

Impact

SUMMER 2015



LOVE
WINS

UP NEXT AT LAMBDA LEGAL:

- * IMPLEMENT AND DEFEND THE FREEDOM TO MARRY (PAGE 3)
- * DEFEAT THE "RELIGIOUS EXEMPTIONS" BACKLASH (PAGE 6)
- * MOVE FORWARD ON TRANSGENDER RIGHTS, HIV RIGHTS,
POLICE MISCONDUCT AND MORE (PAGES 8-14)

 **Lambda Legal**
making the case for equality

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LOOKING FORWARD



Our voices are hoarse from cheering and our feet are tired from marching, but our hearts are full and we're ready for what comes next. There's no time to waste!

June's Supreme Court marriage victory (see page 3) offered soaring language about equality, dignity and our common humanity. The fact that same-sex couples now know they have a constitutional right to marry anywhere in our country and to have their marriages fully recognized brings enormous concrete and symbolic benefits. It's huge,

and it affects so many of us, whether we choose to marry or not.

But it is far from the end of the story. This victory came during a particularly tragic time in our country, soon after the Charleston murders of nine African Americans in an act of racist terrorism. It came in a year that a staggering number of transgender women have been murdered—most of them women of color. It was decided in a country where 39 states still have HIV-specific criminal statutes or have recently brought HIV-related criminal charges. And it came in a society where 40% of homeless young people are LGBTQ, many of them kicked out by their families.

The more progress we make, the greater the resistance and the backlash. There were more than 75 bills proposed in state legislatures this year designed to roll back our rights (see page 6), and the majority of them were defeated. Nevertheless, harmful laws were enacted in Arkansas, Michigan and North Carolina that seek to allow private businesses, publicly funded agencies and public officials to refuse, based on their religious views, to serve LGBT people. This backlash is dangerous, and following the Supreme Court's marriage decision, it is likely to get worse.

At Lambda Legal, we know what to do. We've been doing it for decades. Here's some of what's next:

- Protecting the freedom to marry by challenging resistance and discrimination wherever they occur.
- Fighting efforts to craft broad loopholes to antidiscrimination protections.
- Making sure that transgender people as well as LGB people are protected under laws barring sex discrimination.
- Eliminating health care policy exclusions of gender-affirming care.
- Combating persistent HIV-related stigma and discrimination, especially government-sponsored discrimination.
- Securing the rights of LGBT parents and their children.
- Protecting LGBT youth from discrimination and bullying in schools and foster care and addressing the "school-to-prison pipeline."
- Battling discrimination against LGBT seniors and seniors living with HIV, including in health care, seniors housing and facilities and safety net programs.
- Securing express and comprehensive non-discrimination laws.
- Improving treatment of LGBT people and people living with HIV by police and other government officials.
- Fighting for comprehensive immigration reform and just treatment for immigrants who are LGBT or living with HIV.
- Working to meet the needs of people with non-binary gender identities.
- Addressing racial and economic inequities and their effects on LGBT people and people living with HIV.
- Increasing protections for LGBT couples who are not married.

With more than 100 cases on our docket today, Lambda Legal is already doing "what's next." No single Supreme Court ruling solves every problem. While we are jubilant about our success, we will not rest as long as any members of our community are denied their rights.

EXECUTIVE DIRECTOR

LOVE WINS

June 26 was a historic day! The Supreme Court's decision in *Obergefell v. Hodges* made marriage equality the law of the land—Lambda Legal was co-counsel in one of the historic cases decided by the high court. After decades of work by Lambda Legal and many others, we have at long last secured the freedom to marry for all same-sex couples throughout the entire United States.

“No union is more profound than marriage, for it embodies the highest ideals of love, fidelity, devotion, sacrifice, and family. In forming a marital union, two people become something greater than once they were. As some of the petitioners in these cases demonstrate, marriage embodies a love that may endure even past death. It would misunderstand these men and women to say they disrespect the idea of marriage. Their plea is that they do respect it, respect it so deeply that they seek to find its fulfillment for themselves. Their hope is not to be condemned to live in loneliness, excluded from one of civilization’s oldest institutions. They ask for equal dignity in the eyes of the law. The Constitution grants them that right.” —JUSTICE ANTHONY KENNEDY



Lambda Legal's National Director of Constitutional Litigation Susan Sommer and Executive Director Kevin Cathcart in front of the Supreme Court with Lambda Legal marriage plaintiffs Pam and Nicole Yorksmith and their sons Grayden and Orion.



THE WALL STREET JOURNAL.

“We always expected there would be some pockets of resistance, but we don’t expect they will last long.”

—JON DAVIDSON, LAMBDA LEGAL’S LEGAL DIRECTOR



Plaintiffs in Lambda Legal’s marriage case at the Supreme Court: Britanni Henry and LB Rogers with their son Jayseon; Kelly McCracken and Kelly Noe with their daughter Ruby; Rob Talmas and Joe Vitale with their son Cooper; and Pam and Nicole Yorksmith with Orion and Grayden.

“AS THIS COURT HELD IN LAWRENCE, SAME-SEX COUPLES HAVE THE SAME RIGHT AS OPPOSITE-SEX COUPLES TO ENJOY INTIMATE ASSOCIATION... BUT IT DOES NOT FOLLOW THAT FREEDOM STOPS THERE. OUTLAW TO OUTCAST MAY BE A STEP FORWARD, BUT IT DOES NOT ACHIEVE THE FULL PROMISE OF LIBERTY.” —JUSTICE ANTHONY KENNEDY



Sommer addresses the jubilant crowd on the courthouse steps.





Talmas and Vitale with Cooper. Photo: ©Max Gordon

FACT SHEETS

We Have the Answers to Your Marriage Questions

Lambda Legal and six other organizations have jointly compiled seven fact sheets—available at MarriageEqualityFacts.org—to help explain what the Supreme Court’s ruling means for you:

- Getting Married and Wedding Planning
- Parent-Child Relationships
- Social Security Spousal Benefits
- Veterans’ Spousal Benefits
- Retirement Benefits
- Income Taxes
- Employment Discrimination
- Transgender Community

Chicago Tribune

“It’s complete affirmation of the equal personhood of lesbian and gay people.” —CAMILLA TAYLOR, LAMBDA LEGAL’S MARRIAGE PROJECT DIRECTOR

The New York Times

“Same-sex couples exercising their constitutional freedom to marry should not be shunned by commercial businesses for any reason.” —SUSAN SOMMER, LAMBDA LEGAL’S DIRECTOR OF CONSTITUTIONAL LITIGATION

“IT DEMEANS GAYS AND LESBIANS FOR THE STATE TO LOCK THEM OUT OF A CENTRAL INSTITUTION OF THE NATION’S SOCIETY.”
—JUSTICE ANTHONY KENNEDY

MARRIAGE TRACKER

We've Got Your Back!

