

# Impact

SUMMER 2016

## PROUD AND DETERMINED



**A MESSAGE  
ABOUT  
ORLANDO  
FROM OUR  
NEW CEO  
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Rachel B. Tiven



**Fighting  
North Carolina's  
Politics of Fear  
(Page 3)**

Angela Gilmore and Joaquín Carcaño,  
plaintiffs in the Lambda Legal/ACLU  
lawsuit against North Carolina

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**Lambda Legal**  
making the case for equality

# How We Will Honor Their Memory

*A message from Lambda Legal CEO Rachel B. Tiven*



We don't need to ask whether LGBT people were the targets of the terrible attack in Orlando. We know. This was both an act of terrorism against LGBT people and a hate crime.

I felt sick as I read that the shooter had been "angered" by seeing men kissing. Sick that our love and our lives and our pride could be an excuse for murder. Sick that intolerance—unchecked—means that even a night out dancing with friends can end in gunfire.

Hate has been stirred up by the vicious anti-LGBT laws passed in North Carolina, Mississippi and elsewhere. Since *Obergefell*, hundreds of antigay and anti-trans laws have been introduced in states and local jurisdictions. While so many people have been inspired by our pride and our love, a nasty, opportunistic minority seeks to hurt us.

After the Orlando tragedy, Lambda Legal quickly received

many expressions of condolence and solidarity from Muslim leaders. LGBT people are Muslims, Christians, Jews, Hindus, every other faith as well as none. Religion is no excuse for violence, and it is no excuse for bigotry and discrimination.

As we contemplate the first anniversary of the terrible massacre in Charleston, which led the country to soul-searching and change about the symbols of racism, let us also honor the memory of those who died in Orlando by ensuring that federal and state laws explicitly protect LGBT people, including a federal antidiscrimination law and LGBT-inclusive hate crime laws across the country.

Until all LGBT people are accepted fully wherever they live, we will never have real safety and security. Lambda Legal will continue to fight for our communities and protect ourselves. Together we will succeed.

Onward,  
Rachel

## Rachel B. Tiven Joins Lambda Legal

We are excited to welcome Rachel B. Tiven as Lambda Legal's new Chief Executive Officer. She will join our amazing organization this summer as its next leader. The future is in good hands.

Rachel's track record of strengthening and growing mission-driven organizations into national forces for legal, political and social change made her the clear choice to lead Lambda Legal. For the past two years, she has led Immigrant Justice Corps, the nation's first fellowship devoted to representing immigrants. Before that, she was the Executive Director of Immigration Equality for eight years, during which time it won many victories for the rights of LGBT people and people living with HIV from around the world. Immigration Equality clients have faced violence, abuse and persecution because of their sexual orientation, gender identity or HIV status.

Also, Rachel worked at Lambda Legal between graduating from Harvard and attending Columbia Law School—so this is a return engagement.

The Lambda Legal Board of Directors took its responsibility to find our next leader very seriously, conducting a robust national search. We had over 250 candidates and interviewed many outstanding leaders. We selected the best leader for our organization, and we are sure you will be as excited as we are about our choice. Rachel will be traveling around the country to meet all our staff members, and to get to know our strong

community of donors and supporters.

Of course, it is no easy task to fill the shoes of outgoing Executive Director Kevin Cathcart, who led the organization for 24 years. Under his leadership, the organization grew exponentially and achieved civil rights victories that changed all our lives.

The list of victories still to be won is very long. We know that members of our communities still face violence and discrimination every day—and that the opponents of equality are well-funded and determined to fight us on every front.

As Rachel said when she accepted this position: "The work ahead is thrilling and it is necessary. It is our job to end discrimination everywhere in America, wherever it happens; to protect our partners and our children throughout their lives; and to fight for every member of our community."

Glad to have you, Rachel.



Tracey Guyot-Wallace and Stephen Winters  
*Board Co-Chairs*

# WE SEE YOU, NORTH CAROLINA



**North Carolina's anti-LGBT House Bill 2 is so broad and extreme that Lambda Legal and the ACLU are challenging it in federal court and the U.S. Department of Justice has also filed suit against the state. Lambda Legal's Southern Regional Director describes the shifting strategies behind the bills and laws in so many localities that target transgender people and create religious exemptions.** BY SIMONE BELL

**T**RANSGENDER RIGHTS ARE FRONT AND CENTER NOW IN THE BATTLE OVER NORTH CAROLINA'S DISCRIMINATORY HOUSE BILL 2 (HB2), WITH ITS MANUFACTURED HYSTERIA OVER PUBLIC RESTROOMS. But this kind of fearmongering has been the strategy of anti-LGBT forces for some time.

In recent years, their favorite approach on the state level has been to claim that religious freedom is at risk. Here in the South, where religion often plays a role in shaping and enacting laws, this approach has gotten unfortunate traction. Many Southerners are now convinced that respecting LGBT rights will somehow curtail free exercise of their sincerely held religious beliefs.

Of course, it has been our movement's successes, especially our marriage victories, that have propelled this scramble for new ways to restrict LGBT rights. As marriage equality worked its way up through the judicial system in some states, other states enacted laws prohibiting or denying legal recognition to marriages of same-sex couples. It was a difficult time: Even in states where marriage equality was upheld by the courts, Lambda Legal and our allies found ourselves fighting hard for protections in public accommodations, for workplace rights and against discrimination on the basis of familial status.

Before coming to Lambda Legal last year, I served as a state representative in the Georgia legislature. That's where, several years back, I first heard the whisperings about what would happen if marriage equality became the law of the land. Colleagues on both

sides of the aisle told me they were increasingly uncomfortable that Americans were changing their views about LGBT people, becoming more and more supportive of LGBT rights.

To me, this was the dawning of a welcome new era: Demonizing LGBT people wasn't working anymore. The world was changing.

But anti-LGBT forces hardened their grip. Legislatures around the country began drafting bills to allow religious beliefs to be used as a cover for anyone seeking to discriminate against LGBT people.

## BREAKING NEWS

### 11 States Sue Federal Agencies Over Trans Rights

In a separate but related development, eleven states filed a lawsuit on May 25 challenging a guidance from the U.S. Departments of Justice and Education which clarified that schools must treat transgender students in a manner that is consistent with their gender identity. Lambda Legal strongly condemned the lawsuit, which seeks to weaken federal laws such as Title IX and Title VII that have long protected transgender people at school and at work.

