

# IMPACT

FALL 2017

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# A DEFINING MOMENT

**H**ow many of you spent some or maybe all of your career in hiding, carefully avoiding mention of the person you loved, “straightening up” what you did over the weekend? Were you passed over for a job or a promotion, maybe with a snide remark about being “unmarried”?

So many in our community lived in fear for so long, and too many still do. Our freedom to love is empty if it does not translate into the freedom to work. That’s why I am so excited and so proud of Jameka Evans, who is featured on our cover. When Jameka was harassed and demeaned at work because she is a gay woman, she sued—first, bravely on her own, and when we learned about her case, with our help. Now we are appealing her case to the Supreme Court: asking them to say conclusively that discrimination based on sexual orientation or gender identity is a form of sex discrimination. That means that LGBT discrimination is illegal under the Civil Rights Act.



I am writing this just weeks after American Nazis and other white supremacists marched in Charlottesville, and were endorsed by the President of the United States. Since then, more than any time in the past year, I have moments of deep fear. What good is it to be recognized under the Civil Rights Act if states ignore the law? What does it matter that Lambda Legal wins our cases in so many courts, when we will ultimately come before more and more judges like Neil Gorsuch, who sneer at us?

At Lambda Legal we are institutionalists—we believe in the court system, in the rule of law. Perhaps this is naïve—perhaps our country is in much deeper danger. It seemed to me that most Americans were revolted by the President’s endorsement of white supremacy—but perhaps it is too late. Perhaps the nation has been gerrymandered beyond repair. Perhaps the President will use the military and a quiescent Congress to postpone the next election.

Lambda Legal and our many, many civil rights partners and supporters around the country will never give up, and we will never give in. We will keep going to court for as long as there are courts, and we will keep using the Constitution to protect our people. Our lives depend on it.

RACHEL B. TIVEN  
CEO, LAMBDA LEGAL

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FALL 2017 | VOL. 34, NO. 3

Rachel B. Tiven, CEO

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# WAITING ON THE SUPREMES

Meet Jameka Evans, whose case may finally settle whether federal law protects LGBT people from being mistreated at work.

**JAMEKA EVANS' LIFE LOOKS FAIRLY NORMAL AT THE MOMENT.** She recently celebrated her 28th birthday and moved from Savannah to the Atlanta area to take care of her ailing grandma. She's finishing up her bachelor's degree in criminal justice via an online university. She's waiting tables at a restaurant at the Atlanta airport. And she still makes time for her beloved creative writing.

You'd never know that she very possibly could become the face of LGBT workplace discrimination before the Supreme Court in just a matter of months.

"That's a very humbling thought," she says, "because initially I was just fighting for my individual situation. Then it becomes a situation where you're fighting for everyone's rights."

It all started five years ago when Evans, who is openly gay, began working as a security guard at Savannah's Georgia Regional Hospital. There, she would experience discrimination because she was a lesbian who wore her hair short and dressed in a traditionally male fashion.

"I remember on breaks just going into work closets and crying because I was so stressed out" from the harassment, she says. "I took the stress

home with me every day. I didn't sleep well. And I dreaded going to work."

But the lawsuit she filed was dismissed by the District Court, which maintained that the Civil Rights Act of 1964 does not explicitly protect against sexual orientation or gender stereotyping discrimination under its Title VII.

Under Obama, the Equal Employment Opportunity

**"I remember on breaks just going into work closets and crying because I was so stressed out."**

Commission issued decisions ruling that Title VII's prohibition against discriminating against someone because of his or her sex covers anti-LGBT discrimination. But under Trump, the Department of Justice has argued that Title VII does not cover sexual orientation discrimination.

Evans and Lambda Legal appealed to the U.S. Court of Appeals for the Eleventh Circuit (covering cases in Alabama, Florida and Georgia), a three-judge panel of which also denied Evans' claim this March.

But those judges put Evans' case at odds with a ruling in April from

the Seventh Circuit Court of Appeals (overseeing cases from Indiana, Illinois and Wisconsin) that fellow Lambda Legal client Kim Hively of Indiana could proceed under Title VII in her sexual orientation discrimination lawsuit against her former employer, Ivy Tech Community College.

And with two circuit courts in conflict, that means it's highly possible that the Supreme Court will grant

Lambda's request to hear Evans' case—and rule on the legality of sexual orientation discrimination once and for all.

"We will continue to press the legally correct argument, recognized by so many other courts," says Greg Nevins, Director of Lambda Legal's Employment Fairness Project, who is arguing Evans' case, "that the Civil Rights Act protects all workers against sexual orientation discrimination occurring because they are lesbian, gay, bisexual or transgender, or gender-conforming in particular ways or not."

Meanwhile, Evans is just trying to go about her life. "I still dress the way I did at the hospital, but I'm not currently dealing with any harassment over it," she says.



And as someone who grew up in the foster care system herself—and who only recently reunited with her birth mother—she’s passionate about parlaying her criminal justice education into some form of advocacy for young people currently in the system.

“A lot of LGBT youth fall through the cracks and are homeless and forgotten,” she says. “I want to help.”

But she may have to take time out to go the highest court in the land. “It’d be such an honor,” she says simply. **LI**

Jameka Evans could make history if the Supreme Court takes her workplace discrimination suit.

Join Lambda Legal in the next big fight for LGBT rights: protection in the workplace.

- *Sign up at [lambdalegal.org/outatwork](http://lambdalegal.org/outatwork) for Lambda Legal updates about Jameka’s case.*
- *Help spread the word by tweeting about the case with #OutAtWork.*
- *Contact Lambda Legal’s Help Desk at [lambdalegal.org/help](http://lambdalegal.org/help) if you think you are being discriminated against on the job for being LGBT.*

## DROP MIC, WALK OUT

*A Lambda Legal lawyer and other advocates quit the presidential advisory council on HIV/AIDS. It went viral.*

First, presidential candidate Trump declined to meet with AIDS activists.

Then, the day of President Trump's inauguration, the Office of National AIDS Policy (ONAP) website came down.

Months into his term, Trump had failed to appoint anyone as director of ONAP. It all was signaling an utter lack of interest in stopping the epidemic, which had been a priority under Obama.

But for Scott Schoettes, the openly HIV-positive director of Lambda Legal's HIV Project, plus another five of the 25-member Presidential Advisory Council on HIV/AIDS (PACHA), the last straw was Trump's pressure on Congress to destroy Obamacare. In just two years, Obamacare expanded its Medicaid component for people living with HIV from 36 to 42 percent.

"When I saw him championing something that was going to be horrible and not even caring what exactly was in the bill, just wanting to be able to say he'd done a deal and gotten rid of Obamacare, that was when I realized I couldn't be effective from within this government," says Schoettes.

Shortly thereafter, on June 17, he and those other five members of PACHA, which since 1995 had advised presidents on HIV/AIDS policy, gave a very public resignation in *Newsweek*. "We have dedicated our lives to combating this disease," they wrote, "and no longer feel we can do



Late-night host James Corden gave Lambda Legal a great big shout out.

so effectively within the confines of an advisory body to a president who simply does not care."