The Supreme Court’s ruling should mean that you and your same-sex partner have a right to be treated the same way as any other couple. **If you’re not treated equally, we want to hear from you!**

Contact Lambda Legal’s new Marriage Tracker if you:

- Have trouble obtaining a marriage license,
- Experience discrimination based on sexual orientation, gender identity or marriage status,
- Find that your marriage isn’t recognized by businesses, employers, insurers or state or local authorities.

lambdalegal.org/marriage-equality-tracker



RELIGIOUS REFUSALS

INDIANA WAS THE TIP OF THE ICEBERG

More than 100 state bills so far have aimed to use religious beliefs as an excuse for discrimination. The idea is to allow businesses and public employees to mistreat LGBT people and consider married same-sex couples as *unmarried*. BY JENNY PIZER, LAMBDA LEGAL SENIOR COUNSEL



INDIANA IS PAYING A PUBLIC RELATIONS FIRM \$2 MILLION TO REBRAND THE STATE AS WELCOMING TO LGBT PEOPLE. The state hopes to win back business support following the uproar this spring over its “Religious Freedom Restoration Act” (RFRA).

The PR disaster for the pro-RFRA movement is much bigger than Indiana, however. Lambda Legal and our allies have shined a bright light on the discriminatory goals of similar “religious freedom” bills being pressed in state legislatures throughout the country. That targeting is ugly. And the public has taken notice.

Indiana’s bill was introduced as political payback for our movement’s success last year in stopping an anti-marriage bill and then Lambda Legal’s victorious Indiana marriage lawsuit. We can only expect that the June Supreme Court marriage victory (see page 3) will prompt our opponents to go full throttle.

Awareness of these bills began, for many, last year in Arizona. There, a public uproar persuaded then-Governor Jan Brewer to veto a bill designed to allow for-profit businesses to turn away same-sex couples. It would have expanded the state’s already

broad “special rights” for religious organizations.

This year, things got more complicated: The outcry against RFRA bills in Indiana—and then in Arkansas—prompted not vetoes but revisions. Indiana Governor Mike Pence rushed to sign the RFRA bill, only to face a national onslaught of criticism. Lambda Legal and other LGBT advocates had offered numerous, carefully crafted amendments aimed at lessening the Indiana bill’s damaging effects. But one by one, each was rejected.

Later, Pence and other state leaders grudgingly amended the new law to prevent its expanded religious rights from being used against civil rights laws. But they refused our proposals to include civil rights protections for LGBT people. Arkansas heard similar protests against the outsized RFRA passed onto Governor Asa Hutchinson’s desk. He insisted that it be pared down somewhat, and then he signed it.

Both states now have new RFRA statutes. Despite the constraints that both legislatures eventually accepted, LGBT people, women and others remain terribly vulnerable.

AT THE FEDERAL LEVEL

What’s Hobby Lobby?



In 2014, the U.S. Supreme Court ruled that religiously minded business owners can refuse to subsidize birth control coverage in their employees’ health plans, shifting the cost to insurers. The ruling directly addressed reproductive freedom, but there is also widespread concern about prioritizing religious interests generally over equality in the workplace. The Justices may have left the door open for discrimination against LGBT people as well.

Since Indiana and Arkansas, Lambda Legal has seen the same basic fight play out state by state, with mixed results.

Lambda Legal advocated strongly against a Florida bill to allow child welfare agencies to bar LGBT people from fostering children based on religious objections. That bill has been stalled. And heroic efforts in Texas managed to block more than a dozen anti-LGBT bills.

But North Carolina legislators overturned Governor Pat McCrory's veto of a bill to allow public employees to refuse marriage licenses and solemnizations for same-sex couples (see sidebar below). And Michigan Governor Rick Snyder signed a package of bills allowing religiously affiliated adoption agencies to discriminate on religious grounds against prospective parents—with taxpayer funds. In Louisiana, the legislature had stood firm for fairness and the state's tourism industry, but Governor Bobby Jindal issued a defiant executive order elevating religious rights over equality in the marketplace.

After last year's U.S. Supreme Court ruling in *Hobby Lobby* (see sidebar below left), many in Congress are viewing this blizzard of state bills with alarm. They are rethinking not just the 20-year-old *federal* RFRA but also the lack of clear federal protections for LGBT people and women's reproductive autonomy.

Enacted back in 1993, the federal RFRA has little in common with the new state versions. President Clinton signed it into law to keep government from infringing on individuals' right to exercise their religions in traditional ways and places. In contrast, the new state RFRA bills take ideas from *Hobby Lobby's* gross expansion of the federal RFRA. They are intended to allow businesses and government employees to discriminate against LGBT people.

This is a major turning point in our movement. Opponents of equality have failed in their attempts to keep us from being allowed to marry. Now their strategy is to recast the meaning of religious liberty. But Lambda Legal knows the difference between protecting the freedom of a church or a member of the clergy and allowing a grocery store to choose its customers.

Lambda Legal has powerful assets in this discussion. As litigators, we bring unique voices to policy-making. Take Amy Sandler, our client in the Indiana marriage lawsuit, who testified at the Indiana RFRA bill hearing this spring. She told the story of her late wife Niki's last days, quoting Niki as saying, "This is not an issue of religion. This is an issue of equality and one of freedom." (Visit lambdalegal.org/blog/20150316_sandler-testimony to read her testimony.)

There wasn't a dry eye in the room after Amy spoke. But too many legislators were unmoved. It was clearer than ever to those watching the hearing around the state and country: The lawmakers' main goal was to make sure Indiana businesses could discriminate against gay people.