PICTURED ABOVE: LAMBDA LEGAL SOUTHERN REGIONAL DIRECTOR SIMONE BELL AT THE MARCH 28 PRESS CONFERENCE ANNOUNCING LAMBDA LEGAL'S SUIT AGAINST HB2



PROTESTERS DEMANDING THE APPEAL OF HB2 AT A RALLY IN RALEIGH, N.C., ON MONDAY, APRIL 25.

I recall a pastor speaking before the Georgia General Assembly and asserting that it was the responsibility of every member of the House to rid the world of homosexuality, which he called an abomination. The other option, he said, was the end of humanity, not to mention all the House members who wouldn't get into heaven.

Georgia debated its own religious exemption bills for three years, and on March 16 of this year, the legislature passed House Bill 757, which invited private businesses, individuals and medical and social services agencies to discriminate on religious grounds. Lambda Legal, as a member of Georgia Unites Against Discrimination, a statewide LGBT rights campaign, strongly urged Governor Nathan Deal to veto the legislation. Common sense did finally prevail when Deal vetoed the bill two weeks later.

But the Georgia victory came amid a national shift of attention

## FAQ

### Meanwhile, in Mississippi...

On April 5, Mississippi Governor Phil Bryant signed HB1523, an anti-LGBT bill that invites discrimination based on religious beliefs. Visit [lambdalegal.org/ms-faq](http://lambdalegal.org/ms-faq) for Lambda Legal's answers to 15 questions you may have about this damaging law.

**"THIS ACTION IS ABOUT A GREAT DEAL MORE THAN JUST BATHROOMS. THIS IS ABOUT THE DIGNITY AND RESPECT WE ACCORD OUR FELLOW CITIZENS AND THE LAWS THAT WE, AS A PEOPLE AND AS A COUNTRY, HAVE ENACTED TO PROTECT THEM—INDEED, TO PROTECT ALL OF US."**

—U.S. ATTORNEY GENERAL LORETTA LYNCH  
DISCUSSING DOJ LAWSUIT AGAINST NORTH CAROLINA ON MAY 9



to transgender people—and an explosion of rhetoric exploiting public misunderstanding about who transgender people are. Last November's defeat in Houston of a broad human rights ordinance rewarded a campaign that falsely connected transgender people with sexual predators. It was fearmongering, pure and simple, without any basis in fact. Since then, the idea has been spreading. It has become a scare tactic even more effective in some localities than using religious belief to justify discrimination.

The false marriage narrative had failed: Allowing same-sex couples to marry had not in fact destroyed anyone's family. And religious exemption bills were stalling in many states. The invented panic this time is that cisgender men who molest children and rape women will use civil rights laws and nondiscrimination protections as a defense for sneaking into facilities designated for women and girls. Transgender people are the ones punished, however—forbidden from using single-sex facilities consistent with their gender identity.

After South Dakota Governor Dennis Daugaard vetoed a bill along these lines in his state, North Carolina became ground zero for the idea of putting these anti-transgender sentiments



## PLAINTIFF PROFILE

## UNC employee Joaquín Carcaño, 27

*“HB 2 is hurtful and demeaning. I just want to go to work and live my life. This law puts me in the terrible position of either going into the women’s room where I clearly don’t belong or breaking the law. But this is about more than restrooms, this is about my job, my community, and my ability to get safely through my day and be productive like everyone else in North Carolina.”*—Carcaño

Joaquín Carcaño, who is an employee of the University of North Carolina (UNC) at Chapel Hill and lives in Carrboro, is one of six plaintiffs in Lambda Legal’s case with the ACLU. He has also separately filed a charge alleging violations of Title VII with the Equal Employment Opportunity Commission. The other plaintiffs are Payton McGarry, 20, a UNC-Greensboro student who was born and raised in Wilson; Angela Gilmore, 52, a North Carolina Central University law professor; Beverly Newell, 45, a realtor, and Kelly Trent, 39, a registered nurse, who are a married lesbian couple who live in Charlotte; and Hunter Schafer, 17, a high school rising senior at University of North Carolina School of the Arts High School in Winston-Salem.

into state law.

It was a high-speed operation, with House Bill 2 filed, debated, passed and signed in just 12 hours on March 23. HB2 requires transgender people to use public restrooms corresponding with the sex listed on their birth certificates rather than their daily-lived gender identity. It has also done away with a law passed by the Charlotte City Council to protect the civil rights of LGBT people and forbids other localities from passing similar laws. In addition, HB2 removed the private right of action for any person bringing a claim of discrimination under state law, and it prohibited cities and counties from enacting minimum wage laws covering employees of non-government employers.

Lambda Legal, along with our partners at the ACLU of North Carolina and ACLU national, has taken the lead in opposing HB2 because it causes direct harm to transgender people and others. The U.S. Department of Justice’s decision to sue the state is yet another indication of how very serious these civil rights violations are.

This latest brand of anti-LGBT campaign will fail, like earlier efforts, because it is based on lies and inspired by animus and because Lambda Legal will continue to demand justice—and to win it, one lawsuit at a time.

*Simone Bell was the first out, black lesbian to serve in a state legislature in the United States, serving from 2009 until 2015.*

## TIMELINE

## NORTH CAROLINA’S HB2 GOES TO COURT

**MARCH 23:** North Carolina’s General Assembly passes House Bill 2 (HB2), which blocks local protections for LGBT people and prohibits transgender people from using single-sex public facilities that correspond to their gender identity. Governor Pat McCrory signs the bill into law the same day.

**MARCH 28:** Lambda Legal, the American Civil Liberties Union (ACLU) and the ACLU of North Carolina file a federal lawsuit against Governor Pat McCrory and other North Carolina officials challenging HB2 for violating the U.S. Constitution’s Fourteenth Amendment by discriminating on the basis of sex and sexual orientation and invading the privacy of transgender people, and for violating Title IX, the federal law protecting students and school employees from discrimination on the basis of sex. The suit is on behalf of three LGBT North Carolinians (three more plaintiffs join the suit later) and members of the ACLU of North Carolina.

