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# IMPACT

**Lambda Legal**  
making the case for equality

## PERFECTLY ABLE TO SERVE

With Lambda Legal, National Guardsman **Nick Harrison** is taking on the military's outdated restrictions on servicemembers living with HIV.

**N**ick Harrison actually redid law school in order to fulfill military service. He was more than halfway through his first year at Oklahoma City University School of Law in 2006 when his National Guard unit was deployed to Afghanistan, to protect teams that were training the Afghan National Army and Police.

"We would do nighttime mountain missions," says Harrison, 42, "patrolling to spot insurgents." Once we were taking rocket fire in the middle of the night, so we had to go locate where that was coming from." For his service, he won the prestigious Army Commendation Medal.

When he got back, he went to the University of Oklahoma to start law school afresh, gaining both his J.D. and MBA in 2011. A year later, after another deployment to the Middle East, he was diagnosed with HIV. "But I'd previously been in a relationship with an HIV-positive partner," he says, "so I knew that you could stay perfectly healthy if you just take your meds."

So when he applied to advance in the National Guard from an enlisted soldier to an officer—specifically, to join the Judge Advocate General Corps (JAG), the legal division for the D.C. National Guard—he hoped he could get a waiver to the military's longstanding, outdated policy of generally blocking people living with HIV from serving overseas or as officers.

After all, his colonel personally wanted him to be a JAG. He aced his medical exam, with a medical expert calling his waiver request "perfectly reasonable." The JAG board in D.C. told him he was their number one choice, partly because he had combat experience.

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**SUMMER 2019**

# WE'RE HERE

Despite all this, his request was rejected—all the way up to the Undersecretary of Defense.

That's why, with Lambda Legal, Harrison is taking the military's HIV policy to court. "They should treat HIV like other conditions, where if a person is on treatment and able to perform all necessary functions, they should be able to enlist, deploy and commission as an officer," says Lambda HIV Project Director Scott Schoettes. "The military is behind the science."

The case is currently proceeding in a federal court in Virginia, alongside a similar case against the Air Force in which Lambda Legal secured a preliminary injunction preventing them from kicking out two service-

members based on their recent HIV diagnoses.

Harrison, who currently works in D.C. at a Department of Defense agency, says he's happy to be a poster boy. "I've always wanted to be an officer," he says. "As a JAG, I'd have the opportunity to take care of soldiers who slipped through the cracks."

But he's also doing this on behalf of servicemembers who are far more dependent on the military than he is. "I can land on my feet with my degrees, but your typical 21-year-old soldier with HIV may not have those advantages."

Thankfully, he's got the support of friends and family, not to mention his boyfriend of two years, Baraq Stein, and their long-haired white cat, Yuki. "She's

very sweet and insists that Baraq sleep cuddling with her and not me," he laughs. The couple serve on several boards, including the D.C. Center for the LGBT Community, and play in the Stonewall Kickball League.

They're also riveted to the final season of *Game of Thrones*. Stein unequivocally supports the House of Targaryen, says Harrison, whereas he likes the Lannisters. "Villains are interesting."

Not so compelling, he says, is the military's outmoded HIV policy. "We can do everything that someone who is HIV-negative can do, and we have been now for a long time," he says. "There's no rational basis for this, and I'm fine with being the one to make that case." ■

— Tim Murphy

## ROUND-UP /

Lambda Legal fights every day to advance and protect the rights of all LGBTQ people and everyone living with HIV. Here's a snapshot of recent work your support made possible...

### SOCIAL SECURITY RELIEF FOR ALL SURVIVING SAME-SEX COUPLES

In April, we filed a motion to certify Michael Ely's case (featured in the last issue of Impact) as a class action suit, meaning that it would apply to all same-sex spouses nationwide who were wrongly denied Social Security benefits because they were barred from legal marriage nine months before their loved ones died.

### RECORD SETTLEMENT FOR LESBIAN TEACHER

Lambda Legal secured an \$850,000 settlement—the largest employment discrimination settlement in its history—for Julia Frost after five long years of fighting for her right to be out at work and be openly supportive of LGBTQ students.

### OUT AT WORK

Also on the employment front, we sued North Carolina in March because of its discriminatory health care plan, which denies transition-related care to state employees and their dependents.

### 50 OUT OF 50

Everyone everywhere deserves the right to be respected for who they are and to have access to correct identity documents. Most recently, we sued Tennessee to end its refusal to let transgender people update their birth certificates. The state is one of three that still do so, and all three now face Lambda Legal challenges.

### VICTORY FOR ARIZONA STUDENTS

In April, two weeks after Lambda Legal filed a lawsuit challenging Arizona's

anti-LGBTQ curriculum, which barred the positive portrayal of LGBTQ people, the state repealed the law. Just the initiation of legal action was enough to get them to do the right thing!

### FIGHTING HIV DISCRIMINATION

Lambda Legal obtained a judgment for \$75,000 on behalf of Nikko Brileramos, who was denied a haircut at a Black barbershop in Los Angeles because he is living with HIV. With the Black AIDS Institute, Lambda has launched a "Cut the Stigma" campaign to reduce discrimination against people living with HIV in Black social spaces such as barbershops. The campaign will tour historically Black colleges and universities (HBCUs) in the fall. ■



Since the years following Stonewall, Lambda Legal has been here to support our community and advance our rights through unrelenting legal and advocacy work.

**We're here** is more than reassurance, it's a declaration. With Lambda Legal, you have the world's largest and most successful LGBT impact litigation team. A team focused on the present—the here and now. We're here to represent our entire community. We're here to fight. To Win. To Stay.

### We're here to celebrate. And so much more.

Lambda Legal is here when you need us. To protect your rights. To serve the underrepresented. And, when joining with our supporters across the country, we're here to pass the hors d'oeuvres.

Come for the fun. Give to the fight. Join us at these events as we celebrate all we've done together and commit to the work ahead.

### May 30 Los Angeles

Join us in the heart of Hollywood for Lambda's Annual West Coast Liberty Awards, an exquisite cocktail event with a red carpet, silent auction and dessert reception.

### June 6 Houston

An exclusive evening of cocktails, hors d'oeuvres and an opportunity to learn about Lambda Legal and its role in the ongoing fight for equality.

### June 9 Los Angeles

March behind the Lambda Legal banner on Sunday and show the

City of Angels that you're part of the fight for LGBTQ+ protections in the age of Trump!

### June 12 Washington, DC

Lambda Legal in D.C. is the event of the year for our community, supporters and those who continue to power the LGBTQ+ and HIV movements.

### June 30 New York City

As the Big Apple marks the 50th anniversary of its Stonewall uprising, Lambda will march in both the main Heritage of Pride parade and the alternative, non-

corporate Queer Liberation March that'll recreate the route of NYC's first-ever Pride March in 1970.

### July 20 Fire Island Pines, NY

Our longest running event in the U.S., the Fire Island brunch and pool party is a summer classic. This is a sell-out event—get your ticket early!

### August 3 Dallas

The Landmark Dinner, our signature event in Dallas, brings together the LGBTQ+ community with our friends, allies and community leaders.

For more information, tickets or to RSVP, please visit [lambdalegal.org/events](http://lambdalegal.org/events)