

GLADBriefs WINTER '18



Regan Kibby and Nicolas Talbott (right), two courageous plaintiffs challenging Trump's transgender military ban

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Fighting Trump's Transgender Military Ban Transgender Americans Became Eligible to Enlist January 1, But the Fight to End Trump's Discriminatory Ban for Good Goes On

In the midst of challenging times for many in our nation, this new year began with one truly historic and promising moment. As of January 1, for the first time, transgender Americans became eligible to enlist in our nation's military.

This should be an incredibly proud step for our country. It follows a series of profound and positive changes in the history of our military—from racial desegregation, to welcoming service members from a multitude of faiths, from expanding roles for women, to ending the ban on service by lesbian, gay and bisexual people—all stemming from an understanding that our military is made stronger when it is reflective of the diverse American population it protects, and when all those who are both qualified and willing have an opportunity to serve.

On January 2, our plaintiff Nicolas Talbott contacted the Air Force recruiter he has been working with for more than a year, thrilled to finally take the next step toward his dream. "Service to me means coming together to take care of one another," says Nicolas, who studied national security issues in college, about what motivates his long-standing desire to join the military. "I just want to offer the skills and talents I have, to do what I can to make our country and our world a safer, better place. I'm excited and hopeful to finally move closer to that possibility."

But whether we would get to this moment—whether patriotic and talented transgender Americans like Nicolas would be able to pursue their dreams of service—was in question up until the very end of December. And the fight to ensure that capable, courageous transgender Americans are able to serve, and that our military is able to benefit from that service, still goes on, as we continue battling Trump's transgender military ban in court.

The June 2016 announcement that transgender people would be able to serve openly in the military followed over a year and a half of rigorous study by military experts, which concluded that open service would have no adverse impact and in fact would strengthen military readiness and national security. Transgender Americans who were already

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From the Executive Director

Photo: InfinitPortraitDesign.com



“Courage is the most important of all the virtues because without courage, you can’t practice any other virtue consistently.”

This quote, by the incomparable Maya Angelou, has been on my mind as I reflect on the past year—a year in which we have witnessed a resurgence of hate groups, continued assaults on voting rights, a rise in anti-Semitism, the scapegoating of immigrants, and attacks from the highest levels of our government on the civil rights of so many of our communities.

It is easy in these times to wonder whether our nation’s strongest virtues— justice, equality, freedom, compassion—will hold. For me, I need only look to the incredible courage of those individuals, families, and communities who are speaking out and resisting attempts to drag us back, to know that they will.

Here at GLAD I get to witness so much courage.

The brave plaintiffs who are at the heart of GLAD’s cases against Trump’s discriminatory transgender military ban show a determination to fulfill their dreams of serving their country that is nothing short of exemplary. [\(see page 1\)](#)

Also tremendously resilient are the LGBTQ youth we are working with in Long Creek Youth Development Center, Maine’s juvenile prison, who are strong advocates for juvenile justice reform, determined to create a better future for themselves in spite of the systemic and social barriers they face. [\(see page 5\)](#)

And I am so incredibly moved by our client B.’s fight to be reunited with her partner of 30 years, D., so that she can care for D. in the community they both love [\(see page 16\)](#). In these times especially, we must be fiercely protective of our relationships with one another.

The events of this past year have led us to a crossroads. We must decide what kind of society we envision for ourselves. Will we be a nation where LGBTQ people, people of color, immigrants, women, and so many vulnerable communities are cast as second-class citizens? Or will we continue moving forward and protect and defend the humanity and dignity of all Americans?

Maya Angelou’s words deeply resonate now, not only because of the courage of those impacted by GLAD’s work, whose stories you’ll read more about in these pages, but because of the courage we’ll all need to sustain our movement for justice in the year ahead.

Thank you for your ongoing support, and for your courage in staying with us in the fight for equality.

Toward Justice,

Janson Wu
Executive Director

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Putting Children First: More Courts Recognize Today's Families

Ensuring that all children are secure and all families are recognized—no matter how they are formed—is a top priority at GLAD. That more and more states are recognizing the diversity of our families and ensuring protections for all children means we are making incredible progress in catching up the courts and the law to today's families.