What's perhaps less understood is how many areas of life are coming under assault from these anti-LGBT "religious exemption" bills. Some are RFRA variants, while others aim to allow refusals related to children's services, health care, student groups or government benefits, such as public contracts or

grants. Still others hope to restrict transgender people's public restroom access based on chromosomes or birth certificates.

This is a front-burner problem for our community. In more than half of the states, LGBT people still do not have basic civil rights protections. In such states, RFRA bills aim to *preemptively* make religious beliefs an excuse to discriminate.

It's time to enact comprehensive, explicit protections for LGBT people nationwide and to amend existing RFRA bills to ensure that religious freedom remains strong without causing harm to other people.

Lambda Legal expects our opponents to continue pushing for exemptions every time we call for equality. But we know the RFRA terrain: Each bill deserves close attention—and skepticism. If a proposed law says "religious liberty" on the box, we say, "Look inside."



MICHIGAN AND NORTH CAROLINA

New Laws Permit Anti-LGBT Discrimination in Foster Care, Adoption and Civil Weddings

On June 11, Michigan and North Carolina both enacted anti-LGBT "religious exemption" laws that are in some ways worse than Indiana's and Arkansas' because they use tax dollars to support such discrimination.

Michigan's new laws allow religiously affiliated adoption and foster care agencies to turn people away on religious grounds, even though those agencies are state funded. North Carolina's law allows government magistrates to refuse to perform civil marriages if they object on religious grounds.

"For anyone with delusions that the work for LGBT rights is close to being done, think again," said Lambda Legal Legal Director and Eden/Rushing Chair Jon Davidson.

HEALTH CARE

Supreme Court's ACA Ruling Averts HIV Crisis

On June 25, the U.S. Supreme Court rejected the latest challenge to the Patient Protection and Affordable Care Act (ACA), ruling that health insurance subsidies must be available to residents of all states. “Congress passed the Affordable Care Act to improve health insurance markets, not to destroy them,” according to the opinion, which was authored by Chief Justice Roberts.

The decision was very much welcome at Lambda Legal, which had filed a friend-of-the-court brief in the case last January on behalf of nine HIV advocacy organizations. “This is great news,” Lambda Legal HIV Project Director Scott Schoettes said of the ruling. “The majority ruled to preserve the tax credits and maintain the integrity of the Affordable Care Act, protecting access for all, including people living with HIV who are low-income, rural, southern, Black and were—before the Affordable Care Act—largely uninsured. No one should be put at greater risk to the ravages of HIV simply because they live in one of the 34 states choosing not to set up its own health insurance exchange.”

The January brief in the case, known as *King v. Burwell*, had warned, “While it is possible to overcome the dramatic racial and ethnic health disparities that persist in HIV diagnoses, treatment and health outcomes, such success will be possible only if affordable access to health insurance remains in place.”

PICTURED: James Esseks, ACLU; Lambda Legal Director of Constitutional Litigation Susan Sommer; Mary Bonauto, GLAD; and Lambda Legal Executive Director Kevin Cathcart

FAIR COURTS

Supreme Court Upholds Restrictions on Judicial Campaign Contributions

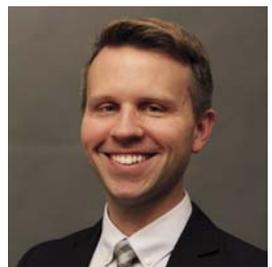
“JUDGES ARE NOT POLITICIANS, EVEN WHEN THEY COME TO THE BENCH BY WAY OF THE BALLOT.” —CHIEF JUSTICE JOHN ROBERTS

On April 29, the U.S. Supreme Court ruled that states where judges are elected can restrict how judicial candidates raise campaign money. Lambda Legal's Fair Courts Project had joined six other advocacy groups in filing a friend-of-the-court brief in the case, arguing that such a decision was crucial for maintaining judicial impartiality.

The ruling upheld a Florida court's finding that Lanell Williams-Yulee, a candidate for a county court judgeship, had violated state law by signing a letter asking for campaign contributions. In an opinion authored by Chief Justice John Roberts, the Court agreed that states could ban judges from personally soliciting funds from

members of the public in case they later appear before the judges in court, whether as lawyers or litigants.

Eric Lesh, Lambda Legal's Fair Courts Project Manager, applauded the Supreme Court's ruling. “As the country prepares for another election year, this rule and others like it are critically important in keeping courts fair and making sure that justice cannot be bought,” he said.



Eric Lesh, Lambda Legal's Fair Courts Project Manager



TEXAS

Passion Star Moved to “Safekeeping” as Prison Rape Case Continues

The Texas Department of Criminal Justice (TDCJ) finally agreed in March to move Lambda Legal client Passion Star to so-called Safekeeping in order to prevent the rape and other violent assaults that have plagued her for 12 years in seven different TDCJ male facilities. A Lambda Legal lawsuit filed last year accuses prison officials of “deliberate indifference” to the suffering of Star, a woman who is transgender.

The news was followed in May by an announcement from Texas Governor Greg Abbott (see sidebar) that his state would comply at least in part with the federal Prison Rape Elimination Act (PREA), which Congress passed unanimously 12 years ago but Abbott’s predecessor had rejected.

Star’s move to so-called Safekeeping followed an emergency motion filed earlier this year after escalating threats, including from a cellmate who threatened to kill her if she continued to resist sexual demands. In Safekeeping, Star is housed with other people considered vulnerable to assault in the general population.

Lambda Legal’s continuing lawsuit on Star’s behalf asserts that TDCJ officials condone a widespread and pervasive system whereby LGBT people in custody are denied protection from sexual abuse.

PICTURED ABOVE: Lambda Legal Community Educator Omar Narvaéz (third from the left), Lambda Legal Staff Attorney Jael Humphrey and Chuck Smith, Executive Director of Equality Texas, with volunteers.

LAMBDA LEGAL URGES “SUSTAINED COMMITMENT” ON PREA

Lambda Legal worked hard this year to get a commitment from Texas Governor Greg Abbott to comply with the PREA, including in-person delivery on May 15 of a petition with nearly 10,000 signatures. The same day, Governor Abbott announced in a letter to Attorney General Loretta Lynch that his state would indeed follow the federal standards—“wherever feasible.”