Two of them, Alabama's Gina Brown and California's Grissel Granados, are also living with HIV. The mass resignation got huge media coverage, including from late-night show host James Corden (of "Carpool Karaoke" fame), who, in a pointed stunt, sent Trump nearly 300 copies of the AIDS film *Philadelphia* to educate him on the disease.

Schoettes, who had been on PACHA since 2013, said that he and some other members had discussed quitting right after the election. "But then we thought, 'Okay, this is going to be challenging, but it's worth a try and there's good to be done from the inside.'"

Red flags abounded. At PACHA's March meeting, the group worked on a letter of introduction to Trump urging that Medicaid expansion remain in place and that any new

**"WE HAVE DEDICATED OUR LIVES TO COMBATING THIS DISEASE AND NO LONGER FEEL WE CAN DO SO EFFECTIVELY WITHIN THE CONFINES OF AN ADVISORY BODY TO A PRESIDENT WHO SIMPLY DOES NOT CARE."**

—From the resignation letter

health bill continue to ensure that people with chronic conditions weren't discriminated against.

"But then we were told by the administration not to address the letter to the president"—as is traditional—"but to Dr. Tom Price, the secretary of Health and Human Services," says Schoettes.

The group got a reply from the acting undersecretary. It ignored the letter's key points and talked mainly about maintaining robust funding for the Ryan White CARE

Act, which was (and remains) the health care payer of last resort for people living with HIV nationwide.

PACHA has always been limited to an advisory role. It criticized Bill Clinton for his ban on federal funding for HIV-preventing needle exchange programs and expressed frustration with George W. Bush, who stacked the council with Christian conservatives who promoted

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abstinence-only sex education instead of time-proven condoms.

The Obama administration took the council most seriously, organizing it into subcommittees that focused on components of the country's first-ever comprehensive National HIV/AIDS Strategy. A heavy focus was put not only on reducing infections among high-risk groups, such as gay and bisexual Black men, but on closing the gap between people with HIV and people who are diagnosed and in steady care and treatment.

"Obama came in with an agenda on the domestic epidemic that had

not been seen before," says Schoettes. "His administration understood that for the strategy to be successful, it needed buy-in from the HIV/AIDS community, and PACHA helped create the buy-in. It really felt like we were in dialogue with them."

Those days appear to be gone. In the Trump era, says Schoettes, pressure, including public protest, will have to shift to Congress to do the right thing. "We have to stay angry and advocate from the outside," he says. "As well as on the state and local levels. We still have a bunch of states that didn't expand Medicaid and we

have to continue working on that."

But it will likely have to happen without the support of the White House. "The work we need to do will still get done by folks on the ground," says departed PACHA member Granados, 30, who got HIV from her mother in the womb and now works in HIV prevention at Children's Hospital Los Angeles. "But it's that much more difficult when we don't have federal allies." [LI](#)

*Follow the work of Lambda Legal's HIV Project at [lambdalegal.org/issues/hiv](https://lambdalegal.org/issues/hiv)*

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## Congratulations

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## TRUMP'S TRANSGENDER TWEETS FROM HELL

*He dropped a bombshell. Now Lambda Legal and OutServe-SLDN are suing.*

“Please be advised,” the highly unpopular president wrote in three tweets on July 26, “that the United States Government will not accept or allow Transgender individuals to serve in any capacity in the U.S. Military. Our military must be focused on decisive and overwhelming victory and cannot be burdened with the tremendous medical costs and disruption that transgender in the military would entail. Thank you.”

The tweet ricocheted through the networks of up to 15,000 active-duty transgender servicemembers—a tiny percentage of the military. “It was devastating,” says Sasha Buchert, a Lambda Legal staff attorney who concealed her transgender identity while serving in the military in the 1980s. “A lot of folks told me they were so distraught and overwhelmed that day that they just left work crying without talking to anyone.”

The tweet, which came a year after then-President Obama greenlighted opening up the military to transgender people—it is still technically not hiring openly transgender recruits—was met with bipartisan condemnation in Congress and from an array of advocacy and civil rights groups, including Lambda Legal. Those close to Defense Secretary Jim Mattis, who was given



only a day’s notice on the announcement, said he was appalled.

Lambda Legal and another group, OutServe-SLDN, have filed suit against the standing ban. “We’re ready to litigate

this,” says Buchert. She says that the ban would violate constitutional rights of due process and equal protection.

Trump’s claim that transgender servicemembers’ medical costs would be too high are bogus, she says. A RAND corporation study last year found that overall military costs would rise a mere .04 to .13 percent if they included transgender health coverage. Moreover, Buchert notes, a Palm Center study found that it would cost the military 100 times more to discharge and replace transgender members.

Buchert thinks Trump dropped the tweet partly to shore up his conservative base amid abysmal approval ratings, the lowest of any modern president at this point in his term. “He can see his numbers plummeting.” She calls the tweet a

“IT WAS  
DEVASTATING.”  
SERVICEMEMBERS  
“JUST LEFT WORK  
CRYING.”

misfire, noting a Reuters/Ipsos poll taken after his tweet finding that a majority of Americans supported transgender inclusion in the military.

From transgender servicemembers, says Buchert, “we’ve heard there’s been an outpouring of support from colleagues who say, ‘Hey, we’ve got your back, even if the president doesn’t.’ But they’re still living in fear that real policy could issue from this.”

Meantime, she says, it’s important for people to reach out to their legislators to let them know the importance of transgender troops serving openly without fear.

“Lawmakers have said again and again that they didn’t recognize the harm of having to serve in secrecy until they actually met with an openly serving transgender person,” she says. “That’s really important work that needs to continue.” **LL**

Follow this issue at [lambdalegal.org/blog/topic/military](http://lambdalegal.org/blog/topic/military)

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## DANGER IN THE COURTS

*Trump is trying to stack federal benches with extremist judges who could roll back LGBT and other civil rights for a generation.*

In May, President Trump nominated to a federal court of appeals John Kenneth Bush, an arch-conservative Kentucky lawyer who, in his blog under the pseudonym “G. Morris,” had compared abortion to slavery. He’d called then-Secretary of State Hillary Clinton a “nanny” and Rep. Nancy Pelosi “mama,” adding she should be gagged. He’d used the word “faggot” in a speech in Louisville.

And in 1993, he’d coauthored a legal brief saying that women had no right to be accepted at Virginia Military Institute because their developmental needs were incompatible with the school’s training. (The Supreme Court overturned the ban three years later.)

During his Senate confirmation hearings, even some Republicans expressed concern over his extreme views. “That gave us some cautious optimism” that he’d be blocked, says Yuvraj Joshi, Lambda Legal’s Fair Courts Project Fellow. “We hoped some Republican senators could move past party interest to recognize the grave threat Bush posed to the rights of women, communities of color and LGBT people.”

But it didn’t work out that way. Not one Republican senator opposed Bush—not one Democrat voted for him either—and he now sits on the powerful sixth circuit, which covers Kentucky, Michigan, Ohio and Tennessee.

And Bush, says Joshi, is just one example of a wave of nominees with anti-civil-rights records that the



Federal Judge John K. Bush used “faggot” in a speech.