This past December, we celebrated a huge victory for children and families in Vermont, where the state's highest court recognized that families are formed not only through biology, adoption or marriage but through intention, love and caring.

In *Sinnott v. Peck*, the Vermont Supreme Court issued a groundbreaking ruling in favor of our plaintiff Sarah Sinnott, whose former partner sought to block her relationship with the daughter they jointly brought into their family through adoption.

Sarah and her former partner were in a committed relationship for seven years. During that time, the couple jointly planned for, adopted and raised their daughter, though for legal and logistical reasons, Sarah's former partner was the sole adoptive parent. After their relationship ended, the couple continued to jointly parent for three years before Sarah's former partner stopped allowing their daughter to see and be cared for by Sarah.

Sarah filed a Petition to Establish Parentage with the Vermont Superior Court, Family Division. The court declined to accept her filing, holding that Vermont law did not recognize parentage other than by married parents or those with a genetic or adoptive relationship to their child.

With co-counsel Sarah Star, GLAD Transgender Rights Project Director Jennifer Levi argued that Sarah meets the legal definition of a parent, and is entitled to seek custody under Vermont's Parentage Act. And the Court agreed.

"This decision is child-centered, as it should be," says Levi. "It protects parent-child relationships based on the loving bonds that create them, not based on legal formalities. The reality is that children in Vermont, as elsewhere, are being raised in many different types of families. This decision recognizes that, as more and more courts across the country are beginning to do."

"I'm grateful my case could open the door to protections for so many families," says Sinnott.

The ruling in *Sinnott v. Peck* is part of a growing trend of courts adopting modern approaches to recognizing our families. For instance, in October 2016 the Massachusetts Supreme Judicial Court ruled in our case *Partanen v. Gallagher*, that non-married, non-biological parents can be recognized as their children's full, legal parent.

As we continue to fight for these important court victories, GLAD is also advocating for other critical means of family recognition, from ensuring state policies follow such court rulings to advocating for parentage statutes that reflect modern families. And GLAD also works with parents directly to help them navigate what can be complex legal terrain to understand their rights, and to find accessible resources to protect their families.

For example, although *Partanen* paved the way for unmarried, non-biological parents in Massachusetts to be recognized as full, legal parents, vital records such as Voluntary Acknowledgment of Parentage (VAP), which same-sex parents should be able to use to establish parentage, still reflect an antiquated view of families formed by same-sex couples. GLAD is currently advocating alongside a female couple to spur the state to update its records to be more inclusive.

K. and P. have been in a committed, unmarried relationship for four years. They planned for and conceived their daughter through alternative insemination. P. gave birth in December 2016, after the *Partanen* ruling, with K. supporting her the entire way. They tried to fill out the birth certificate worksheet listing them both as parents, but the hospital said they couldn't. GLAD Senior Staff Attorney Patience Crozier is working with K. and P. to get access to the VAP form to establish K.'s parentage simply and efficiently through this administrative procedure easily accessed by different-sex couples.

