lambda Legal, and our work in the courts, our community's last line of defense.

### **What does Lambda Legal's defense against these attacks look like?**

It takes a combination of impact litigation, policy advocacy, and public education. Lambda Legal has done this for the past 50 years, and this unprecedented moment requires our full attention. Our attorneys -- along with colleagues at sibling organizations have been working overtime and are engaged in nearly 80 open cases.

In the year ahead, we will continue to defend the families who are fighting to get their children the gender-affirming care they need in states like Texas, Tennessee, Montana, and Oklahoma; and make sure that transgender kids in West Virginia can play school sports on the team that aligns with their gender. We will also protect vulnerable LGBTQ+ youth in places like New Mexico – kids who don't have supportive families and often find themselves living on the street or in discriminatory foster care systems.

### How does this get done?

None of this work would be possible without the support of our generous donors whose commitment to Lambda Legal has propelled us for 50 years. These critical funds allow us to have a strong defense against these unprecedented attacks while also continuing the steady affirmative work to win new protections and advance equality for our community.

In this past year, we continued to contest government partnerships with child-placing agencies that discriminate on religious grounds against hopeful foster and adoptive parents. We insisted on recognition of LGBTQ+ family rights and advanced protections for refugees fleeing anti-LGBTQ+ persecution in other countries. And we continued to address discriminatory treatment of LGBTQ+ people and everyone living with HIV in the criminal legal system by releasing **Protected & Served?**, an update to 2012 report that aggregated data and personal stories collected through a community survey. One case at a time, one policy at a time, Lambda Legal continues to work to end outdated and unconstitutional treatment of LGBTQ+ people and everyone living with HIV.



## KEY VICTORIES

This year, Lambda Legal has achieved key victories in cases across many areas of our work:

- **In Idaho**, a court temporarily blocked a ban on trans and nonbinary students using restrooms consistent with who they are and where they are most safe.
- **In Virginia**, Nick Harrison, a U.S. service member living with HIV, was finally commissioned as an officer in the military after being denied that promotion solely because he was living with HIV.
- **A Florida court** voided policy prohibiting Medicaid coverage of gender-affirming care.
- **The Oklahoma Attorney General** signed a non-enforcement agreement on the state's healthcare ban for trans youth.
- **New Mexico** enacted HB 207, which expands the sexual orientation and gender identity ("SOGI") protections of the state's Human Rights Act to explicitly include various government entities, including schools and government contractors.
- **In California** we achieved final approval of a settlement in our class action on behalf of 93 low-income Californians challenging an HIV/AIDS Drug Program Administrator for compromising their confidential medical records in a 2017 data breach.
- **Missouri's Attorney General** withdrew his indefensible "emergency" rule against gender-affirming care for transgender people.
- **West Virginia's effort** to deny a 12-year-old girl the ability to participate in school sports with her teammates because she is transgender was rejected by the U.S. Supreme Court.
- **Nevada enacted** SB 153 which requires the Department of Corrections to establish standards and training concerning treatment of offenders who are transgender, gender non-conforming, non-binary and/or intersex ("TGNCNBI").

**Time after time, Lambda Legal has made – and won – the argument that LGBTQ+ people and everyone living with HIV have the right to be themselves without experiencing harassment or violence.**





## PENDING CASES

Our current docket reflects the focus that our opponents have put on attacking the most vulnerable in our community. Pending cases across 28 states and in 10 Circuits include the following:

- **Florida:** Our case on behalf of August Dekker successfully challenged Florida’s anti-transgender health care rule, which denies gender-affirming care coverage for transgender Medicaid beneficiaries.
- **Texas:** We’ve filed two lawsuits against Texas Gov. Greg Abbott. One on behalf of PFLAG National and three Texas families and the other on behalf of an employee of the Texas Department of Family and Protective Services with a transgender child, her husband, and the teen herself. These cases challenge DFPS’ attempt to investigate parents who work with medical professionals to provide their adolescent children with medically necessary gender-affirming care and charge them with child abuse. We are also suing the state of Texas on behalf of five families with transgender children and adolescents; three medical providers who treat transgender youth with gender dysphoria; and two organizations representing hundreds of Texas families and healthcare providers. This case challenges Texas’s new gender-affirming care ban.
- **Iowa:** Our case on behalf of Iowa Safe Schools, a non-profit organization supporting LGBTQ+ and allied youth, challenges the provisions of SF 496, the sweeping Iowa law that seeks to silence LGBTQ+ students, erase any recognition of LGBTQ+ people from public schools, requires reporting on students who ask to be referred to by names or pronouns that align with their gender identities, and bans books with LGBTQ+ content.
- **Tennessee:** Our lawsuit against the state seeks to block the recently enacted discriminatory ban on medically necessary gender-affirming care for Tennessee’s transgender youth. In another case, we are challenging the state’s ban on participation in school sports programs by students who are transgender, on behalf of a 14-year-old boy who is banned from participating on the boys’ golf team at his Knoxville high school.
- **Oklahoma:** A lawsuit on behalf of five families with transgender adolescents and Dr. Shauna Lawlis of OU Health charges that SB 613—Oklahoma’s gender-affirming healthcare ban—unjustifiably discriminates against transgender youth and interferes with parents’ rights to make decisions about their children’s health care. We are also challenging S.B. 615 which bans all transgender students in Oklahoma from using school restrooms consistent with their gender identity.
- **Montana:** We filed a lawsuit on behalf of three families with transgender youth and two medical providers who work with transgender youth asserting that SB 99—Montana’s trans youth healthcare ban—violates their rights under the Montana Constitution, including the right to equal protection and the right of parents to direct the upbringing of their children.
- **Virginia:** We filed a legal challenge to the U.S. Military policy that prevents people living with HIV from enlisting in the U.S. Armed Forces. The discriminatory policy requires that applicants for appointment and enlistment, as well as individuals being inducted into the military services, be screened for HIV and denied entry if they test positive.
- **West Virginia:** We are challenging H.B. 3293, which bans girls and women who are transgender from participating in school sports. The U.S. Supreme Court earlier this year rejected an effort by the West Virginia attorney general to remove the stay on implementation of the ban imposed by the U.S. Court of Appeals for the Fourth Circuit.
- **Idaho:** We are representing a transgender student and a high school LGBTQ+ student organization challenging SB1100, Idaho’s discriminatory ban on transgender students using school facilities consistent with their gender identity.

# Unprecedented Past. **Unstoppable Future.**

**There is no shortage of work to be done and this work cannot happen without your support.**

Our team works tirelessly to represent love in the face of hate; to take on cases that reflect the priorities of our past, to tackle the most pressing problems of the present day and establish precedents for our future. Lambda Legal strives to create a reality where LGBTQ+ people and everyone living with HIV can safely be their full authentic selves.

**It is a dark time in America today. But we have seen dark times before.**

**We prevailed then, and with your support we will prevail again.**



**LAMBDA  
LEGAL**

**DEFEND  
OUR  
RIGHTS**

**ACT NOW: 2X MATCH**

## **DOUBLE YOUR IMPACT:**

If 2023 has been any indication, our advocacy will continue to be an urgent need.

**And so will your support.**

As we head into the 2024 legislative session, we can expect more hateful bills to be introduced which will intend to further marginalize and silence our communities out of existence.

**Lambda Legal won't let that happen.**

Any gift made now through December 31<sup>st</sup> will be matched dollar for dollar until we reach \$200,000.

**Donate today and make twice the impact for our work!**

[www.lambdalegal.org/donate](http://www.lambdalegal.org/donate)