Trump administration is trying to pack onto the federal courts, where 139 out of about 890 seats remain open. Trump’s successful installation of extreme conservative Neil Gorsuch is only the tip of the iceberg. If the Trump administration succeeds, “this will profoundly change the face of the judiciary for a generation in ways that will harm many, including people of color, women and the LGBT community.”

Many of Trump’s nominees are part of the Federalist Society, a powerful and conservative legal group, and espouse an “originalist” interpretation of the Constitution that allows for little interpretation beyond the exact words written in 1789.

“That means,” explains Joshi, “that unless there have been explicit amendments, individuals have no more rights today than they did in 1789, which writes LGBT people right out of the ideals of liberty and equality.”

Consider some of the other nominees: Damien Schiff, chosen by Trump for the U.S. Court of Federal Claims, blogged that Supreme Court Justice Anthony Kennedy was “a judicial prostitute” for “selling his vote in exchange for the high that comes from the aggrandizement of power and influence and the blandishments of the fawning media.” Justice Kennedy authored four landmark decisions from the last two decades recognizing

the equal rights and dignity of LGBT people.

Then there’s federal claims court nominee Stephen C. Schwartz. He’s one of the lawyers who argued before the Supreme Court against Gavin Grimm, the Virginia transgender student claiming it is unconstitutional for his school to ban students from using the bathroom that aligns with who they are.

“Federal claims court has a lower profile,” says Joshi, “but Schwartz is only 34. He’s obviously being groomed for higher courts.” Schwartz has yet to go before the Senate Judiciary Committee.

Lambda Legal, along with dozens of other groups, has been publicly urging senators to oppose Trump’s most extreme anti-LGBT nominees. “And come the midterm elections of 2018,” says Joshi, “we trust our constituents will remember how particular Senate votes have led to the confirmation of judges who, a few years ago, would have been considered patently unqualified.”

But also needed, he says, is the kind of public pressure on senators to block extreme candidates that was put on them in the recent successful fight to stop the dangerous GOP health care bill. “Judges that Trump installs will last a lifetime. People have to understand the stakes and fight bad nominees just as hard as bad policies.

Lambda Legal is currently developing a broader campaign to challenge Trump’s red-flag nominees.

And it’s important to do so, Joshi adds. “The courts are the only check against the assault on LGBT rights we’re seeing from the administration and from certain states. There’s just too much to lose if we lose the courts.” **LL**

*Meanwhile, readers can stay up to date at [lambdalegal.org/issues/fair-courts-project](http://lambdalegal.org/issues/fair-courts-project)*

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# FLOUTING MARRIAGE EQUALITY

Lambda Legal is busy fighting judges and other officials who are acting like *Obergefell* never happened.

Even though the marriage decision from the Supreme Court came in June 2015, many jurisdictions have been attacking the ruling. Zulma Oliveras Vega (left) and Yolanda Arroyo Pizarro, plaintiffs in Lambda Legal's marriage case in Puerto Rico, had to wait until 2016 for a court to say that *Obergefell* applied to the island. A district court had ruled previously that *Obergefell* didn't apply because Puerto Rico is not a state.

IT WAS TWO YEARS AFTER THE SUPREME COURT RULED, in 2015's landmark *Obergefell v. Hodges*, that same-sex couples had a fundamental right to marry, with all the many rights and responsibilities—including the right of both spouses to be recognized as parents to a child born during the marriage. And so Chris Strickland thought she would get to share custody of her two sons with her ex-wife, Kim.

After all, they'd raised the oldest (EJ\*, 16), whom they adopted, side by side, even if Mississippi law a decade ago said that only Kim's name could be on his adoption papers. And though Kim had carried their second son (ZS, six), whom they conceived via an anonymous sperm donor, Chris was actually the first to hold him after the doctor delivered him.

"They're my sons," says Chris, 44, a parking valet at a hospital in Pearl, Mississippi,

*Initials used to protect identity.*

outside Jackson. “I was there from day one. I cuddled EJ when he was sick and took him to doctors’ appointments, and I went to every medical appointment with Kim.”

So after Chris and Kim divorced in 2017 after 14 years together—they married in Massachusetts in 2009, six years before *Obergefell* made their home state of Mississippi recognize the marriage—Chris assumed that a Mississippi county judge would declare them joint custodians of their sons, despite Kim’s objections.

That’s not what happened. The judge gave Chris *in loco parentis* status, ordering her to pay child support and granting her visitation—but no legal custody. “He told me that two women couldn’t make a baby and that there had to be a father out there somewhere,” she says. That meant she had no say in the boys’ medical or school decisions and no rights to them should something happen to Kim.

With Lambda Legal as counsel, the case is now pending before the Mississippi Supreme Court. But it’s just one example from several states where government officials seem to be defying the principles embraced in *Obergefell*, much in the way the 1973 Supreme Court *Roe v. Wade* ruling, which established

a woman’s fundamental right to an abortion, has been chipped away at and challenged the past 44 years.

“The fundamental right to marry as vindicated by *Obergefell* is under attack,” says Lambda Legal Senior Counsel Camilla B. Taylor. “We knew we wouldn’t be able to sit back and rest after attaining this victory, and we have a tremendous amount of work to do. If we’re unsuccessful in the next few years, it’ll be hard to claw back victory.” According to Taylor, *Obergefell* is being challenged in two ways. The first is in cases such as Strickland’s in which state

“Trump is stacking courts with ideologues with a history of targeting LGBT people. We need to fight like hell right now.”

and local judges or other government officials are denying LGBT people rights that flow from marriage. For example, Lambda Legal filed lawsuits in Wisconsin, North Carolina and South Carolina, where officials refused to issue two-parent birth certificates to the children of same-sex couples.

Lambda Legal also filed an amicus brief in a similar case brought by the National Center for Lesbian Rights against officials in Arkansas. The case went to the U.S. Supreme Court, which reversed the state ruling that it was okay to exclude one

parent’s name from the birth certificate.

“Basically,” says Taylor, “the Supreme Court said, ‘We meant what we said in *Obergefell*.’” (The court’s newest member, Trump nominee Neil Gorsuch, dissented.)

“As long as states continue to deny same-sex parents dual inclusion on a birth certificate while extending that right to heterosexual couples even if one of the parents is non-biological, they are in violation of *Obergefell*,” explains Taylor.

Another example is death certificates. In recent months, Lambda Legal

successfully litigated two such cases in which the state of Florida refused to list as “spouse” the surviving legal husband of a deceased gay man.

*Obergefell* has also been challenged by those who argue that their business shouldn’t have to serve same-sex married couples equally. The U.S. Supreme Court will hear that argument this fall from counsel for a Colorado baker who refused to make a wedding cake for a same-sex couple on religious grounds. The ACLU is representing the gay couple.

“We’re hopeful the

Supreme Court will treat this case the same way they’ve treated similar arguments involving discrimination based on race or sex,” says Taylor. “But it’s disturbing for them to take this case because usually they only take cases to resolve disputes among appeals courts, and every appellate court thus far has ruled in favor of same-sex couples in such cases.”

Meanwhile, in Mississippi, Strickland and her lawyer, Lambda Legal Counsel Beth Littrell, await their case, whose argument they think is sound.

