

# LEAVE OUR KIDS ALONE

Lambda Legal is fighting back attacks on LGBTQ youth nationwide—from foster care and conversion therapy to anti-LGBTQ school curricula and bathroom bans.

**R**ecently, Lambda Legal has seen an explosion of efforts to dismantle protections for and proactively harm LGBTQ youth, at both federal and state levels. As if attempts to make our youth even more vulnerable in schools, health care settings and foster care weren't enough, even newer extremes have emerged, like efforts to make it a crime for doctors to provide affirming care to transgender kids.

Lambda Legal is working overtime, not only to beat back these attacks, but to continue to advance protections for LGBTQ youth.

MAKE AMERICA  
GAY AGAIN

An assistant principal told **Elayna Bouck** to stop wearing this shirt, saying it was “distracting” and “proselytizing.”

## ATTACKS ON LGBTQ YOUTH IN SCHOOLS

**The right to express their views:** When eighth grader Elayna Bouck wore a T-shirt reading “Make America Gay Again” to her Erie, Colorado school, an assistant principal told her to stop wearing it, calling it “distracting” and “proselytizing” (even though Bouck’s classmates were free to wear T-shirts quoting the Bible). Bouck, who’s faced bullying in her school district for refusing to stand for the Pledge of Allegiance and for being part of the LGBTQ student club, wasn’t having it. She contacted Lambda Legal, and Staff Attorney Carl Charles wrote the school district to tell them they were violating Elayna’s right to express her views. It was one of many such instances where a strongly worded warning from Lambda Legal was all it took. The school changed its tune, agreeing that Elayna could wear the T-shirt.

**The right to equally access facilities:** Lambda Legal just argued before the 11th circuit appeals court on behalf of Drew Adams, a transgender student in Florida who was barred from the boys’ bathroom at school. When it became clear to Drew’s parents that they weren’t going to get any help from the Trump-run Office of Civil Rights, which has actually tried to *reverse* protections for LGBTQ students, they came to Lambda Legal, which won Drew’s case in a federal court. The school district appealed. The appeals court ruling, which could come at any time, would impact students in Florida, Alabama and Georgia.

School bathroom bans such as this “inflict misery and suffering on our trans kids,” says Lambda Legal Counsel Tara Borelli, who argued the case. “So many people call us with horrifying stories. It’s a product of this administration not having clear guidance for schools that equal treatment is required. And it’s a clear violation of their rights under the Constitution and Title IX because it’s discrimination based on sex.”

**The right to accurate curricula:** Several states have discriminatory and stigmatizing so-called “no promo homo” laws that restrict classroom discussions about LGBTQ people, but Lambda Legal is working with partners to get them struck down. Arizona had a law preventing schools from portraying LGBTQ people positively in curriculum related to sexual health—until last year, when, in response to a lawsuit filed by Lambda Legal and the National Center for Lesbian Rights (NCLR), the state enacted a full repeal of the law rather than defend it in court. “These laws are damaging and dangerous,” says Lambda Legal Counsel Peter Renn, “because they treat LGBTQ students as if they should be ashamed of themselves and block them from having equal access to information relevant to their lives, health and well-being.”



A conversion therapist once told **Carl Charles**—now a Lambda Legal Staff Attorney—“You think Jesus died so you can march down the street with all your faggot friends?”

## ATTEMPTS TO “CHANGE” LGBTQ YOUTH

“It wasn’t until years later, after coming out as a transgender man, that I began to understand the hell I was put through.” That’s what Lambda Legal Staff Attorney Carl Charles wrote a few years ago about being forced to suffer as a teen through anti-LGBTQ “conversion therapy.” His “therapist” would yell, “You think Jesus died so you can march down the street with all your faggot friends?”

Thankfully, Charles went on to thrive as his true self. But ample research shows that pseudo-scientific “conversion” therapy programs, in which young people are often bullied into “praying the gay away,” are deeply traumatizing and damaging. Several states and counties nationwide have banned the practice in recent years, including the state of Maryland.

But an evangelical legal group, Liberty Counsel, is trying to bring it back in Maryland, suing to strike down the state’s ban. Lambda Legal and NCLR are arguing to protect the ban, through a vigorously worded amicus brief. Lambda Legal has written briefs in similar cases in California and New Jersey, where our opposition was fortunately unable to bring down laws banning this harmful practice. We’re also keeping close tabs on other cases in Florida and elsewhere.

“This is a really important battle for us,” says Omar Gonzalez-Pagan, Senior Attorney at Lambda Legal. “Being able to protect the constitutionality of these bans is crucial, because so-called ‘conversion therapy’ is a form of torture.”

## CRIMINALIZING TRANS-AFFIRMING HEALTH CARE

Medical and child health experts agree: denying or rejecting a transgender child's gender identity and barring them from affirming care leads to extreme distress and a high risk for suicide.

Yet bills in South Dakota and Florida would make it a crime for doctors to provide gender-affirming care—such as surgeries, hormone treatments and puberty blockers—to transgender youth. The South Dakota bill would make trans care for kids under 16 punishable by up to a year in jail or a fine up to \$2,000.