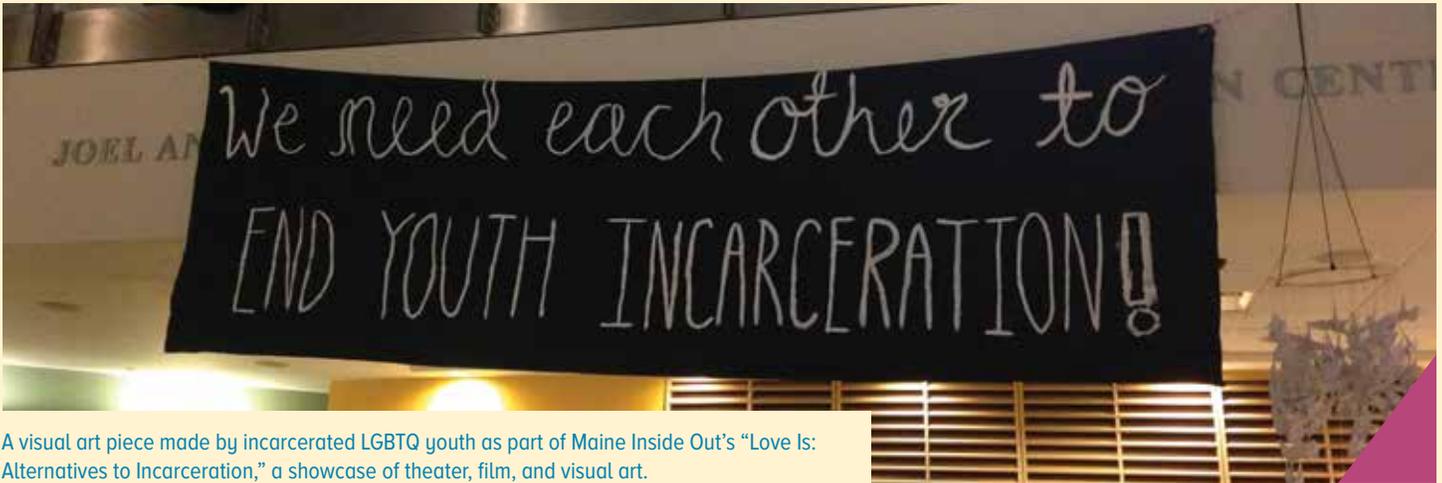
The courageous families and individuals pushing for the legal protection of their children are driving change, and we are proud to partner with them to ensure all children have the security, stability and love they need and deserve. ■

GLAD Forward Is GLAD to Help

GLAD Forward, GLAD's young adult group, volunteered at the Greater Boston Food Bank this winter to help sort and package food for community members struggling with hunger. Visit www.glad.org/forward to learn more about GLAD Forward.



Photos: Matt Kurkowski, sociallight.com



A visual art piece made by incarcerated LGBTQ youth as part of Maine Inside Out's "Love Is: Alternatives to Incarceration," a showcase of theater, film, and visual art.

We Need Each Other

Below is a poem by Sexuality and gender Awareness for Everyone (SAFE) Group Member J.O., DOC No. 115950, and performed by Maine Inside Out.

We Need Each Other.

Nobody knows what young people need more
 than young people themselves.
 What they think we need and what we really need is different.
 What will it take for our society and this country
 to realize that youth incarceration harms not
 only our youth, but also our communities?
 Youth are locked up and told they can change,
 but how many kids who get locked up actually
 get the support they need to make change?
 Do our communities really want us locked up?
 Do they think we deserve what happens to us?
 Do they know what happens to us?
 Do they think we deserve the things we need to survive?
 Take the time to work with us, don't just send us away.
 4 What would our communities be willing to do to make a change?

We need to be heard.

The system says they listen to us, but do they really listen to us?
 We are all human beings.
 We make mistakes. But all of us have the power to make change.
 Even if it's hard,
 We have the power to make change.
 The difference between change
 & transformation
 Is that transformation is something you can do on your own
 But for change, you need help.
 No one and no community can change alone.

We need each other.

For queer and trans folks:

We know it's difficult coming out, to be different, to be who you are
 Especially for those of us in facilities or locked away
 We are fortunate to have each other though
 Without the chosen families we build in these places
 We'd just be part of the zoo
 We wouldn't make it through
 All the harassment and discrimination we face
 Without each other
 Unless we push and try
 We won't get what we deserve
 To survive, to thrive, to build the world we know is possible
 We need each other.

For young people out there,
 Who may be struggling
 Feeling isolated
 Locked up or navigating the hardness of the world outside
 Seek help and support
 Know that millions of people in this world are
 fighting for you
 And that some people (some closer than
 you think)
 Are experiencing the same thing
 We need each other
 We need each other.
 We should be heard.
 We need to be heard.
 We need each other.
 We need each other.
 We need each other.

Advocating for LGBTQ Youth in the Juvenile Justice System

GLAD is engaged in advocacy work across New England to help create safe and affirming communities for LGBTQ young people, and that includes the juvenile justice system. Together with our local partners, we are working hard to reform a system that disproportionately harms LGBTQ youth.