“*Obergefell* recognized that among the benefits of marriage are parent-child relationships and they have to be extended on the same terms and conditions for same-sex married couples as for different married couples,” says Littrell. “Mississippi is trying to narrow that ruling.”

Says Strickland, “I didn’t want to be in this position, but if someone has to step up to the plate on this, it’ll be me.”

Her resolve is sorely needed right now. “The courts are only going to get more anti-LGBT in the years to come,” says Taylor, “given how Trump is stacking the lower and appeals courts with ideologues with a history of targeting LGBT people. We need to fight like hell right now.” ■

Over her own objections, Ylon Collins was placed with boys in a juvenile facility in Texas. Then her mother called Lambda Legal.

# THE KIDS AREN'T ALRIGHT

Few states provide total protection for LGBTQ youth in foster, justice and shelter systems. Thanks to Lambda Legal and other players, that may be slowly changing.

After many painful years of discrimination and abuse in Texas's juvenile-justice system, Ylon Collins (pronounced "Jaylen"), 19, is in a good place. She's living with her biological mom and sister in San Antonio, right across the street from the Chinese restaurant where her boss, coworkers and customers all accept her gender non-conforming identity. Her bipolar disorder is under control. She's looking to earn her high school equivalency diploma. And she dreams of going to culinary school and becoming a chef.

Obviously, Collins's fighting spirit is intact after a grueling four-year battle to survive in state youth institutions that began when cops pulled her away from her mother's home while she was having an extreme manic episode. Thus began a journey in and out of juvenile detention centers and halfway houses in which she reports that she suffered every manner of discrimination and verbal and physical abuse for being gay and gender-nonconforming.

Over her own objections, she says, she was placed with boys whom she was goaded into fighting in self-defense. The same went for staffers who called her a "punk" and a "ho." A volunteer chaplain told her she was going to hell for being gay. Her life was threatened more than once, and some staff blamed her for being victimized because she was "not like other boys." Group pressure turned her one male friend against her. Her meds were taken away. She was sexually abused. She had feces thrown at her. Even in the best of the facilities she was in, she was not allowed to dress in a way that reflected her gender identity.

"It was horrible," she remembers of the entire experience. "The people working in the system didn't understand anything about being LGBT." Collins' mother called Lambda Legal. Currey Cook, Lambda Legal counsel and Youth In Out-of-Home Care Project director, and Melinda McKew, legal assistant in Lambda Legal's Dallas office, intervened. Lambda Legal helped get Collins out of the locked facility and then a dangerous subsequent placement in a half-way house for boys. Finally, she landed with a caring, LGBT-affirming parole officer who affirmed her identity and helped her to successfully complete parole.

Sadly, stories from LGBTQ and transgender, gender-expansive and gender non-conforming (TGNC) youth like Collins are endemic in state out-of-home systems nationwide. Lambda Legal made that clear earlier this year in *Safe Havens*, the first comprehensive analysis of the lack of explicit laws and policies in most states to protect TGNC youth in the child welfare, juvenile justice and runaway/homeless youth systems.

The report found that LGBTQ and TGNC youth are dramatically overrepresented in such systems compared to youth at large, making up 25 percent of youth in foster care, 20 percent of youth in the juvenile justice and almost half of youth experiencing homelessness. It also found that such youth were twice as likely as their peers at large to have experienced child abuse or out-of-home placement.

"That indicates that something's going on within society and families," says Cook, adding that the report was sparked by the countless calls for help on the issue he receives. "The principal component is family rejection, these youth being pushed out or emotionally or physically abused against a backdrop of homophobia and transphobia. And there aren't enough community resources to provide assistance to their families and give them a safe place if home is not a healthy option."

"Across the board nationally," Cook

adds, "we see that if youth are placed out of home, government systems are not complying with professional standards and the law and are failing the LGBTQ youth they're supposed to be helping."

Moreover, legislatures are not doing enough. Only New York and California have LGBT protections across all their child out-of-home care systems, with only 27 states providing explicit protections in their child-welfare law, 21 in their juvenile justice law and 12 in facilities serving runaways and homeless youth. Despite the broad use of the terms "sex" or "gender" appearing in regulations governing sex-segregated housing, clothing and searches in such systems, only three states define those terms to include gender identity, opening the door to personal bias and discrimination.

And only four states have legal or regulatory guidance regarding placement of transgender youth in out-of-home care in accordance with their gender identities.

Such a lack of laws leads to traumatic situations for LGBTQ youth, says Cook. There's Savannah (not her real name), whose gender identity was rejected by everyone from her parents to child-welfare homes, where she was forbidden to buy girl's clothes with her wardrobe stipend and was withheld hormone therapy despite the recommendations of a health professional. There's Jennifer, who identifies as female but whose residential facility made her room with a cisgender boy who beat her up.

"Some young people are leaving these systems more damaged than when they went in," says Cook.

Thankfully, there are some positive steps forward. Lambda Legal helped a LGBTQ youth in out-of-home care work group in Nevada and local advocates advance two pro-LGBTQ youth laws this session. Cook gave testimony in Carson City in support of both. One requires that child welfare and juvenile justice agencies treat transgender children in their care in accordance with their gender identity

and system staffers to receive LGBTQ training. The other created a bill of rights for all youth in juvenile facilities in Nevada and explicitly protects LGBTQ youth from discrimination.

"Doing good on behalf of LGBTQ youth improves the system for everyone because you're creating a culture of acceptance," says Cook.

But there's also the opposition. A handful of states—including, recently, Collins' home of Texas—have laws saying that foster-care contract agencies can refuse service to LGBTQ or TGNC youth (or would-be foster parents) based on religious beliefs. The Texas law, which Lambda Legal is formulating a challenge for, even says that agencies can provide "religious instruction" to youth in their care, potentially opening the door for "conversion" therapy.

"What happened in Nevada gives us hope for the future on behalf of LGBTQ youth," says Cook, "while Texas is digging their heels into entrenched discrimination."

There are many fights ahead, he adds. And one of them may be more laws and supportive services to help families accept their LGBTQ children and keep vulnerable young people from entering the system in the first place.

That's what Collins would have liked. "Being home again is the best because there are things I can do here to keep myself calm that I couldn't easily do in the system. I love K-pop," she says, meaning Korean pop music. "And I'll learn the choreography to a whole music video."

But if LGBTQ youth have to go into an out-of-home system, she says, those systems "need to know what people they can house around who. I wish there had been an LGBT section or LGBT training. I wouldn't wish what I went through on even the worst person I know." **LL**

*Learn more about justice for LGBTQ and TGNC youth at [lambdalegal.org/issues/youth-in-out-of-home-care](https://lambdalegal.org/issues/youth-in-out-of-home-care)*

# DISAPPEARING ACT

Trump-era agencies are reversing efforts to count LGBT people in crucial surveys—including the Census

“IN MANY WAYS, IF YOU’RE NOT COUNTED, YOU DON’T COUNT,” says Sharon McGowan, director of strategy at Lambda Legal, of the importance of government agencies collecting data from LGBT people.

“It’s how agencies decide where their resources need to be spent,” she continues. “So erasure of data could mean agencies completely ignoring the LGBT community because, for example, they’re directing all of their housing or support services through religious organizations that historically have been hostile to LGBT people. You are in essence denying folks access to these programs.”