**APRIL 5:** The University of North Carolina (UNC) announces that it will abide by HB2.

**APRIL 12:** Governor McCrory issues an executive order purporting to ban discrimination based on sexual orientation and gender identity for state employees, but leaves HB2 intact, and Lambda Legal calls it a “band-aid” solution.

**APRIL 20:** Lambda Legal/ACLU plaintiff Joaquín Carcaño, a UNC employee, files a charge with the Equal Employment Opportunity Commission alleging violations of Title VII of the U.S. Civil Rights Act, the federal law banning sex discrimination in employment.

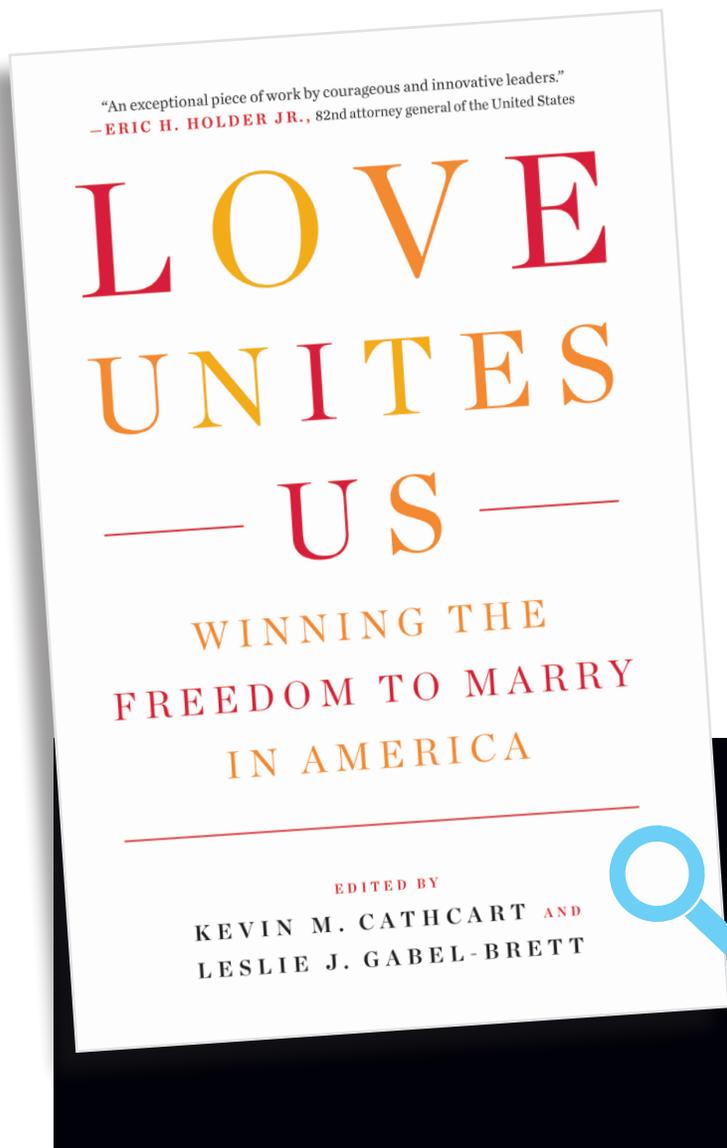
**MAY 4:** The U.S. Department of Justice (DOJ) notifies Gov. Pat McCrory that the restroom provisions in HB2 have placed the state in violation of Title VII, Title IX and the Violence Against Women Act.

**MAY 9:** North Carolina Gov. McCrory files a lawsuit against the DOJ asking a federal court to determine that HB2 does not violate federal civil rights laws. Hours later, the DOJ files a lawsuit against North Carolina and Governor McCrory.

**MAY 16:** Lambda Legal and the ACLU file a motion for a preliminary injunction, asking the court to order defendants not to enforce HB2’s ban on transgender individuals using public facilities consistent with their gender identity pending resolution of the suit.

# Capturing History, Shaping the Future

How was the freedom to marry won in the U.S.? *Love Unites Us*, which hits bookstores this month, attempts to answer this epic question. Edited by Leslie Gabel-Brett, Lambda Legal's Director of Education and Public Affairs, with outgoing Executive Director Kevin Cathcart, *Love Unites Us* features the contributions of 41 lawyers, activists and plaintiffs from organizations across the movement who fought for that freedom. They recount devastating setbacks and momentous triumphs in the 20-year battle leading to last year's Supreme Court marriage ruling, as well as their thinking about the road ahead. In this interview, Gabel-Brett talks about the book and why Lambda Legal and its many collaborators felt it was crucial to chronicle this story as it had been fought—together.



## Why a book about the battle for the freedom to marry?

**Leslie Gabel-Brett:** Kevin and I felt an obligation to create a permanent record of the work that led to this important civil rights victory—and to point the way forward. The idea was to include personal reflections in order to try and capture the excitement of the journey. We started putting the book together before the Supreme Court decided in 2015 to take up six of the marriage cases, including the Ohio case in which Lambda Legal was counsel. It took on even greater meaning after the groundbreaking *Obergefell v. Hodges* decision.

There is quite a range of voices and perspectives here, because it's a story worth telling in different ways. *Love Unites Us* takes you to key points along the way, looking up close at a range of separate marriage wins and losses. You get an inside view of the movement and how the legal and other strategies developed over time. It was

**"AN EXCEPTIONAL PIECE OF WORK BY COURAGEOUS AND INNOVATIVE LEADERS."**

—ERIC H. HOLDER, JR., 82<sup>ND</sup> ATTORNEY GENERAL OF THE UNITED STATES ON *LOVE UNITES US*

## The book explores...

the early arguments, victories and losses; the importance of *Lawrence v. Texas* in setting the stage for marriage; the fight against Proposition 8 in California; the Supreme Court victory striking down DOMA; and the cascade of victories that followed, leading to *Obergefell v. Hodges* in 2015. The last section of the book discusses ongoing challenges to the rights of transgender people and people living with HIV as well as police misconduct and the battle against discrimination based on religious beliefs.

important to me that we include writers from throughout the country and from as many as possible of the organizations that played roles, because it took a broad movement to achieve success. Lambda Legal played a leading role in this movement for more than 20 years—from the first case in Hawaii to the final case at the Supreme Court. We're proud of that history.