LGBTQ youth, particularly LGBTQ youth of color, are overrepresented in the juvenile justice system due to stereotypes, pervasive stigma, bias, and structural factors. Family rejection, unsupportive schools and discriminatory policing practices contribute to increased interactions between LGBTQ youth and the juvenile and criminal justice systems.

Recent research by the Movement Advancement Project (MAP) reveals that 20 percent of the youth in seven juvenile detention centers and correctional facilities across the U.S. identify as LGBTQ or gender non-conforming, which is almost three times their estimated number in the general population. And LGBTQ youth of color are disproportionately more likely to be targeted by the juvenile justice system, with Black youth four times as likely as white youth to be incarcerated, and Latinx youth nearly twice as likely as white youth to be incarcerated.

MAP's research on the experience of LGBTQ youth once they are in the system found that many are placed in prisons without respect for their gender identity or expression. Additionally, youth prisons are often ill equipped to meet the needs of LGBTQ youth and ensure their safety. This puts LGBTQ youth at increased risk for harassment, violence, and sexual assault by other youth and staff.

GLAD is seeing these nationwide trends in focus at Long Creek, a juvenile detention center and prison in Maine, and is deeply engaged in a critical intervention there to support the youth inside. We became involved with Long Creek when we learned that a detained transgender youth died by suicide last November, demanding a thorough and transparent investigation of the youth's tragic death.

Through our work, we have uncovered that the facility's conditions do not comply with federal standards. And we have learned that 30 percent of youth in its custody identify as LGBTQ and are at increased risk of harm, facing daily harassment and abuse by staff and other inmates due to their perceived or actual sexual orientation.

GLAD Civil Rights Project Director Mary L. Bonauto and GLAD Senior Staff Attorney Patience Crozier have been deeply involved with the youth in Long Creek and are now representing two young people who are LGBTQ or perceived to be, advocating alongside them for their safety and ultimately their release from Long Creek. Bonauto has been personally visiting Long Creek virtually every week since last November, checking on the facility's conditions and on our clients.

Our clients have become courageous advocates for themselves and other LGBTQ youth in Long Creek. Speaking honestly about the realities of living in a place like Long Creek is part of their advocacy. For example, it is important to them to be referred to as inmates, not residents, an unambiguous message for us all that Long Creek is a prison, cell blocks and all.

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Letter for GLAD, From Long Creek Inmate, DOC No. 121309

Life in Long Creek Youth Development Center (LCYDC) depends very much on where you fall in the pecking order. Those at the bottom—LGBTQ youth, youth judged to be weak, youth unwilling to fight other youth, mentally disabled youth, or youth with sex crime related charges—endure boundless torment. They are relentlessly harassed, assaulted, threatened, and demoralized. Sometimes this means having their chairs kicked out from under them, food thrown at them, vulgar images drawn on their cells or clothing. Sometimes it means brutal assaults, being told they don't deserve to be alive, being forced to hand over meals and hygiene supplies. Sometimes it means being too afraid to leave their cell for days at a time.

Most of these offensive actions come from other inmates who have been shown by peers and staff that it is okay and even commendable to torture these youth. The staff often ignore or even actively encourage this behavior.

All inmates at LCYDC endure hours each day spent in an 8 x 12 cell, poor quality (sometimes expired) food, persistent untreated skin rashes and infection lasting years, and excessive, unnecessary use of force from the staff. Doors don't open and close here. They are locked, unlocked, and can only slam shut.

A punishment-based "rehabilitation" system is inherently flawed. It demoralizes impressionable youth, reinforcing the belief that the crime path is the only one available to them. It increases trauma and abuse, which is typically a huge factor in the underlying conditions which brought youth to LCYDC in the first place and a factor in recidivism.

In order for youth to learn how to function in society, they need to be told that they have a place in society. Their positive behavior needs focus, not neglect. Groups of at-risk youth need to be kept small enough to meet these demands for success.

Adequate mental health care must be provided to help youth deal with past abuse and trauma.