The U.S. Department of Justice rejected this first letter as inadequate, and Texas submitted a second with stronger assurances. Lambda Legal Staff Attorney Jael Humphrey said, “Sustained commitment is needed from all levels of the Texas criminal justice system to make clear that rape is not an acceptable part of any sentence, for any crime.”

Said Lambda Legal plaintiff Passion Star (more about her in the article on the left), “There needs to be some kind of oversight. People placed in positions of power aren’t doing enough to keep people from being hurt, to keep people from being raped. It needs to stop.”

MICHIGAN

HIV Prison Discrimination Prompts Lambda Legal Lawsuit



When former Michigan state prisoner John Dorn and another incarcerated man were accused of having consensual oral sex while in prison, Dorn received much harsher punishment—solitary confinement for nearly a year, compared to the other inmate’s 30-day “loss of privileges.” The reason: Dorn is living with HIV.

Lambda Legal filed a federal lawsuit April 2 on Dorn’s behalf against the Michigan Department of Corrections (MDOC), MDOC officials and the Michigan Attorney General. By allowing such unequal treatment, the suit argues, state law and prison policies violate the federal Americans with Disabilities Act (ADA), Rehabilitation Act and Dorn’s constitutional rights.

Under the ADA, treating a person with HIV differently is only justified if an individualized assessment proves that there is a significant risk of transmission. Dorn received no such assessment, and if he had, the prison officials would have found that his viral load was undetectable, making the already-low risk of transmission via oral sex very nearly or actually zero.

Kyle Palazzolo, HIV Project Staff Attorney for Lambda Legal, said the Michigan policies “do not reflect the current science regarding HIV and the risk of transmission.”

Lambda Legal is bringing the suit with Michigan Protection and Advocacy Service Inc., of Lansing, Michigan.

American Airlines 

AMERICAN AIRLINES IS THE OFFICIAL AIRLINE OF LAMBDA LEGAL.

American Airlines has been a national sponsor of Lambda Legal and a travel partner since 2004. As a Lambda Legal member, you can help support Lambda Legal every time you travel on American Airlines, at no cost to you! It is very simple. When making a reservation on www.AA.com/rainbow or through a travel agent, all you need to do is provide Lambda Legal's unique Business ExtrAA Account number and you will help earn valuable points for Lambda Legal. The best part is that you still earn your own AAdvantage Miles! When booking on www.AA.com/rainbow, simply enter **541544** at the bottom of the Enter Passenger Details section, in the field for Business ExtrAA Account Number.

WISCONSIN

Lambda Legal Sues to Get Both Moms on a Birth Certificate



Jessamy and Chelsea Torres want both their names on their son's birth certificate.

On May 13, Lambda Legal filed a federal lawsuit on behalf of Chelsea and Jessamy Torres, a married lesbian couple in Madison, Wisconsin who were denied a birth certificate listing both of them as parents of their newborn son.

"Our son should grow up knowing his family is just like any other loving, caring family," said Jessamy when the suit was filed.

When Chelsea gave birth in March, hospital staff instructed Jessamy to fill out the "father" part of the birth certificate application. The Wisconsin health department later sent Chelsea a form that contained no reference to Jessamy, effectively

eliminating her from the family in the eyes of the state.

"Children born to married parents in Wisconsin need the same protection and acknowledgement of their relationships to their parents by the state, regardless of their parents' sex or sexual orientation," said Kyle Palazzolo, Staff Attorney for Lambda Legal.

Lambda Legal has successfully litigated similar cases, including *Gartner v. Newton* in Iowa and *Henry v. Hodges* in Ohio—one of the cases involved in the Supreme Court's groundbreaking June marriage ruling (see page 3).

GEORGIA

Settlement Reached in HIV Discrimination Case Against Orange Juice Maker



Lambda Legal plaintiff Chanson Cox settled with his employer after being fired for having HIV.

On March 26, Lambda Legal announced a settlement in the case of Chanson Cox, a machine operator fired from his job at a Gregory Packaging, Inc. orange juice plant after disclosing that he has HIV.

As part of the settlement, Gregory Packaging paid Cox \$125,000; publicly acknowledged that Cox's HIV status poses no threat to its employees or customers; and agreed to conduct disability discrimination training for all employees at the Georgia facility where Cox was employed.

Gregory Packaging said it had based the dismissal on misunderstandings about federal regulations concerning food manufacturing and communicable diseases, believing that the company was compelled by law to dismiss Mr. Cox after learning that he had HIV. But Gregory now understands those regulations do not apply, because HIV is not a foodborne disease.

"We are pleased that Gregory Packaging's position reflects the current science of HIV and recognition that people living with HIV can be valued employees," said Lambda Legal's HIV Project Director Scott Schoettes. "If the promise of equal opportunity contained in the Americans with Disabilities Act is to be fulfilled, outdated policies and misconceptions about HIV must be corrected."

POLICE MISCONDUCT

Lambda Legal Urges President Obama to Ban Discriminatory Police Profiling

Lambda Legal and six other LGBT and HIV advocacy groups on March 3 urged President Obama to accept new recommendations from the national Task Force on 21st Century Policing, which he appointed to address abusive and discriminatory police procedures.

The Task Force's initial report is "an important first step toward addressing the epidemic of police violence and pervasive discriminatory policing practices," according to a joint statement issued by the seven organizations, which had also submitted written testimony to the Task Force in January that detailed the deleterious impact of biased policing on LGBT people of color. In addition, Lambda Legal Deputy Legal Director Hayley Gorenberg was selected to deliver in-person testimony to the Task Force when it convened its national listening session in Cincinnati.

Key recommendations include a ban on police profiling based on sexual orientation, gender identity or mere possession of condoms, which police commonly cite as evidence that someone intends to engage in sex work.

Lambda Legal is also supporting the newly introduced, comprehensive federal End Racial Profiling Act, revised to ban profiling based on gender, sexual identity and sexual orientation, as well as race, ethnicity, national origin and religion.