### Why did you call it *Love Unites Us*?

"Love unites us" was a phrase we were using at Lambda Legal to tell people about our marriage work. For me, it's the perfect phrase to describe the celebration of love, family and commitment behind this battle and the way these common human experiences united so many. There were a lot of people who did not support marriage equality; it was very hard-won. But the more we talked about the humanity that we share as LGBT people, family and allies, the more progress we made, because love really does unite us.

### "LOVE UNITES US CAPTURES THE AMAZING STORY OF THE FIGHT FOR MARRIAGE EQUALITY IN CALIFORNIA AND AROUND THE COUNTRY. A REMARKABLE JOURNEY RECOUNTED WITH TRUTH AND ELOQUENCE."

—GAVIN NEWSOM, LIEUTENANT GOVERNOR OF CALIFORNIA

### What might readers find surprising—or different over time?

The book starts at the beginning of the project of fighting for marriage equality in the courts and goes right through to the end—and then into the future. So much has happened, and yes, many things have changed. In the chapter about the 80s, for instance, there are two important essays, one in support of the movement taking on the fight for marriage equality and the other against it. I remember reading them both at a time when, as a feminist, I was skeptical of the fight for marriage because I saw it as a restrictive institution that often limited women's choices. Later I understood the fight for marriage equality to be about removing barriers, adding legal protections and allowing personal choice.

### What exactly do the plaintiff stories have to offer?

It has always been clear to us that the marriage fights were more than just a conceptual, legal question of rights, but about the crucial differences such rights made in people's lives. It took a lot of courage for hundreds of couples and families to step up and put their names on these lawsuits. It required a lot of time, effort—and some risk. Without those qualities, none of these victories would have been possible.

Two of the most powerful plaintiff stories are written by people whose partners passed away; they explain how the fight for marriage was for them about having their relationships recognized and protected during a terribly difficult time in their lives. It's a very human story shared by many LGBT people but also many others as well. Lambda Legal was proud to represent these couples in litigation in Illinois and Indiana so that they could marry before the ill partners died.

### Why did you decide to end the book by turning to the future?

Because it's so important to see that our fight is far from over. This is a civil rights movement that encompasses a lot of issues and goals. No single Supreme Court victory ever ended such a movement, and no single issue defines everything that's important to us. So many rights have not been secured. So many injustices are still not addressed.

What we know from history is that you have to keep defending victories and keep fighting against hate and injustice. Indeed, there's a backlash now against the LGBT movement that is most specifically targeting the rights and safety of people who are transgender. Opponents of justice do not simply go away, and neither can we.

## Contributors include...

leading attorneys Mary L. Bonauto, Jon W. Davidson, Camilla Taylor, Shannon Minter, Paul M. Smith and Evan Wolfson; activists Francisco Dueñas, Nadine Smith and Marc Solomon; and many more.

### OBERGEFELL V. HODGES—A LEAP OF LOVE

## An excerpt from *Love Unites Us*

On Friday, June 26, the anniversary of *Lawrence and Windsor*, I was in the first row when Chief Justice Roberts said that Justice Kennedy would announce the decision in Case 14-566, a number I knew by heart. "That's us," I murmured to Lambda Legal Executive Director Kevin Cathcart. As Justice Kennedy began with a bland recitation of the procedural history of the case and we awaited some sign of the outcome, I found myself growing lightheaded, and for the first time understood where the expression "waiting with bated breath" came from. Then came the Kennedy poetry, such passages as plaintiffs "seek not to denigrate marriage but

rather to live their lives, or honor their spouses' memory, joined by its bond." As he read his beautiful elegy to the love and dignity shared by same-sex couples, to the solace and refuge marriage offers, and to the constitutional values that shelter us all, tears flowed throughout the courtroom. Justice Kennedy's description of the power of marriage in the lives of two people struck me as deeply personal and heartfelt, a love letter shared with the nation.

—Susan Sommer, Lambda Legal Director of Constitutional Litigation

# OUR BIGGEST DOCKET EVER



VICTORIES

Lambda Legal marriage plaintiffs  
Zulma Oliveras Vega (left) and  
Yolanda Arroyo Pizarro

## FAMILIES

### Puerto Rico Marriage Affirmed

In April, after legal action by Lambda Legal, a federal court of appeals found for the second time that Puerto Rico's ban on marriage for same-sex couples was unconstitutional. The court also reassigned the case to a new district judge after the previous judge ruled that the Supreme Court's ruling in *Obergefell v. Hodges* did not apply to Puerto Rico because it is a territory, not a state. Omar Gonzalez-Pagan, Staff Attorney for Lambda Legal, who was born and raised in Puerto Rico, said: "Marriage equality is the law of the land in states and territories alike. It is a judge's duty to apply the law without bias or regard to their personal views." For info, see [lambdalegal.org/pr-marriage](http://lambdalegal.org/pr-marriage)

## FAMILIES

### Victory in Social Security Spousal Benefits Case

In March, Lambda Legal resolved its lawsuit against the Social Security Administration on behalf of Kathy Murphy and the National Committee to Preserve Social Security and Medicare. Murphy, a Texas widow, had been denied spousal survivor's benefits. "The SSA has finally adjusted Kathy's benefit to recognize the reality that she was married to her wife," said Lambda Legal's Susan Sommer. The couple wed in Massachusetts before Murphy's wife died of cancer in 2012. But because Texas did not recognize marriages of same-sex spouses, the SSA wouldn't either.

For info, see [lambdalegal.org/kathy-murphy](http://lambdalegal.org/kathy-murphy)

## TRANSGENDER RIGHTS

### Game-Changing Win Could Affect North Carolina's HB2

In April, a federal circuit court ruled in the case of Virginia transgender high school student Gavin Grimm that the federal law known as Title IX protects students' rights to use restrooms and locker rooms consistent with their gender identity. The ruling could have implications for Lambda Legal's federal case against North Carolina's discriminatory new law, HB2 (see page 3). The two states are in the same federal circuit. "Today's ruling makes plain that North Carolina's HB2 violates Title IX," according to a statement from Lambda Legal, which had also filed a friend-of-the-court brief in the Grimm case, litigated by the ACLU.