Sexuality and gender Awareness For Everyone (SAFE) group, an Incarcerated LGBTQ youth and allies group that is an off-shoot of Portland Outright, is one of the only places in LCYDC where this culture is actively being developed. It provides a space with leadership instead of authority, acceptance instead of judgement, tenderness instead of hate, encouragement and empathy instead of indifference, and a safe place where the burden of incarceration is eased and youth are allowed to grow.

SAFE Group, along with Maine Inside Out and GLAD, have shown that they truly care about the children of our communities, and that they are willing to do the work needed to repair the damages we have sustained while free and incarcerated in order to give us a healthier, happier, and prosperous future. ■

The Most Anti-Gay Corporate Policy in America Today

By Ben Klein and Alex Weinstein

Perhaps we have become a little too accustomed to Fortune 500 companies that tout their LGBTQ employee affinity groups, advertise to our community with the rainbow flag, march in our parades, and even donate to our organizations and sign briefs in the U.S. Supreme Court showing considerable business support for our rights. Those corporate acts make a big difference and reflect tangible positive change in the world we live in.

But what about actual business practices? Here's our vote for the most unrecognized anti-gay and AIDS-phobic corporate policy in America today: the largest insurance companies in America that are blatantly discriminating against gay men who take steps to prevent HIV transmission by using PrEP (or HIV pre-exposure prophylaxis), a once-a-day dosage of the medication Truvada.

Fortunately, most health insurers and state Medicaid agencies are covering the cost of the medication so people can have access to this extraordinary breakthrough in prevention. But when people take PrEP and then individually apply for life insurance, long-term care insurance, and disability insurance, they are automatically denied coverage solely because they take PrEP.

Some of the largest insurance companies in the nation are engaging in this categorical exclusion of PrEP users. GLAD has learned about denials of insurance coverage by State Farm, Aetna, Metropolitan Life, John Hancock, Protective Life, Lincoln Financial, and many more. We have sued Mutual of Omaha Insurance Company for denying long-term care insurance to a qualified HIV-negative gay man because he uses PrEP. This is an industry-wide policy and practice. Gay men can either get insurance or they can take the best biomedical HIV prevention method in the history of an epidemic that has claimed so many lives.

So, what are all these corporate giants saying about PrEP users? Life, disability, and long-term care insurers underwrite the risk that an applicant will claim benefits and when. They get your medical records and exclude you if you have a disqualifying health condition, or charge you higher premiums if you have certain health conditions. But people who are excluded solely because they take PrEP do not have any disqualifying health condition. They are excluded because these corporations believe they are engaging in "high-risk sexual behavior" and deem them at high risk for HIV. Let's be frank: they are talking about anal intercourse. In other words, you are fully eligible for insurance, but you are turned away because of the sex you are having.

In an industry that is based on rationality, and is supposed to make decisions based on actual data, how does this make sense? Research demonstrates that PrEP is close to 100% effective at reducing the risk of HIV transmission, far more effective than condoms. Let us say that again: *Close to 100% effective* in stopping HIV. And yet the insurers ignore the efficacy of PrEP and instead use it as a proxy for "high risk sexual behavior" in their underwriting. That is not science; it's a moral judgment about the people who use PrEP. By the way, 80% of PrEP users are gay men.

These insurers argue that not everybody takes PrEP as directed (once daily) which reduces its effectiveness, or that the long-term effects of Truvada usage are unknown (PrEP has been demonstrated to be well tolerated with no significant side effects). These same insurers offer

insurance to people with a range of conditions, such as diabetes and bipolar disorder, as long as the applicant demonstrates adherence to medications that control those conditions. Yet they don't allow PrEP users to demonstrate adherence. And insurers obviously don't exclude every new drug approved as safe by the FDA simply because there is not long-term data for new drugs.

This "no PrEP users need apply" policy belongs on the long list of just plain stupid beliefs about HIV transmission that have been proffered over the course of the epidemic. This corporate policy does nothing to achieve its stated goal of reducing the overall prevalence of HIV in an insurer's pool of beneficiaries. Take two people with identical sex lives: The PrEP user is denied insurance; the person who doesn't use PrEP is covered. That make zero sense. And worse, it actually risks discouraging use of a powerful tool that could help end the HIV epidemic.