And it seems that that’s what government agencies in the Trump era are trying to do based on actions they took in March. First, the Census Bureau abruptly reversed its announced proposal to ask LGBT questions going forward, saying that such inclusion had been “inadvertent”—a mistake. Hours later, LGBT language was scrubbed from

its online proposal.

Then, the Department of Health and Human Services (HHS), which is now headed by notorious homophobe and transphobe Dr. Tom Price, deleted questions about LGBT

people from early versions of two crucial surveys; one lends key feedback to programs that feed and care for seniors, the other helps shape programs for people with disabilities. After pushback from groups

including Lambda Legal and SAGE: Advocacy and Services for LGBT Elders, HHS restored questions on sexual orientation, but not gender identity.

“What we’ve seen so far from the Trump administration at every opportunity,” says McGowan, “is a pulling back on any efforts to collect LGBT data. There’s a particularly anti-transgender group of people at HHS from Price on down. We’ll likely see them continue to try to throw up their hands and say, ‘We don’t need this.’”

Under the Obama administration, says McGowan, agencies stepped up efforts to collect LGBT data—particularly at Housing and Urban Development (HUD). “It was a leader in making sure its programs focused on homelessness in the LGBT population, particularly LGBT youth.”

Still, she says, “nobody was doing anything comparable to the importance of the Census info.” Adding new questions to the Census, which is done every decade, typically takes years of preparation, and there was no indication that the 2020 Census would yet include LGBT questions. But it appears that the



bureau was moving in the direction of getting feedback on adding LGBT questions to its important American Community Survey, delivered annually to about 3 million households, in part to help decide how, where and to whom to allocate federal dollars.

“These erasures will have a generational impact on our community’s ability to benefit from government programs in the way that other groups expect,” says McGowan.

Thankfully, people are making noise about the erasures. In May, Senators Kamala Harris (D-CA) and Tom Carper (D-DE) wrote outgoing Census Bureau head John Thompson asking him to explain the agency’s reversal on LGBT questions.

“It is critical that the Census Bureau’s process to include subjects to fairly and accurate count all Americans is impartial and free from undue interference,” the letter read.

And in July, Sen. Tammy Baldwin (D-WI) and Rep. Raúl M. Grijalva (D-AZ) introduced legislation in both the House and Senate that would require federal surveys to include data collection on sexual orientation and gender identity. The bill “will help ensure that policy makers and community leaders have the information they need to help better understand the full extent of discrimination and better serve

the communities they represent,” said Baldwin.

This moment, says McGowan, is crucial for congressmembers to pressure the Census Bureau and other agencies to not leave LGBT people behind in their data collection. It’s

## FIGHT LGBT DATA ROLLBACK!

Some tips from Nancy Marcus, Lambda Legal And Policy senior attorney:

- Keep your eyes peeled for Lambda Legal tweets, blog posts and emails
- Go to [regulations.gov](https://www.regulations.gov) to submit short comments to agencies that are thinking of excluding LGBT data
- Take to Facebook, Twitter or elsewhere to call out exclusion attempts and urge others to do the same!

also crucial, in turn, for constituents to pressure their congressmembers to do so.

“The head of the Census has resigned,” she notes. (Thompson abruptly gave notice in May; President Trump’s pick for a successor to fill a five-year term must be confirmed by the Senate.) “Congress is currently deciding who will lead the Census into the future—and if we’re going to have a confident accounting of what America looks like going forward.” 

# Leading the Way

King & Spalding proudly supports Lambda Legal and their dedication to achieving full recognition of the civil rights of LGBT people and those with HIV.

The diversity of different backgrounds, experiences, and perspectives enriches our individual lives, our profession, and our ability to provide clients with the highest quality legal service.

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[kslaw.com](https://kslaw.com)

## 7 MINUTES WITH

# ALEXIS PAIGE

Lambda Legal Legal Assistant, Chicago

### What do you do at Lambda Legal?

I assist the attorneys and my other coworkers in whatever projects they have. This can be anything from legal research, editing documents, to organizing data. Occasionally I have given presentations as well.

### What's something you've done at LL that most people don't know about?

Much of my work is confidential, and, as a legal assistant, much of the work I've done will never have my name on it. Among coworkers I would say the fact that I try to think of a way to incorporate rainbows into my work.

### What was the last show you streamed?

The musical episode of *Buffy the Vampire Slayer*. The show definitely has problematic elements that really date it as something created in the 90s, but it'll always hold a special place in my heart.

### What has been the most surprising aspect of working at LL?

Just how much everyone cares about each other here. I feel like my coworkers in the Midwest office are especially kind and caring people. I feel safe to talk to them about things like going to therapy or what's happening in my life without being judged.

### What are you most proud of?

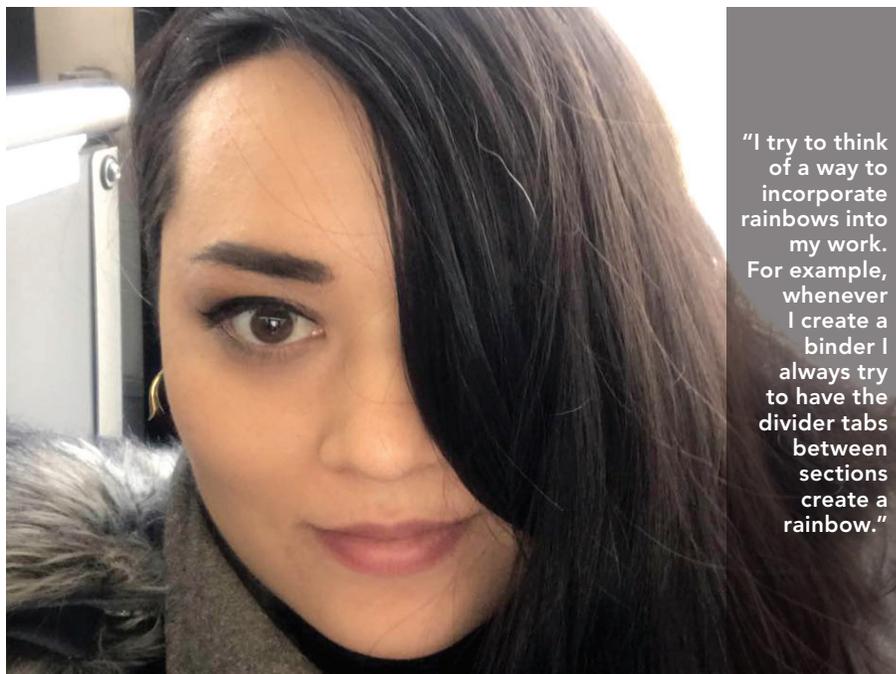
Currently it would be the fact that I started drawing and painting again.

### Who inspires you?

My coworkers, especially right now given the current state of things in the US. Every day I get to come in and assist some of the most brilliant people I have ever met as they try to help people and figure out ways to ensure that we don't lose all the rights that we have gained the past several years. I will say that, if you were able to be in the room while they planned out the next four years, you'd be inspired too.