Lambda Legal is partnering with other organizations to beat back such draconian proposals. Lambda Legal is tracking similar bills that have been introduced in South Carolina, Colorado, Oklahoma and Missouri, and discussed in Georgia, Kentucky and Texas.

## LICENSING DISCRIMINATION AGAINST LGBTQ KIDS AND CAREGIVERS IN FOSTER CARE

When Tristan Torres came out to his parents as transgender as a teen in Nevada, they threw him out of



Cassidy Araiza

**Santi Ceballos**, a queer and non-binary plaintiff in the Lambda Legal case that brought down Arizona's anti-LGBTQ curriculum law, had transferred schools because of bullying that included students repeatedly calling Santi a "stupid gay kid" and "faggot."

the house. A caseworker put him in a Christian-based foster home where the foster mother told him that being trans was wrong and demanded he stay away from her biological kids for fear he'd "turn them transgender." He told *Vice* magazine in 2017 that his time in that home was among "the worst experiences in my life."

Torres, now 21, went on to help Lambda Legal establish protections for LGBTQ kids in the Nevada foster system—just one of the many ways Lambda Legal has been fighting to protect LGBTQ foster kids and caregivers in many states, while fighting off laws that seek to license discrimination. Currently, Lambda Legal is considering legal action against Tennessee, where a bill allowing government-funded contract child welfare agencies to refuse to work with LGBTQ foster and adoptive parents became law in late January. We've also filed suit against South Carolina on behalf of a married same-sex couple who want to foster but were turned away by a faith-based, government-funded foster-care agency.

"Laws like this allow government-funded discrimination against LGBTQ youth and families," says Currey Cook, head of Lambda Legal's Youth In Out-Of-Home Care Project. Lambda Legal also joined many organizations in strongly opposing a federal proposal to rescind Obama-era rules that prohibit discrimination based on religion, sexual orientation, and gender identity in Health and Human Services grant-funded programs, including foster care.

## WITHHOLDING CORRECT I.D.'s FROM TRANS TEENS

"I'm a boy," says M.H.W., who is 14. "Having an inaccurate birth certificate can cause the disclosure of my transgender status when I enroll in college classes or get my driver's license, and expose me to possible harm." But when he tried to apply for a correction, M.H.W., who was born in Ithaca, New York, was denied.

Lambda Legal recently filed a federal lawsuit against New York State on M.H.W.'s behalf, to challenge the state's policy of not letting transgender people correct the gender marker on their birth certificates until they turn 18.

## WE'RE DEFENDING THE NEXT GENERATION

Lambda Legal's work to protect LGBTQ youth "is about young people's rights to be and live as who they are," says Paul Castillo, Lambda Legal Counsel and students' rights strategist. "It's about being able to thrive without being harassed or bullied."

With your support, Lambda Legal won't let its guard down as our opposition targets our youth—the future of our movement and our community. **LL**

# 2020 EVENTS / *Look for Lambda Legal in a city near you...*

## **Thursday, March 26 | Phoenix, AZ**

Join Lambda Legal's Arizona Leadership Committee as we celebrate a year of victories and hear how we are continuing to advance equality.

## **Sunday, March 29 | Ft. Lauderdale, FL**

Lambda Legal is thrilled to be hosting our annual Fort Lauderdale event at the historic Bonnet House Museum & Gardens. Join us for an evening of cocktails and hors d'oeuvres as we rally our resistance and celebrate our resolve.

## **Thursday, April 16 | Chicago, IL**

Robert Bonvouloir "Bon" Foster was a powerful voice in Chicago in the early days of the HIV epidemic, opposing injustice and resisting discrimination. Our annual event honors his selfless act to bequeath his estate to found Lambda Legal's Midwest Regional Office.

## **Friday, April 17 | San Francisco, CA**

Join our San Francisco Leadership Council for the annual Soiree, a fun-filled evening of cocktails and community, honoring local leaders and supporting Lambda Legal's invaluable work.

## **Thursday, April 30 | New York, NY**

This year, the Liberty Awards National Dinner, presented by JPMorgan Chase, honors the late Dr. Theodore J. Kowalksi, an LGBT family rights pioneer and lifelong champion of equality. Join Lambda Legal leadership and supporters from across the country for an inspiring evening of accolades and entertainment.

## **Thursday, June 11 | Los Angeles, CA**

It's our West Coast Liberty Awards! Join us at Neuehouse Hollywood for a cocktail event with a red carpet, auction and dessert reception.

➔ *To purchase tickets and register online, visit [lambdalegal.org/events](https://lambdalegal.org/events)*



## **GIVING TO LAMBDA LEGAL GIVES LGBTQ KIDS A CHANCE AT THE HAPPINESS WE HAVE**

Help ensure that the rights we have won are enforced and defended for generations to come. When you establish a legacy with Lambda Legal through your will, retirement account, life insurance or trust, you help safeguard our community's future.

 **Lambda Legal**  
making the case for equality

**JOIN TODAY** [lambdalegal.org/donate](https://lambdalegal.org/donate) | 120 Wall Street, 19th Floor, NY, NY 10005 | 212.809.8585