CONNECTICUT

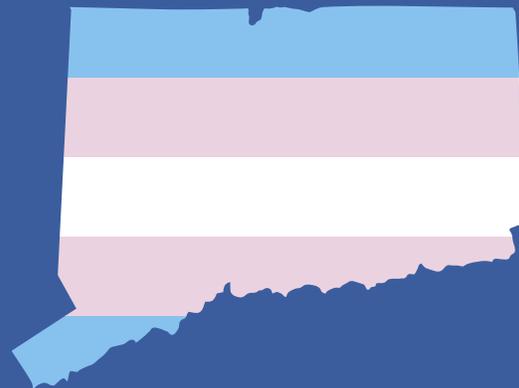
MEDICAID WILL NOW COVER TRANSGENDER HEALTH CARE IN EIGHT JURISDICTIONS

On March 25, Connecticut became the eighth U.S. jurisdiction to expand Medicaid coverage to medically necessary health care for transgender people. The policy change came in response to a letter that Lambda Legal sent the state's Department of Social Services last year.

Lambda Legal's letter prompted an immediate promise from the Department to begin the process of adding coverage for such care, which often includes hormone therapy and gender-affirming surgeries. Lambda Legal and Gay & Lesbian Advocates & Defenders (GLAD) submitted comments on the proposed regulation, detailing the treatments' medical necessity.

"We hope Connecticut's example will inspire other states to take steps to lift discriminatory exclusions for transgender health care in Medicaid programs," said Dru Levasseur, National Director of Lambda Legal's Transgender Rights Project.

Transgender people are four times as likely as other Americans to have household incomes below \$10,000 and twice as likely to be unemployed, making them especially reliant on programs such as Medicaid. The other seven jurisdictions where Medicaid covers transgender health care are California, Massachusetts, New York, Oregon, Vermont, Washington State (which covers most but not all such care) and Washington, DC.



Transgender Women of Color Speak at the White House



Community organizers, non-profit leaders and policy advocates from all over the country participated in the White House event.

On March 31, Lambda Legal participated in the first-ever White House event focused entirely on the needs of transgender women of color. The “Trans Women of Color Women’s History Month Briefing” was prompted by growing alarm about the epidemic of violence facing trans women of color as well as rampant discrimination in health care, employment, education, housing and the criminal justice system.

Transgender women representing African American, Asian American, Latina, Native American and immigrant communities made the case for reforms. Mattee Jim of the First Nations Community HealthSource called for a special taskforce to address the lack of legal protections for Native trans people living on sovereign tribal lands.

Participants also called for more active support from the Obama Administration.

“While this is the most trans-friendly administration to date, so much more needs to be done to achieve fairness and justice for trans people,” said Demoya Gordon, Lambda Legal’s Transgender Rights Project Adviser, who attended the event with Dru Levasseur, Lambda Legal’s Transgender Rights Project National Director.

The White House event was convened by the National LGBTQ Task Force—on a date that was symbolic for two reasons: March 31 is both International Transgender Day of Visibility and the last day of Women’s History month.

Lambda Legal Staff in Philly for the Trans-Health Conference and Chicago for Aging in America



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PICTURED HERE: (ABOVE LEFT) Tom Ude, formerly of Lambda Legal and now Legal and Policy Director at the Mazzoni Center, and Dru Levasseur, National Director of Lambda Legal’s Transgender Rights Project, at the Philadelphia Trans-Health Conference in June. (ABOVE) Lambda Legal Community Education intern Karim Nader and Education and Public Affairs Associate Edwin Tablada. (LEFT) Lambda Legal Staff Attorney Karen Loewy (right) attended the Aging in America conference in Chicago in March and is pictured here with Aaron Tax from Services and Advocacy for GLBT Elders (SAGE) and Amy Gotwals from the National Association of Area Agencies on Aging.

TRANSGENER RIGHTS TOOLKIT: A LEGAL GUIDE FOR TRANS PEOPLE AND THEIR ADVOCATES

IMMIGRATION ISSUES

TRANSGENER COLLEGE STUDENTS

TRANSGENER RIGHTS TOOLKIT: A LEGAL GUIDE FOR TRANS PEOPLE AND THEIR ADVOCATES

The fact sheet is a joint publication of Lambda Legal and the Consortium of Higher Education LGBT Resource Professionals.

Everyone deserves to receive an education free from harassment, discrimination and violence. Yet these problems commonly plague transgender students pursuing a university degree, sometimes even before they set foot on campus.

It all starts with the application. Transgender students' applications can be subject to extra scrutiny, especially at single-sex or religiously affiliated institutions. Transgender students are often denied admission altogether when the institutions fail to have systems in place that recognize students' identities, particularly non-binary identities.

For transgender students who are admitted, campuses routinely fail to affirm their identities and deny them appropriate housing, restrooms and locker rooms. Changing the legal name and gender marker on state-issued IDs can't, on its own, ensure transgender, diploma and other educational records to automatically complete and free-coming at some institutions—and expressly prohibited on most campuses.

The effect of such policies is to block equal access to education. All this points toward a general climate of hostility. Nineteen percent of respondents to the National Transgender Discrimination Survey

(available at shetabknews.org/trans_institutions/colleges/reports/colleges), fall still show identified as transgender or gender nonconforming (TGNC) while in higher education was refused gender-appropriate housing, and 5% were refused campus housing altogether.

Some of this mistreatment comes from the very campus security officers appointed to protect students. In a 2012 Lambda Legal survey, *Protect and Serve?* (lambdalegal.org/protected-and-served), 20% of TGNC respondents ages 18-24 described the attitude of campus security officers toward them as "hostile."

These obstacles add up, often to the point where transgender students feel unable to complete their education. In the survey, 2010 *State of Higher Education for LGBT People* (campusgpr.org/stateofhighereducation/2010-state-of-higher-education-for-lgbt-people/), more than a third of TGNC students said that they seriously considered leaving their institution because of the challenging climate. While some campuses have become safer and more welcoming for transgender students, it can't be said that they enjoy equal educational opportunities.

This fact sheet is intended to inform transgender students of their rights on campus and to show what advocates are doing to help make colleges and universities more affirming of, and welcoming to, transgender students. It is also designed to help students recognize campus challenges and advocate for better policies.

Some of a lot of bullying experiences that I've had... I was hit and kicked at a college me in a gym and recently... There were... when I came to school... get refused... to your... to pursue... the... my... the... of... I... there every...

MY STORY MY ALMA MATER LET ME DOWN

London, "L" Member

"I used to be very open about my gender marker in their system from female to male. After getting my new ID, they thought my gender was just a mistake in their system. They quickly reported it and I left."