### What's on your bucket list?

I guess my big goal would be to visit the Louvre with my



"I try to think of a way to incorporate rainbows into my work. For example, whenever I create a binder I always try to have the divider tabs between sections create a rainbow."

girlfriend. It's something that will probably take a few years for us to save for, but it would be so worth it.

### What's challenging about your job?

When editing documents that are going to go to court, they have to be perfect. Imagine having to edit documents with the knowledge that even a single missed mistake could have devastating consequences for not just our clients, but everyone in our communities. Right now the most challenging thing about my job is the uncertainty caused by the current administration. That means that we are regularly having late nights and spending days prepping lawsuits that may or may not happen. It means we can react immediately to anything that Trump attempts, but it is challenging to try and maintain readiness for any scenario.

### What's rewarding about it?

I get to go home every day feeling like I've done something that matters. It means that when I wake up I know I need to get up because everything that we do is affecting the lives of so many people in our communities. It's hard work and sometimes I think that we all run the risk of burning out, but it's work that lets us feel accomplished. Whether that is looking back on victories like *Lawrence* or *Obergefell*, or looking forward towards the Supreme Court in *Evans*, everyone at Lambda Legal is a part of making those cases and moments possible. Those moments mean a lot, and so does Lambda Legal for making them possible. **LL**

# BREAKING THE WAVES

*Longtime donor Anita May Rosenstein is helping to power Lambda Legal's work in D.C.*



Rosenstein surfing in the Maldives.

Some of Lambda Legal's most urgent work comes out of its recently opened office in our nation's capital. Thanks in large part to the leadership of donor Anita May Rosenstein, Lambda Legal has staff on the ground, taking on the worst attacks of the Trump administration, a GOP-led Congress and extremist judicial appointees.

"We are living in perilous times, fraught with a meanness of spirit and divisiveness," Rosenstein says. "Everyone has to step up and do whatever is necessary to push back the hatred and protect the rights we have spent decades securing."

In 2001, Rosenstein reached out to Lambda Legal and Senior Counsel and Law and Policy Director Jenny Pizer. A California hospital had mistreated Rosenstein's best friend after the death of that friend's partner of 15 years. "Jenny and Lambda offered compassionate advocacy and brilliant legal work," Rosenstein says. "Ultimately California courts held the hospital responsible

California couples about domestic partnership.

This year, Rosenstein offered a \$150,000 matching gift in support of Lambda Legal's D.C. office. "Her giving catalyzed giving from other people on the West Coast and the East Coast," Pizer says.

Rosenstein says her sense of social justice was instilled by her family. "As a child I was taught that those who have the capacity to give have the responsibility to give," says Rosenstein, whose great grandfather, David May, founded the May Department Stores Company in 1877. "I am proud of their legacy and want to continue to help make a difference." **LL**

*Lambda Legal is grateful to Anita May Rosenstein and the donors who responded to her initiative with generous gifts of their own.*

*To learn more about making a gift to Lambda Legal, visit [lambdalegal.org/donate](http://lambdalegal.org/donate)*

Davis Polk proudly supports Lambda Legal in its tremendous dedication in advancing the rights of LGBT people and those with HIV.

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# FALL PREVIEW

The TV, films, books, music and more you can't miss this season.

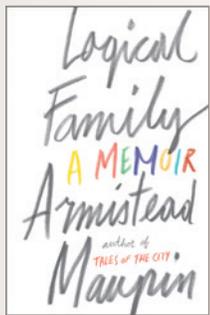
## DOCUMENTARY

### 01/*THE DEATH AND LIFE OF MARSHA P. JOHNSON*

From Oscar-nominated documentarian David France (the AIDS epic *How to Survive a Plague*) comes this much-anticipated, footage-rich investigation into the remarkable legacy—and unsolved 1992 demise—of transgender pioneer Johnson, who in 1970 New York founded, with fellow trans icon Sylvia Rivera, the world's first trans-rights group, STAR (Street Transvestites Action Revolutionaries). Johnson, a self-described “street queen,” had played a pivotal role in the prior year's Stonewall riots, and for decades after inspired the New York and global queer community with her fierce and fabulous activism. In this film, her old friend and fellow trans activist Victoria Cruz attempts to clarify the real circumstances surrounding Johnson's mysterious death. **Netflix, October 20**

## MEMOIR

### 02/*LOGICAL FAMILY*



Armistead Maupin takes a nonfictional turn with this memoir of his transformation from a conservative, segregationist southerner to the liberal, openly gay writer of *Tales of the City*, his beloved serial saga of gay, straight and trans characters in free-wheeling 1970s San Francisco. Along the

way we learn about his efforts to please his military-loving father by doing a stint in Vietnam and about his relationships with those who became part of his “logical” (versus biological) family, including Rock Hudson (with whom he was “buddies with occasional benefits”), Christopher Isherwood and Laura Linney, who starred in the TV version of his famous books. **HarperCollins, \$27.99, October 3**

## DOCUMENTARY

### 03/*STRONG ISLAND*



African-American transgender filmmaker Yance Ford, former series producer for PBS' POV showcase, has captivated the documentary

world with this meditative work. It explores how Ford's own Long Island family was devastated with grief in 1992 when an unarmed sibling was shot dead by a white man whom an all-white jury found guilty of no crimes. But Ford also delves back deeper into the family's Jim Crow roots and the uneasy prosperity the clan finds in a black enclave of Long Island until tragedy and injustice strike. Dubbed “a cinematic memoir” with “a subjective and engrossing style” by *Variety*, the film won plaudits at the Sundance and Berlin film festivals and recently got Ford named one of “The 8 Best Trans Directors Working Today” by *Indiewire*. Danny Glover and Laura Poitras are executive producers. **Netflix, September 15**

## MUSIC

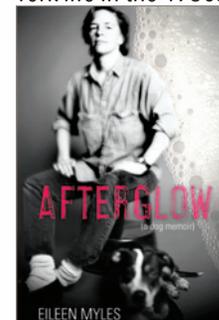
### 04/*OMNION*

Finally! The first album in three years from ginger musclebear Andy Butler's long-running avant-house-disco outfit Hercules and Love Affair (which introduced many to the haunting voice of Antony Hegarty, who now goes by Anohni). This time around, there's a mesmerizing title track featuring the ethereal-voiced Sharon Van Etten, plus the hard-techno “Controller,” with vocals by Faris Badwan of the group The Horrors. “The new album is a lot about spirituality,” Butler told *The Fader*. That's not surprising for a project that often has set brooding themes to propulsive electronica beats: Hercules' last album, *The Feast of the Broken Heart*, featured “I Try To Talk To You,” vocalist John Grant's reflection on being diagnosed with HIV. **Sept 1**

## MEMOIR

### 05/*AFTERGLOW*

In recent years, the veteran underground East Village poet Eileen Myles has won long-deserved national acclaim for her funny, strange work about everything from wild lesbian romance to downtown New York life in the 1980s and 90s. Two years ago, she enjoyed the success of *I Must Be Living Twice*, a magnum opus of her work. Now she's back with this experimental, comical and deeply moving account of



her 16-year romance with Rosie—no, not a woman, but her beloved pit bull—and the emptiness that followed Rosie's 2006 death. Anyone with a longtime animal companion—but perhaps queer people especially—will relish in this literary journey with a writer the *New Yorker* has called “a kick-ass counter-cultural icon.” **Grove Press, September 12, \$24**

## TELEVISION

### 06/*WILL AND GRACE*

Yes, that's right. The 1998-2006 NBC sitcom that former veep Joe Biden said “probably did more to educate the American public” about gay issues than anything else is coming back for a new 12-episode season with all the original characters (Will, Grace, and those lovably shady clowns Jack and Karen) intact. The creators have said that the show will be set in our present moment, 11 years after it left off. Only problem is that the show actually left off in about 2026, years after *Will and Grace* had grown estranged, only to find out that their kids had met and fallen in love in college, bringing them back together. Discovering how they'll unwind that should be interesting. More seriously, *Will and Grace* presented an all-white, gentrified version of LGBT life that much of pop culture has moved on from. Will the show reflect or ignore the changes since? Tune in **September 28** to find out.