For info, see [lambdalegal.org/gg-gloucester](http://lambdalegal.org/gg-gloucester)

## FAMILIES

## Kentucky Lesbian Custody Case Will Be Heard

Lambda Legal convinced the Kentucky Supreme Court to rule unanimously in February that client Amy H., a lesbian mother, may petition for joint custody of her daughter. The ruling reversed a lower court decision that would have permitted Amy's former partner, the birth mother, to sever Amy's relationship with their daughter by having the former partner's new husband proceed with a stepparent adoption. Lambda Legal Counsel and LGBTQ Youth and Schools Program Strategist Christopher Clark said, "The decision ensures that the family court will be presented with all of the available evidence to make a custody decision in the best interest of the child."

For info, see [lambdalegal.org/amy-h](http://lambdalegal.org/amy-h)

## FAIR COURTS

## Arizona's Judicial Conduct Code Stands

In January, the U.S. Ninth Circuit Court of Appeals ruled that Arizona's restrictions on judges' political activities do not violate the U.S. Constitution. Lambda Legal had joined a friend-of-the-court brief in the case, *Wolfson v. Concannon*. "Our democracy is eroded without a fair, independent judiciary," said Eric Lesh, Lambda Legal Fair Courts Project Director. "Today's decision again drives home the message: Judges are not politicians."

For info, see [lambdalegal.org/wolfson](http://lambdalegal.org/wolfson)

## TRANSGENDER RIGHTS &amp; CRIMINAL JUSTICE

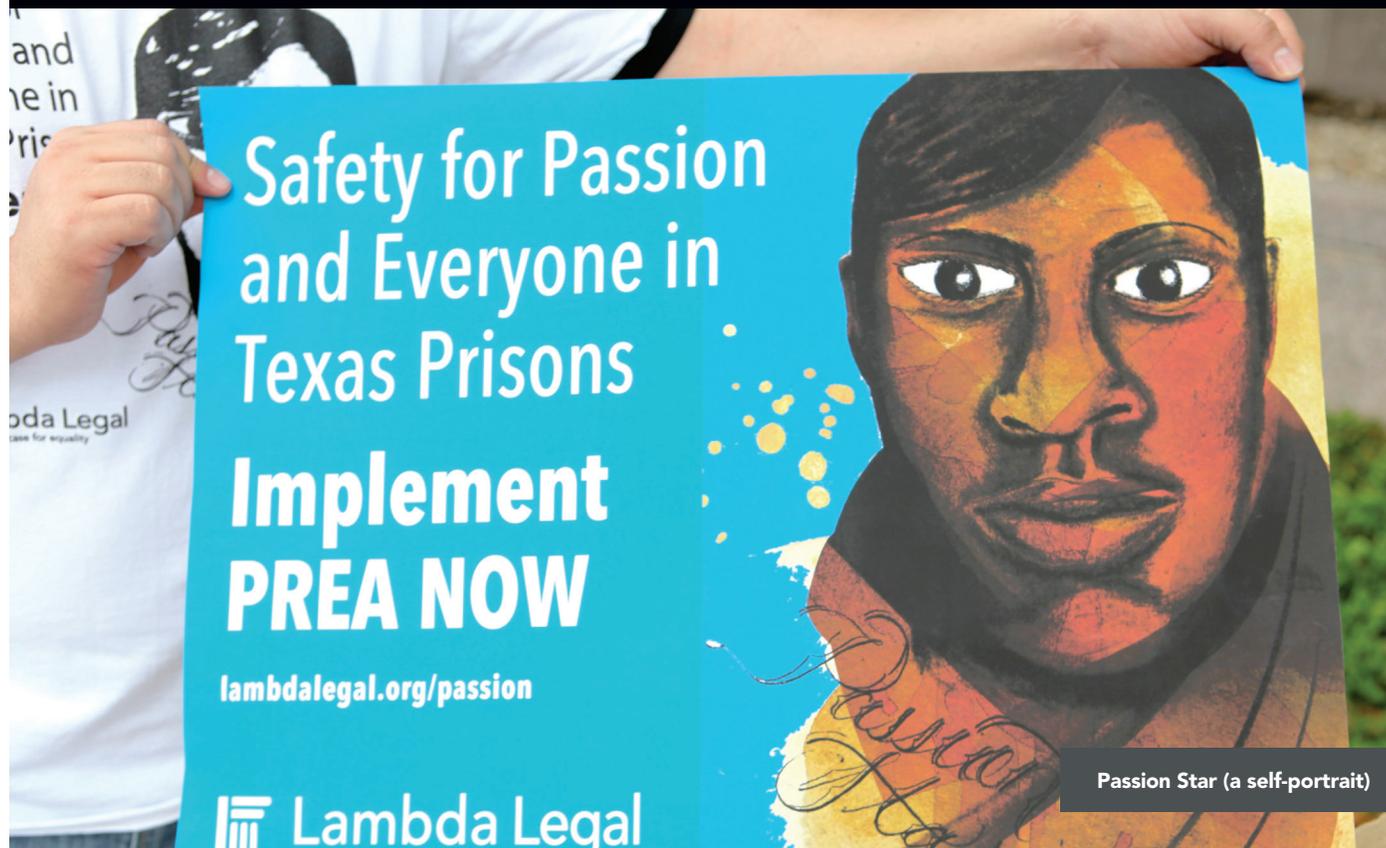
## Passion Star Prison Case Moves Ahead

In March, a U.S. District Court rejected a request from Brad Livingston, Executive Director of the Texas Department of Criminal Justice (TDCJ), to remove himself from Lambda Legal's case on behalf of transgender client Passion Star.

Livingston is named as defendant for failing to prevent sexual and physical violence against Star during her incarceration.

"Actions, and inaction, have consequences," said Lambda Legal Staff Attorney Demoya Gordon. "TDCJ, under Livingston's leadership, needs to be held accountable for the willful decision to leave Passion Star unprotected."

For info, see [lambdalegal.org/passion-star](http://lambdalegal.org/passion-star)



Passion Star (a self-portrait)



Rachel and Tonya Smith  
and their two children

## TRANSGENDER RIGHTS

# Colorado Family Refused Housing

Lambda Legal filed a federal discrimination lawsuit in January against a Boulder County property owner who had refused to rent to a same-sex couple, one of whom is transgender, and their children. The landlord said she was worried that their “uniqueness” would jeopardize her standing in the community. “Worrying about what the neighbors will say is no excuse for discrimination,” said Lambda Legal Staff Attorney Omar Gonzalez-Pagan.