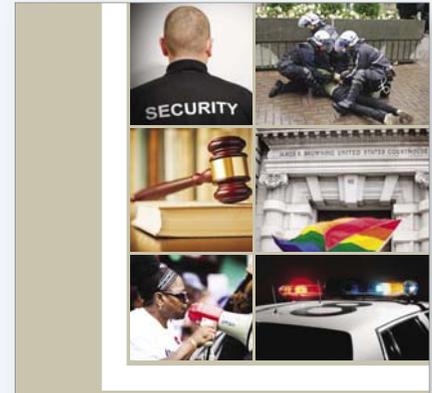
"They chased me down in the parking lot and said they'd made a mistake. They asked me to show them my identification and they said I had provided a court order. They kept looking at their phone and then back at me, just trying to figure me out. I felt that was racist."

"The supervisor threatened to invalidate my degree if I didn't comply with procedures. They were... they asked me to go to the parking lot and they said they'd made a mistake. They asked me to show them my identification and they said I had provided a court order. They kept looking at their phone and then back at me, just trying to figure me out. I felt that was racist."

"I completed everything, including the university president. The following day I got a call that they had been being updated. They were 'waiting on approval' for the..."

Lambda Legal
making it easier to equalize

Government Misconduct Survey Results Now Out In Print



Protected and Served?

The executive summary of Lambda Legal's national survey that explores discrimination by police, courts, prisons and school security against lesbian, gay, bisexual, transgender (LGBT) people and people living with HIV in the United States.

For the complete report, data and recommendations, visit www.lambdalegal.org/protected-and-served.

Lambda Legal

Transgender College Students and Immigrants: Know Your Rights!

Lambda Legal just added two new fact sheets to our popular *Transgender Rights Toolkit*, one for transgender college students and the other for transgender immigrants—bringing the *Toolkit* total to 13 fact sheets.

Our attorneys answer questions such as: “If I’m in college, do I have the right to use restrooms and locker rooms on campus in accordance with my gender identity?” and “How do I change the gender marker on my passport or other IDs?”

Coming soon: Updates on all 11 of the other fact sheets in the *Toolkit*, including aging, health care discrimination, transitional health care, marriage, youth, incarceration, violence, restroom rights, workplace issues, identity documents and parenting.

To read the *Transgender Toolkit* online, download a PDF or request a printed version in the mail, visit Lambda Legal’s publications page: www.lambdalegal.org/all.

LAMBDA LEGAL HABLA ESPAÑOL ON TWITTER



Spanish-speaking LGBT people and those with HIV can now see a daily legal tip on Twitter from Lambda Legal’s Spanish-language Know Your Rights hubs. We grab a useful fact every day and share it in 140 characters or less.

The day’s tweet may be valuable to young LGBTQ people; people who are transgender; LGBT employees and employees living with HIV; or anyone seeking a better grasp of legal and financial protections for LGBT families. Follow @LambdaLegal



Lambda Legal @LambdaLegal · Jun 3

Si eres #inmigrante #trans, consulta nuestro recurso.

#ImmigrantHeritageMonth. #ConoceTusDerechos bit.ly/1dJ7GCe

3 4

Lambda Legal surveyed LGBT people and people with HIV around the country about their experiences with police, prison, courtrooms and school security—and uncovered a frightening trail of discrimination and abuse. Now all this is compiled in a report called *Protected and Served?* that is available both in print and online (visit: www.lambdalegal.org/protected-and-served.)

The mistreatment takes many forms, ranging from unnecessary disclosure of sexual orientation, gender identity or HIV status in court to outright harassment and violence by police or in prisons. In addition, certain respondents, including people of color, transgender people, people with low income and people with disabilities, reported experiencing discrimination at dramatically higher rates than other survey respondents.

Protected and Served? includes recommendations for how all branches of the criminal legal system can improve their treatment of LGBT people and people living with HIV. Lambda Legal is also developing “Know Your Rights” guides to interacting with police, courts, jails and prisons.



Black Gay Dads Talk Day Care and Civil Rights

What do black gay dads and their families need most? Day care.

That was the consensus among participants at an April 18 Lambda Legal event in Atlanta called “Black Gay Dads.” It brought together fathers and prospective fathers as part of Lambda Legal’s campaign to bring more attention to the concerns of LGBT people in the south.

Geneva Musgrave, Lambda Legal’s Diversity and Inclusion Program Educator, organized the forum in collaboration with Christopher Inniss and Shelton Stroman, plaintiffs in Lambda Legal’s Georgia marriage case.

Musgrave said that adoption, foster care, surrogacy and finances were also important to participants, “but it was the need for ample, culturally relevant daycare options that really brought the fathers together.” She said, “They want to make sure that their children are safe.”

The event included an “Ask the Attorney” session during which Tara Borelli, Senior Attorney in Lambda Legal’s Atlanta office, and local attorney Herman Tunsil answered questions from attendees about their legal concerns as black gay parents.

PICTURED HERE: (ABOVE) Georgia attorney Herman Tunsil; Lambda Legal marriage plaintiff Shelton Stroman; Lambda Legal Diversity and Inclusion Program Educator Geneva Musgrave; Chris Inniss, Stroman’s partner and fellow plaintiff; Lambda Legal Staff Attorney Tara Borelli; Rev. Duncan Teague, Faith Outreach Consultant for Georgia Equality; and Craig Washington, moderator at the event and Gay Men’s Program Manager for Aid Atlanta. Front: Jonathan, age 9, Stroman and Inniss’s son. (RIGHT) Jakobe, age 6. (BELOW) Aspiring fathers Donnell Allen and Corey Punzi.



PUERTO RICO PRIDE!

Lambda Legal has already marched and shouted at 25 Pride celebrations around the country this year. San Juan, Puerto Rico's big bash on June 7 was one of our favorites.



NOW ON TO ATLANTA, DALLAS & PALM SPRINGS!