## FILM

### 07/*CALL ME BY YOUR NAME*

This is the erotic and poignant gay film everyone is talking about. It's Italian director Luca Guadagnino's (*I Am Love*, *A Bigger Splash*) adaptation of queer novelist André Aciman's tale of summer love between a teenage American boy and his father's hot doctoral assistant (played by *Social Network* stud Armie Hammer) in early 1980s Italy. A darling at the Sundance

and Berlin film festivals, the film boasts James Ivory as a cowriter, with music by gay indie prince Sufjan Stevens, making it yet queerer—even if Guadagnino has had to defend his decision to cast straight actors in the leads. That hasn't stopped early viewers from calling it one of the sexiest and most moving gay romances they've ever seen—including a rather infamous “peach scene” taken straight (or not-so straight) from the book.

**November 24**

## THEATER

### 08/*TORCH SONG*



One of the most important gay plays of all time enjoys its 35th anniversary revival at New York's Second Stage Theater this fall, with the iconic Harvey Fierstein, who won both a playwriting and an acting Tony for the work, editing his original text and shortening the title from 1982's *Torch Song Trilogy*. Michael Urie (*Ugly Betty*) will take on Fierstein's role as Arnold Beckoff, a gay drag queen in stormy relationships with both his bisexual closeted lover and his fiery Jewish mother, played by Mercedes Ruehl. The play made Fierstein famous and gave rise to Jon Lovitz's hilarious SNL impression of him. (“If I were a gay bee, would you be attracted to me?”)

## VISUAL ARTS

### 09/*GENERAL IDEA*

Ever seen artist Robert Indiana's famous “LOVE” logo refashioned as “AIDS”? That was the work of General Idea, a pioneering queer art trio formed in Toronto in 1969 which went on to stage faux beauty pageants and make the poodle their design mascot. The troika, made up of AA Bronson, Felix Partz and Jorge Zontal, took on the AIDS era with work that turned elements of the epidemic, such as pills, into graphic icons. Bronson, 71, is the group's sole survivor; Partz and Zontal both died of AIDS in 1994. This fall, New York will see the first solo showing of their work in years—including the “AIDS” logo, which “went viral” globally. “It's amazing to think they anticipated Internet culture,” says Hrag Vartanian of the hot art blog Hyperallergic. **Mitchell-Innes & Nash, 1018 Madison Ave, New York, NY, November 30-January 13**

## FILM

### 10/*WOMEN WHO KILL*

A favorite at last year's Tribeca Film Festival, the debut feature from Ingrid Jungermann (who previously has made satirical shorts about Brooklyn lesbian/queer life) is a super-deadpan, *Manhattan Murder Mystery*-style tale of two ex-girlfriends who do a locally popular true-crime podcast about famous women murderers. “Hottest female serial killer ever?” they muse drily. “That's a tough call.” But in classic suspense-satire fashion, the irreverence takes a creepy turn when one of them starts dating a, um,



murderously sexy newcomer in their lives. Find out why Indiewire called *Women Who Kill* “the best lesbian horror-comedy.” **Hulu, iTunes and Amazon. **

**FIRE ISLAND PINES BRUNCH AND POOL PARTY, JULY 15, 2017**

Guests enjoyed brunch before putting the pool to good use later in the afternoon.



Dennis Murphy, with board members Andrew Mitchell-Namdar and John Stafstrom, Lambda Legal Major Gifts Officer Brian Derrick and guests Christopher Lyddy and Erick Russell.



**EQUALITY'S NIGHT OUT, THE MAGNOLIA HOTEL, HOUSTON, TX, JUNE 15, 2017**



Members of our Houston Leadership Committee with honorary chair, former Houston Mayor Annise Parker. Pictured front, left to right: Beau Miller, Chris Watt, Kathy Silver, The Honorable Annise Parker, Jeff Waters and Alan York. Back: Corey Devine, Travis Torrence and Mike Henning.

**LAMBDA LEGAL IN THE HAMPTONS**



Rob Stuart, New York Regional Director Adrian Ogle, Seth Marnin and Daniel Weick enjoy a summer evening with supporters in the Hamptons.

**SEATTLE GARDEN PARTY, AUGUST 3, 2017**

Guests at the event, responding to a call to stay involved and support Lambda Legal.



Senior Counsel Camilla Taylor chats with guests after sharing an update on Lambda Legal's work.



**LAMBDA LEGAL IN DC, NEWSEUM, JUNE 15, 2017**



Senator Cory Booker takes a selfie with Nii-Quartelai Quartey, National LGBT Liaison at AARP and Senator Chris Coons. Both senators gave rousing remarks to our gathered supporters in DC.

**NEW YORK CITY PRIDE, JUNE 25, 2017**

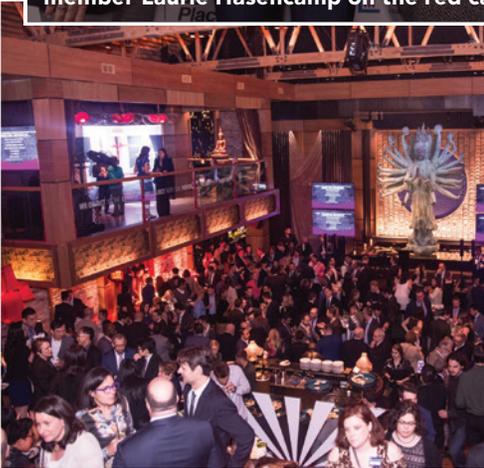


**A few of Lambda Legal's contingent in the New York City Pride Parade.**

**WEST COAST LIBERTY AWARDS, TAO, HOLLYWOOD, CA, JUNE 7, 2017**



**Rabbi Barbara Zacky, Lambda Legal CEO Rachel B. Tiven, board member Roberta Conroy and former board member Laurie Hasencamp on the red carpet.**



**Guest packed Hollywood's newest hotspot, TAO at the Dream Hotel.**



**Singer/songwriter and star of America's Got Talent, Brian Justin Crum mesmerized the crowd with a performance of original songs.**



# Jenner & Block stands with Lambda Legal in pursuit of equality.

We are proud to support Lambda Legal for its unparalleled record in defending the civil rights of LGBT persons and those with HIV/AIDS.