For info, see [lambdalegal.org/the-smiths](http://lambdalegal.org/the-smiths)

## TRANSGENDER RIGHTS & EMPLOYMENT FAIRNESS

# Restroom Discrimination in Nevada

Lambda Legal submitted a friend-of-the-court brief in January on behalf of Brad Roberts, a transgender police officer whose employer required proof of genital surgery to use the men’s room at work. “Employers don’t get to impose their sex stereotypes on employees,” said Lambda Legal Staff Attorney Peter Renn,

because such actions violate federal and state laws against sex discrimination. “And that protection does not stop at the restroom door.”

For info, see [lambdalegal.org/brad-roberts](http://lambdalegal.org/brad-roberts)

## HEALTH CARE FAIRNESS

# North Carolina Spouse Denied Coverage

In February, Lambda Legal filed a lawsuit on behalf of Sandra Lively, a nurse who wasn’t permitted to enroll her same-sex spouse in her employee health plan. The policy at Park Ridge Health in Hendersonville, NC has since changed, but Lively is owed thousands of dollars in expenses. Lambda Legal Senior Attorney Tara L. Borelli said, “We are glad the hospital has since changed its policy, but it has an obligation to finish righting its wrong by reimbursing this family.”

For info, see [lambdalegal.org/sandra-lively](http://lambdalegal.org/sandra-lively)



Nurse Sandra Lively (right) and  
her wife Catherine Hipwell



## TRANSGENDER YOUTH

# Standing With Trans Students in Pennsylvania

For years, the Pine-Richland School District in Pennsylvania has allowed transgender students to use single-sex facilities in accordance with their gender identity—as required by federal and state law. That has not, however, stopped a group of anti-LGBT individuals and organizations from pressuring the district to adopt a discriminatory policy. In response, Lambda Legal is representing three transgender

students and urging continued respect for the rights of LGBT students. “When schools embrace non-discriminatory policies for their students, they encounter flourishing and respectful student bodies,” said Lambda Legal Staff Attorney Omar Gonzalez-Pagan.

For info, see [lambdalegal.org/pine-richland](http://lambdalegal.org/pine-richland)

Pictured above, left to right: Vanessa Davis, facilitator with THRIVE, a Pittsburgh LGBT organization; Juliet Evancho, Pine-Richland student and Lambda Legal client; Omar Gonzalez-Pagan, Lambda Legal Staff Attorney; Erika Ridenour, Pine-Richland student and Lambda Legal client; A.S., Pine-Richland student and Lambda Legal client; and Jason Landau Goodman, Executive Director of the Pennsylvania Youth Congress

## HEALTH CARE FAIRNESS

# The ACA Protects LGBT People

On May 13, the U.S. Department of Health and Human Services (HHS) affirmed that LGBT people are protected against health care discrimination under Section 1557 of the Affordable Care Act (ACA). “These rules will dramatically improve the public health landscape for LGBT populations that suffer persistent health disparities due to pervasive bias and discrimination

in health care settings and insurance coverage,” according to a statement from Lambda Legal, the American Civil Liberties Union (ACLU), GLBTQ Legal Advocates & Defenders (GLAD) and the National Center for Lesbian Rights (NCLR).

For info, see [lambdalegal.org/hhs-aca](http://lambdalegal.org/hhs-aca)

## FAIR COURTS

# Give Supreme Court Nominee Garland a Hearing

In March, Lambda Legal urged U.S. senators do their job and give Supreme Court nominee Merrick Garland a fair hearing and a swift vote. Lambda Legal conducted a study of Garland’s record on LGBT and HIV rights that turned up nothing to disqualify him, and issued a statement saying that “probing questions [should] be asked of Judge Garland that could lead to a clearer picture of his judicial philosophy and perspective on these issues of such great importance, not just to the LGBT community.”

Sign Lambda Legal’s petition demanding a hearing!  
Visit [lambdalegal.org/petition/do-your-job](http://lambdalegal.org/petition/do-your-job)



U.S. Supreme Court nominee Merrick Garland

RACIAL JUSTICE

## National Hispanic Group Includes LGBTQ Issues

Lambda Legal welcomed the first inclusion this year of LGBT issues in the National Hispanic Leadership Agenda, a major network of regional and national Latino organizations. “More and more people are aware that not all LGBT people are white and not all Latinos are straight or cisgender,” said Francisco Dueñas, Lambda Legal’s Director of Diversity. “LGBT people of color are particularly vulnerable to the discrimination we are all fighting against.”



Francisco Dueñas,  
Director of  
Diversity, Inclusion  
and Proyecto  
Igualdad



TRANSGENDER RIGHTS

## Chicago Public Schools Release Guidelines

On May 3, Lambda Legal welcomed new Chicago Public Schools (CPS) guidelines aimed at providing a more inclusive and welcoming environment for transgender students, employees and adults in the country’s third largest school system. Lambda Legal was among the groups working with CPS on the guidelines. “At a time when we are seeing attacks on the most vulnerable members of our community, Chicago is instead taking steps to protect and affirm transgender people,” said Christopher Clark, Counsel and LGBTQ Youth and Schools Program Strategist at Lambda Legal. For info, see [lambdalegal.org/cps](http://lambdalegal.org/cps)

IMMIGRANTS' RIGHTS

## This Young Gay Man from Mali Is Out to Help Other Undocumented LGBTQ Youth

Attendees at Lambda Legal’s San Francisco Soirée fundraising event in April heard from Lambda Legal client Soul (pictured right), a young gay man from Mali, about his path to the U.S. after leaving an unaccepting home and community. He was joined by Currey Cook (pictured left), Lambda Legal senior attorney and director of the Youth in Out-of-Home Care Project, who was among the Lambda Legal staff who helped Soul obtain Special Immigrant Juvenile Status and his permanent legal residency. At the Soirée, Soul described how his father abandoned him because Soul is gay and said his difficult transition to the U.S. drives his commitment to help other undocumented LGBTQ youth receive the assistance they need.



Lambda Legal Staff Attorney Currey Cook with client Soul

## TRANSGENDER RIGHTS

## Strong Objections to Airport Scanners

In March, Lambda Legal denounced a Transportation Security Administration (TSA) decision to continue using airport body scanners, despite strong objections from transgender travelers. Hundreds had complained to LGBT organizations about having to reveal or explain prosthetic body parts, said the letter, which was also signed by the American Civil Liberties Union and the National Center for Transgender Equality. In addition, TSA audits had determined the machines were ineffective at detecting weapons.