The season's not over yet. Here are five more Pride celebrations you can still attend:

ATLANTA BLACK PRIDE	Saturday, September 5	all day	Piedmont Park 1320 Monroe Drive; Atlanta, GA
DALLAS PRIDE	Sunday, September 20	11am	Reverchon Park 3505 Maple Avenue; Dallas, TX
TEXAS LATINO PRIDE	Saturday, October 10	3pm	Reverchon Park 3505 Maple Avenue; Dallas, TX
ATLANTA PRIDE	Sunday, October 11	all day	Piedmont Park 1320 Monroe Drive; Atlanta, GA
PALM SPRINGS PRIDE	Sunday, November 8	10am	Palm Canyon Drive; Palm Springs, CA

FOR MORE INFORMATION OR TO VOLUNTEER WITH LAMBDA LEGAL, PLEASE CONTACT MARCO CASTRO-BOJORQUEZ AT mcastro-bojorquez@lambdalegal.org.

PICTURED ABOVE: Francisco Dueñas, Lambda Legal's Direction of Diversity, Inclusion and Proyecto Igualdad (left), joined the San Juan celebration with Lambda Legal Staff Attorney Omar Gonzalez-Pagan (far right) and plaintiffs in Lambda Legal's Puerto Rico marriage case: Maritza López Avilés, Iris Delia Rivera Rivera, Johanne Vélez García, Faviola Meléndez Rodríguez and José A. Torruellas Iglesias.



Marla and 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

CREDIT CARD NUMBER

EXPIRATION DATE

SECURITY CODE

SIGNATURE

NAME ON CARD

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.



THANK YOU, KAREN AND NAN!

Thanks to a remarkable \$1 million challenge grant from Board of Directors Co-Chair Karen K. Dixon and her wife, Nan Schaffer, more than 3,100 Lambda Legal supporters across the country helped us raise an additional \$2 million to strengthen our fight for equality. The challenge was to make the match before the Supreme Court’s marriage decision—and we did it! Well, you did it.

Please visit www.lambdalegal.org/i-do-donate to participate in our next campaign, another matching grant—this time for \$1.25 million!

Staff Honors



JON DAVIDSON CALLED ONE OF THE TOP 500 LAWYERS IN THE COUNTRY

In his 20th year at Lambda Legal and his 10th as Legal Director, Jon Davidson is being widely recognized for his leadership and commitment. He was named one of the year’s 500 Leading Lawyers in America by Lawdragon, a media company that produces the annual list. The 2015 Top 500 list includes several other prominent LGBT movement leaders, including Mary Bonauto, David Boies and Ted Olson, as well as Supreme Court Justices Sonia Sotomayor, John Roberts and Antonin Scalia. Davidson was also honored in June with a Rainbow Key Award in West Hollywood.

Davidson joined Lambda Legal in 1995 and holds the Eden/Rushing Chair. He guides Lambda Legal’s legal strategy and supervises the organization’s attorneys, Legal Help Desk specialists and legal assistants in all five of Lambda Legal’s offices.

CRISPIN TORRES MAKES THE TRANS 100



The Trans 100, an annual list that recognizes outstanding work in the transgender community, this year honored Lambda Legal

Community Educator Crispin Torres for his achievements in fighting for transgender equality at the local and state levels.

Torres, who has been with Lambda Legal’s Midwest Regional office since 2012, said after receiving the nod that, “If trans folks begin seeing more folks like themselves out in the world, not just surviving, but thriving, we can flip the script from trans survival to trans empowerment.”

The Trans 100 list is released every year on the International Trans Day of Visibility, which is March 31. For this year’s full list, visit the Trans100.com.

JENNY PIZER WINS PUBLIC INTEREST AWARD



The Arizona Center for Law in the Public Interest on May 9 presented its Public Interest Award to Jennifer C. Pizer, Lambda Legal’s Law and Public Policy

Project Director for her work on Lambda Legal’s marriage case in Arizona, *Majors v. Jeames*, which ended last October with a dramatic victory making Arizona the 31st freedom-to-marry state.

Pizer has worked on marriage-related matters for years, including her role as co-counsel in the litigation that won marriage for same-sex couples in California in 2008. She then helped protect the California marriages celebrated by 18,000 lesbian and gay couples before the passage of the anti-marriage Proposition 8 (later overturned by the U.S. Supreme Court).

Pizer has worked at Lambda Legal for almost two decades and has led the organization’s Law and Public Policy Project since 2012.

ADRIAN OGLE HONORED AT THE WHITE HOUSE



At a full-day event at the White House on March 25, the National Black Justice Coalition feted Lambda Legal National Events Manager Adrian

Ogle as one of the Inaugural 100 Black LGBTW/Same-Gender Loving Emerging Leaders to Watch. There were also panel discussions with White House staff including Assistant to the President and Cabinet Secretary Broderick Johnson.

Since Lambda Legal’s Development Department welcomed Ogle in 2014, he has organized major fundraising events including Jeffrey Fashion Cares, San Francisco Soiree, Lambda Legal in DC and the New York Liberty Awards.

Ogle said of the White House event, “By connecting directly with the Administration, we were able to have a forward-thinking dialogue on national policy issues that affect black LGBT people—including health and wellness disparities, gaps in education access and the lack of overall black and trans inclusion and hate crimes protections.”



Each 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

NAME ON CARD _____ CREDIT CARD NUMBER _____ EXP. DATE* _____ SECURITY CODE** _____

BILLING ADDRESS _____

SIGNATURE _____ DAYTIME NUMBER _____

TO JOIN THE JUSTICE FUND ONLINE, VISIT: lambdalegal.org/justice-fund

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

** VISA/MC/Discover - 3 digits on the back of card; AmEx - 4 digits on front of card.

***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

Harry A. Root, Jr. (1926-2012)

Harry A. Root, Jr. always lived life to the fullest. He was a World War II veteran, admirer of the fine arts, generous community volunteer and philanthropist. By choosing to leave his estate to Lambda Legal, Harry leaves behind a legacy that stands for his commitment to achieving full equality for the LGBT community and those living with HIV.

Harry Jr., named after his father, grew up humbly during the Great Depression and, during the war, shipped off to the Western Front to serve as a radio operator under General George S. Patton. His unit was one of the first to aid in the liberation of Buchenwald, one of the most notorious concentration camps erected by the Nazis. It was after experiencing atrocities like these that Harry made a vow to live his own life genuinely and generously, promising to embrace compassion, honesty and curiosity. It was also during this time

that Harry met the man who would become the love of his life, Curtis Chapin Palmer, an engineer who helped to build the bridges that would carry Allied troops into Axis territory.