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## DONOR PROFILE

# ONE MONTH AT A TIME

When Susan Rancourt and Annette Pittari met in Provincetown, Massachusetts in 1977, they found love at a time when it wasn't necessarily safe to be out as lesbians. Immediately they knew there was an undeniable connection between them. "Our first dinner together, I absolutely fell in love with Annette, head over heels, because here was a person with values and ethics that were exactly what I wanted," Susan shares. However, like many other LGBT people, the beginning of their relationship came with the struggle of being invisible outside of their home, having to pretend they were not a couple at work and in public.

As Susan and Annette became more active in the LGBT community and started participating in local Pride events in the years after they met, they started speaking openly about their sexual orientation. Susan took an active role in crafting and presenting the pitch for same-sex couples' benefits to the executives at her workplace. "I worked for Apple back in the day,"



Susan Rancourt (left) and Annette Pittari on their wedding day. They have been monthly supporters of Lambda Legal for the past five years.

she says, "and I am incredibly proud to say that Apple was one of the first companies in the United States to approve domestic partner benefits in 1993."

Susan and Annette deeply appreciate the history of the struggle and accomplishments of the LGBT community and also believe that it is imperative that Lambda Legal's work continues. "It's wonderful how far our community has come but it's also unbelievable how much work there is left to do, and that

is exactly why we support Lambda Legal," Susan asserts.

"We are still facing legal assaults against our community everywhere and we need to be able to fight each one of them back and win," Susan chimes in, "because we want to do everything possible to ensure that our community and its younger generation are accepted and treated right in the world—the core reason why we give to Lambda Legal."

Stand strong next to Susan and Annette by joining Lambda Legal with a Justice Fund monthly gift today. 

Join Lambda Legal's Justice Fund with a monthly gift starting at \$10. [lambdalegal.org/donate](http://lambdalegal.org/donate)



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# GIVING TO LAMBDA LEGAL GIVES LGBT KIDS A CHANCE AT THE HAPPINESS WE HAVE.

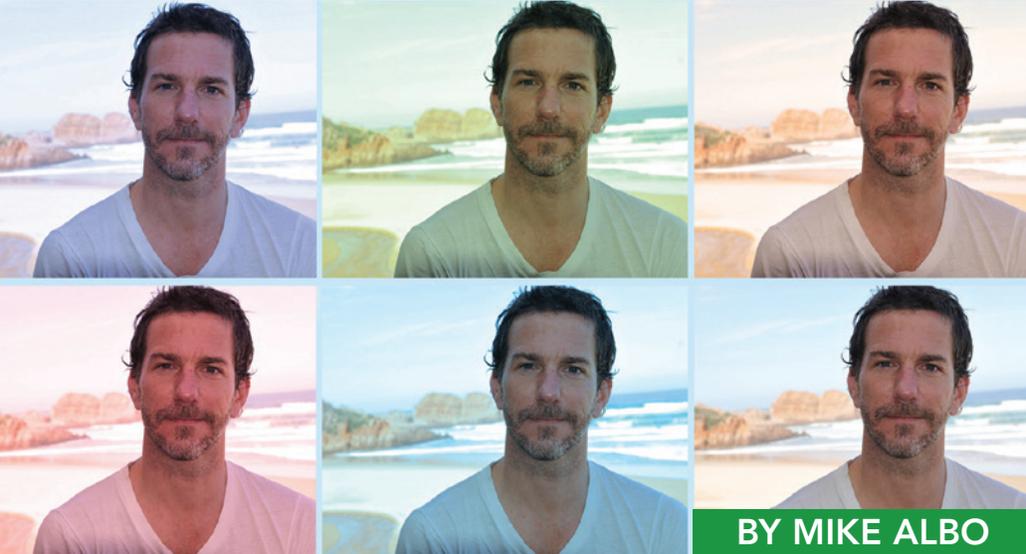
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# GUILTY

The *New York Times* contributor takes on splitting the bill after a group dinner and other infractions of daily life



BY MIKE ALBO

**Hello, Lambda Legal Lawyers! Wow! How thrilling to be a guest writer in this magazine. I am so grateful to all you legal eagles fighting for our LGBT civil rights!**

Now that I have your attention, I wanted to offer some suggestions of very important policy pursuits I think someone should consider taking on. Super sorry to add to your workload, but I really believe these crucial changes could be worked through the system, reach Supreme Court level, transform into law, and add greatly to America's quality of life. Or at least mine. Thanks!

**A ban on group dinner birthday celebrations in restaurants.** You got all of us to go out on a Tuesday night to celebrate your birth on an insignificant year like 38 or 46. And even if you suggest we go to that "so-bad-it's-great" gay Mexican restaurant called "Flautas," we will all politely insist that we pay for you and split the bill which somehow ends up being an eye-popping \$180 dollars each. This should be considered a crime.

**Charge:** Embezzlement with Nachos.

**Infractions for kissy-poo couples.**

The other day I was in a bar, peacefully enjoying my \$7 happy hour Pinot Grigio when a couple came in, sat across from me, and proceeded to touch, caress and make out with each other like this bar was suddenly *The Notebook* and they were Ryan Gosling and Rachel McAdams. As they ate each other's faces off, I could hear their saliva smacking around in their mouths. I felt assaulted, but any visible sign that this annoyed me would just make me look like a bitter old man who HATES LOVE. So, I was also instantly filled with self-hatred, which led to emotional distress and a sour stomach from the eight-plus glasses of white wine I drank to compensate for these feelings.

**Charge:** Refusing to Get a Room.

**Public prohibition of those toe-running shoes.** I don't care if they are better for your feet. They look awful and ruin my day when I see them. I would rather you run in anything else—even orange crocs—that's how creepy they are.

**Charge:** Reckless Disregard for the Laws of Basic Podiatric Fashion.

**A public injunction on hairflipping.**

You are on the subway, trying to read your *US Weekly* in peace, when someone in front of you flips an abundant head of hair and it goes into your face and mouth. Everyone knows how criminally annoying man-spreading is on the subway, but this is an under-reported, version that is equally as egregious. It must stop.

**Charge:** Assault with a Deadly Blowout.

**A \$100 fine for guys in open relationships who don't tell you they are in open relationships but still shamelessly flirt with you online.**

You are chatting with an age-appropriate guy who shows you photos of his incredible body while also opening up to you about his hopes and dreams. Eighteen messages into your conversation, just when you are thinking you have possibly met your future husband, he surprises you by suddenly using "we" in a sentence. Examples: "I would love to meet you tonight, but WE just got back from visiting the in-laws." Or "You're in Saugerties? WE have third home near there in Malden!"

**Charge:** Stud Fraud.

**A moratorium on that call and response protest chant "Show me what democracy looks like? This is what democracy looks like!"**

It's just so clunky and boring and makes no sense and has zero wit or flair. And it's been around since I started protesting way back in the late 80s—like bad "oonce oonce" dance music, you can't believe it's still around. I believe the only way to rid ourselves of this terrible chant is to ban it, and then perhaps in its absence, someone will come up with a zingy alternative.

**Charge:** Uncreative Protest Leading to Desire to Be Politically Apathetic.

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95



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