For info, see [lambdalegal.org/tsa-scanners](http://lambdalegal.org/tsa-scanners)

## HEALTH CARE FAIRNESS

## Lambda Legal Petitions Veterans Administration

Lambda Legal and Transgender Law Center, with co-counsel Wilmer-Hale, petitioned the U.S. Department of Veterans Affairs (VA) on May 9 to change the rule that categorically excludes transition-related surgery for transgender veterans. “This policy is discriminatory and harms the health of veterans who have already risked so much for our country,” said Lambda Legal Transgender Rights Project Director M. Dru Levasseur. The petition was filed on behalf of two individual veterans, Dee Fulcher and Gio Silva, and a group representing transgender veterans, the Transgender American Veterans Association (TAVA). For info, see [lambdalegal.org/trans-veterans](http://lambdalegal.org/trans-veterans)



Veterans Gio Silva and Dee Fulcher

## TRANSGENDER RIGHTS

## Restroom Access Is the Law in New York City

Lambda Legal welcomed a new executive order in March from New York City Mayor Bill de Blasio declaring that all city-owned buildings that have single-sex facilities must allow people to use the restroom or locker room that is appropriate for the gender with which they identify.

“Such government leadership on fair treatment of transgender people is necessary and timely as we see a growing national trend of anti-transgender legislation,” said M. Dru Levasseur, National Director of Lambda Legal’s Transgender Rights Project.

## MY STORY

### About “Elsie,” 8 years old

“Mommy, I had the best time of my life!” said my beautiful 8-year-old daughter Elsie after returning from the Daddy-Daughter dance at her school. It was a bumpy road to get here, but Elsie’s happiness made it all worth it... At first, however, Elsie was not even invited to the dance. Her school records still incorrectly say that she is a boy, and the school’s principal had determined that the dance was only “for all of the female students.”... She needed this dance more than I will ever really understand... “They’re not gonna let me go because I used to be Joey!” she finally said one day, feeling angry and embarrassed. I called the Lambda Legal Help Desk... Only a few days later, the school called to let me know that Elsie would be getting an invitation to the dance... There will be bumps in the road, but I hope she understands that she will never be alone because she has me and I will fight for her forever, and I am so thankful that Lambda Legal was there to help.

For the full story about “Elsie” (not her real name) visit [lambdalegal.org/elsie](http://lambdalegal.org/elsie)

ALABAMA CONFERENCE

# HIV Is Not a Crime

That's the name of the Huntsville, Alabama conference that Lambda Legal staff attended in full force in mid-May.



Pictured above left: Lambda Legal's Aisha Davis, Tyrone Garner Fellow; Community Educator Crispin Torres; Public Information Officer Graciela González and Community Educator Marco Castro-Bojorquez. Above right: Leslie Flagg and Lambda Legal HIV Project Director Scott Schoettes. Flagg was on Iowa's sex offender list for not disclosing her status, but was removed after Iowa reformed its HIV criminal law, a change that Schoettes helped draft.



GEORGIA RALLY

## Another Bad Bill

Lambda Legal Southern Regional Director Simone Bell speaking March 2 at an Atlanta rally while delivering petitions against anti-LGBT House Bill 757 to the office of Georgia Gov. Nathan Deal, who later vetoed the bill.



Lambda Legal Liberty Circle and board member Marla Butler with Liberty Circle member Lainie Butler and family

# JOIN THE LAMBDA LEGAL LIBERTY CIRCLE TODAY!

## WHO WE ARE:

The future of Lambda Legal's work for equality depends upon the engagement of our members. Lambda Legal's Liberty Circle is a membership program for donors who have made significant personal commitments to our work and the fight for equality. We want to continue to grow this program with your help by ensuring that Lambda Legal, for many years to come, is able to continue its work fighting for LGBT equality and people living with HIV.

## OUR IMPACT:

From supporting Lambda Legal's early antidiscrimination litigation to our landmark Supreme Court victories, including *Obergefell v. Hodges*, Liberty Circle members have been instrumental in helping make the case for equality and defend the rights of LGBT people and those with HIV all across the country.

### BECOME A LIBERTY CIRCLE MEMBER TODAY! WITH A ONE-TIME GIFT OF:

\$1,500       \$2,500       \$5,000       \$10,000       \$\_\_\_\_\_

OR

**Become a Liberty Circle Member beginning with a Monthly Gift of \$125.** Check the amount you want to give each month:

\$125       \$200       \$420       \$500       \$\_\_\_\_\_

**I will pay with**  Credit Card       Check enclosed (payable to Lambda Legal)       Cash enclosed

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NAME ON CARD

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TODAY'S DATE

## OUR BENEFITS:

With an annual giving level of \$1,500 or more, Liberty Circle members are recognized in Lambda Legal's Annual Report, receive a special members-only pin, two discounted tickets to a select metro-chapter event OR \$150 credit towards tickets to the National Liberty Awards Dinner and are invited to participate in the Executive Director's annual State of Equality teleconference call and Liberty Circle metro-chapter receptions (where available). Gifts can be made in single or monthly installments and are tax-deductible to the furthest extent of the law.



ILLINOIS PANEL

## Strategizing for LGBTQ Young People of Color

Lambda Legal's Aisha Davis, Tyron Garner Fellow (pictured left), and Legal Assistant Alexis Paige (right), participated in a March 4 panel about issues affecting LGBTQ young people of color in Naperville, Illinois. The event was organized by 360 Youth Services, which offers substance abuse prevention education, counseling and housing for young people. Davis and Paige shared personal experiences and offered recommendations for how teachers and administrators can support LGBTQ young people of color.

NEW YORK AWARDS

## National Queer Asian Pacific Islander Alliance (NQAPIA)



On March 12, Lambda Legal attended the National Queer Asian Pacific Islander Alliance (NQAPIA) Catalyst Community Awards in New York City. NQAPIA brings together organizations working for the rights of LGBTQ Asian Americans, South Asians, Southeast Asians and Pacific Islanders. Representing Lambda Legal, from left to right: Diversity and Inclusion Program Educator Geneva Musgrave; Content and Editorial Director Angelo Ragaza; Education and Public Affairs Associate Edwin Tablada; and guests Estefano Pilonieta and Bryan Webster.