After returning home, Harry completed his MBA at Northwestern University and joined Marshall Fields, where he worked in fashion merchandising for over 30 years. As luck would have it, Curtis also got a job at the company. Harry recalled feeling torn as the two developed a relationship. Witnessing severe homophobia and discrimination against LGBT people, Harry felt forced to keep his sexuality hidden at the time. But finally, in the 1980s, having achieved the title of Senior Vice President at Marshall Fields, Harry was able to retire as an out-and-proud gay man with his longtime partner, Curtis, by his side.

The couple built a loving life together in their Highland Park home outside of Chicago. As connoisseurs of the fine arts, their beautiful home was adorned with antiques, classical music and elegant gardens. In particular, Harry's 18th century English ceramics collection stood out to the many friends the couple entertained over the years.



Harry's passion for life extended beyond hospitality and appreciation for the humanities. Throughout his retirement, Harry continued to serve his community through philanthropic and volunteer work at several organizations including the Chicago Symphony Orchestra and the Howard Brown Health Center AIDS hotline. It was this dedication to humanity, his hopes for the LGBT community and his love for Curtis that led Harry to leave a generous bequest to Lambda Legal. And it is through his support that we are proud to honor his legacy in continuing our work for full equality for all LGBT people and those living with HIV.



BON FOSTER Lindsay Brown with Amicus-level Liberty Circle member Lori Lightfoot and Linda Petty, at the Art Institute of Chicago on April 22, 2015.



LAMBDA LEGAL IN ARIZONA Law and Policy Project Director Jenny Pizer with Amicus-level Liberty Circle member Sheila Kloefkorn, in Phoenix, AZ, on April 2, 2015.



LIBERTY AWARDS NATIONAL DINNER Board member and Circuit-level Liberty Circle member Tray Davis with Board member and Liberty Circle member Rachel Goldberg and Board member and District-level Liberty Circle member Larry Trachtenberg, at Pier Sixty in New York City on May 4, 2015.



LIBERTY AWARDS NATIONAL DINNER Liberty Award honorees and District-level Liberty Circle members Jesse Tyler Ferguson and Justin Mikita with Executive Director and Amicus-level Liberty Circle member Kevin Cathcart and comedian Lea DeLaria, at Pier Sixty in New York City on May 4, 2015.



DALLAS WOMEN'S BRUNCH Amicus-level Liberty Circle member Sheila Bryant, Dallas Leadership Committee co-chair and Liberty Circle member Angel Irvin, Board co-chair and Supreme-level Liberty Circle member Karen Dixon, and Amicus-level Liberty Circle member Vanessa Benavides, in Dallas, TX, on May 16, 2015. Photo: Debra Gloria, Fotogrl

LAMBDA LEGAL & FRIENDS



BON FOSTER Spouses Nan Schaffer and Board co-chair Karen Dixon, both Supreme-level Liberty Circle members, at the Art Institute of Chicago on April 22, 2015.



LAMBDA LEGAL IN FORT LAUDERDALE Former event co-chair and event sponsor Kent McIntyre with 2015 Honoree and Liberty Circle member Stephen Draft; event co-chair and Liberty Circle member Ken Keechl; Executive Director and Amicus-level Liberty Circle member Kevin Cathcart; and Board member, event co-chair, and Amicus-level Liberty Circle member Robert Kuhn, at the Bonnet House Museum & Gardens in Fort Lauderdale, FL, on March 29, 2015.



SAN FRANCISCO SOIREE Defender-level Liberty Circle member Charley Kearns with Executive Director and Amicus-level Liberty Circle member Kevin Cathcart, Defender-level Liberty Circle member Ruth Borenstein, Western Regional Director and Liberty Circle member Shedrick Davis, and Defender-level Liberty Circle member Franklin Ching at City View at Metreon in San Francisco, CA, on April 17, 2015.



LAMBDA LEGAL IN THE DESERT Clockwise from back left: Board member and Amicus-level Liberty Circle member John Richards, Board member and District-level Liberty Circle member Brad Seiling, Board co-chair and District-level Liberty Circle member Steve Winters, Board treasurer and Circuit-level Liberty Circle member Roberta Conroy, event hosts and Defender Level Liberty Circle members Mark Smith and Glenn Hessel, Board member and Amicus-level Liberty Circle member Marcus Boggs, Lambda Legal plaintiff Julia Frost and Law and Policy Project Director Jenny Pizer, in Palm Springs, CA, on March 15, 2015.

TAKE A STAND; DEFEND EQUALITY NOW AND FOREVER.

By naming Lambda Legal a beneficiary of your estate, you can establish an enduring legacy for equality for all LGBT people and those with HIV—and make a tangible impact on the community today.

Include Lambda Legal in your estate plans and the estate of John Barham and Dick Auer will generously make a cash matching contribution to Lambda Legal, up to \$10,000, while matching funds last.

For bequest language to include in your will and for information on other gifts that qualify for John and Dick's challenge, visit lambdalegal.org/legacy or call us at (212) 809-8585.

**LEAVE A LEGACY OF EQUALITY.
MAKE A COMMITMENT TODAY.**



LOOK INSIDE THIS ISSUE OF IMPACT MAGAZINE TO FIND OUT HOW LAMBDA LEGAL IS FIGHTING:

- > the "religious exemptions" backlash
- > prison abuse of women who are transgender
- > for health care rights and much more

Contact Lambda Legal

NATIONAL HEADQUARTERS

120 Wall Street
19th Floor
New York, NY 10005-3919
tel 212-809-8585
fax 212-809-0055

WESTERN REGIONAL OFFICE

4221 Wilshire Boulevard
Suite 280
Los Angeles, CA 90010-3512
tel 213-382-7600
fax 213-351-6050

MIDWEST REGIONAL OFFICE

105 W. Adams
26th Floor
Chicago, IL 60603-6208
tel 312-663-4413
fax 312-663-4307

SOUTHERN REGIONAL OFFICE

730 Peachtree Street, NE
Suite 1070
Atlanta, GA 30308-1210
tel 404-897-1880
fax 404-897-1884

SOUTH CENTRAL REGIONAL OFFICE

3500 Oak Lawn Avenue
Suite 500
Dallas, TX 75219-6722
tel 214-219-8585
fax 214-219-4455

lambdalegal.org

HELP DESK: 1-866-542-8336

lambdalegal.org/help

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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