Clockwise from left: Lambda Legal volunteers Marco Saucedo and Jesse Vallejo; Community Educator Omar Narvaez; and Director of Community Education and Advocacy Holiday Simmons



**We had fun in the sun at Miami Pride!**  
 ...and Pride season has only just begun.

**Please join us for an hour or two at any of these Pride events to help raise awareness about Lambda Legal and our work:**

FLAGSTAFF PRIDE.....	June 25
HARLEM PRIDE .....	June 25
SAN FRANCISCO PRIDE.....	June 25-26
NYC PRIDE.....	June 26
CHICAGO PRIDE.....	June 26
BALTIMORE PRIDE .....	July 24
NORTHALSTED MARKET DAYS (Chicago).....	August 13-14
ATLANTA BLACK PRIDE .....	September 3-4
DALLAS PRIDE .....	September 18
TUCSON PRIDE.....	October 1
ATLANTA PRIDE.....	October 8-9
TEXAS LATINO PRIDE (Dallas).....	October 8
PHILLY OUTFEST .....	October 9
PALM SPRINGS PRIDE.....	November 5-6

FOR MORE INFORMATION OR TO VOLUNTEER, VISIT [lambdalegal.org/events](http://lambdalegal.org/events)



**E**ach month, Lambda Legal’s lawyers and public educators work in the courts and in the court of public opinion fighting for the rights of LGBT people and those with HIV.

The most efficient way for you to support Lambda Legal’s ongoing work is to join the Justice Fund with a recurring monthly gift. With as little as \$10 per month, you will be providing the financial stability that our lawyers and public educators need to do their jobs in every corner of our country.

To join the Justice Fund fill out the information below and mail it in the enclosed envelope.

\$10.00     \$25.00     \$30.42     Other \$ \_\_\_\_\_

I have made a Justice Fund monthly contribution of at least \$25, please send me a Lambda Legal stainless-steel water bottle as a gift.\*\*\*

I PREFER TO CHARGE MY:     MASTERCARD     VISA     AMERICAN EXPRESS     DISCOVER

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TO JOIN THE JUSTICE FUND ONLINE, VISIT: [lambdalegal.org/justice-fund](http://lambdalegal.org/justice-fund)

\* information required to make gift by credit card. We won’t be able to process your gift if not complete.

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\*\*\* Lambda Legal bottle is available with Justice Fund (monthly giving) memberships at the \$25 level or more. Bottle will be mailed after the second consecutive month of Justice Fund membership. Please allow 2 to 4 weeks for delivery. While supplies last. Lambda Legal | 120 Wall Street, 19th Floor | New York, NY 10005

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**DONOR PROFILE**

**Barbara Lynn Pedersen**

Barbara Lynn Pedersen has been a proud supporter of Lambda Legal for more than a decade. As a member of the Liberty Circle and the Guardian Society, she is committed to improving the lives of LGBT people and people living with HIV, now and for generations to come.

Pedersen’s interest in LGBT and HIV advocacy began in her college years, when HIV first entered the national spotlight. At the time, she was working three jobs to pay for school, but she gave what she could to various organizations battling the HIV/AIDS epidemic. “I come from a family of immigrants, and my grandmother taught me that you must always give back,” she says.

Pedersen says that attitude has stuck with her all these years, even into her professional life: “In my trusts and estates

legal practice, I hear people say, ‘We’re not wealthy enough to do any good’ and that’s just not true, especially at an organization like Lambda Legal that is so well run.” And she’s right! Planned gifts, both large and small, fund nearly a third of Lambda Legal’s advocacy and legal work each year.

“People need to understand that those smaller gifts add up,” says Pedersen, who also volunteers her time on Lambda Legal’s Legacy and Planned Giving Council to help educate others about leaving their own legacies for equality.

Pedersen feels she has a responsibility to act on behalf of friends and family who identify as part of the LGBT community. “I can’t stand the thought of someone I love being excluded,” she says.

The movement has come a long way



since Pedersen started contributing to Lambda Legal, but we still have a long way to go. With donors like Pedersen—and the 1,400 other members of the quickly growing Guardian Society—Lambda Legal is ready for the challenge.



**BON FOSTER** Liberty Circle member and event chair John Litchfield and Joe Olszewski at Morgan MFG in Chicago on April 21, 2016.



**LAMBDA LEGAL IN FORT LAUDERDALE** Outgoing Executive Director and Amicus-level Liberty Circle member Kevin Cathcart; CEO of Equality Florida and event honoree Nadine Smith; event co-chair and Liberty Circle member Ken Keech; and board member, event co-chair and Amicus-level Liberty Circle member Robert Kuhn at the Bonnet House Museum & Gardens in Fort Lauderdale on March 20, 2016.



**LAMBDA LEGAL IN ARIZONA** Liberty Circle member Johnny Lopez with event co-chair, National Leadership Council and Liberty Circle member Steven Berger; event co-chair, board member and District-level Liberty Circle member Lawrence Trachtenberg; event host Becky Lieberman; host committee and Liberty Circle member Jeff Brodin; and Liberty Circle member Linda Elliott at the Lews W. Douglas House in Phoenix on April 12, 2016.



**LIBERTY AWARDS NATIONAL DINNER** Outgoing Executive Director Kevin Cathcart "passes the torch" to incoming CEO Rachel B. Tiven at Pier Sixty in New York City on May 2, 2016.



**SAN FRANCISCO SOIRÉE** Lambda Legal supporters Kelly Matayoshi and Emma Waters with board and Liberty Circle member David Tsai and supporter Nikke Gadsden at the City View at Metreon on April 15, 2016. Photo: Kat Fitzgerald



**LAMBDA LEGAL IN THE DESERT** Liberty Circle District-level members Glenn Phillip and Mark Smith with Lambda Legal Major Gifts Officer Philip Ozaki in Palm Springs, CA on March 13, 2016.

# Impact

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Lambda Legal is a national organization committed to achieving full recognition of the civil rights of lesbians, gay men, bisexuals, transgender people and those with HIV through impact litigation, education and public policy work.

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Lambda Legal  
making the case for equality