And the fact is that most people at risk for HIV in the United States are not yet on PrEP. The Centers for Disease Control and Prevention estimates that 1.2 million people could benefit from PrEP. Yet, since PrEP was approved by the FDA in 2012 there have only been about 145,000 total PrEP users. Before the advent of PrEP, life, disability, and long-term care insurers did not assess for HIV risk. They did not ask applicants about sexual practices or condom use and make underwriting decisions on that basis. But with the advent of PrEP, they are carving out and excluding just a small percentage of the whole group of people who have some risk for HIV—those who use the most effective prevention tool. This is discrimination, not a rational policy.

From the earliest days of HIV, we have often said: We're not going to end this epidemic if myths, fear and discrimination interfere with our best public health policies. We need to be doing everything we can to end the stigma associated with PrEP so that people can make decisions based on what's best for their own health, not based on barriers to access or fear of discrimination. The corporate practices of these insurance companies reflect and reinforce stigma. They put the public health at risk by creating an incentive to avoid or delay PrEP.

Many of the companies perpetuating this policy and practice are Fortune 500 companies and some, like Aetna, John Hancock, State Farm, and Mutual of Omaha have a 100% approval rating from Human Rights Campaign (HRC). These corporations can't wave the rainbow flag with one hand and with the other turn us away because of our sex lives. It's time to end the PrEP exclusion in America's insurance industry. ■



GLAD's Senior Manager of Operations and Administration Beth Grierson (right) with Trish Settles and Julia Slee at the Boston Women's March 2018.

Fighting for the Dignity and Humanity of Transgender People Within the Correction System

This fall, GLAD filed a groundbreaking case, *Jane Doe v. MA Department of Correction (DOC)*, on behalf of a transgender woman currently incarcerated at Massachusetts Correctional Institution-Norfolk (MCI), a state facility that houses male inmates. The suit, filed in coordination with Prisoner Legal Services and Goodwin Procter LLP, seeks for our client to be appropriately transferred to DOC's female corrections facility, MCI-Framingham.

Our client, Jane Doe, is a transgender woman who transitioned 40 years ago. Despite having lived as a woman for the near entirety of her life, she is housed in an all-male facility where she faces the traumatizing experience of being a woman locked up in a men's prison, including daily sexual harassment and mistreatment from other inmates and guards. We are fighting for our plaintiff to be treated with dignity and humanity in a case that could set a precedent for other correction systems nationwide.

According to federal data, transgender inmates report being targeted for sexual assault and harassment by guards and other inmates at a rate 10 times that of the general incarcerated population. Guidelines for federal prisons recognize the need to assess placement for transgender people on a case-by-case basis, and to take into consideration where the person will be safest. Massachusetts, like most states, currently fails to meet this federal standard in making placement decisions.

"Massachusetts is a state with strong policy recognizing the humanity of transgender people," says Jennifer Levi, GLAD Transgender Rights Project Director. "That humanity must also be recognized in our correction system. Transgender people who are serving time for an underlying offense should not be punished for being transgender."

The results of housing a woman in a male facility are predictably disturbing. Our client is regularly subjected to strip searches by male correctional officers, who routinely grope her breasts in the process. She is forced to shower in view of male prisoners who inappropriately comment on her body and otherwise harass her. She fears for her safety daily.

The impact of this daily discriminatory and traumatizing treatment is scarring, humiliating, and both physically and emotionally harmful.

"The level of harassment, fear, and trauma our client experiences at MCI-Norfolk is horrifying—anyone who hears her story can plainly see that," says GLAD Senior Attorney Ben Klein. "By housing her in a men's facility the Department of Corrections is putting her safety and her health at risk on a daily basis."

The suit filed in U.S. District Court for the District of Massachusetts asserts that DOC is violating our client's constitutional right to equal protection, as well as her rights under the Americans with Disabilities Act. We are seeking for Ms. Doe to be appropriately transferred to MCI-Framingham, and that DOC take certain immediate steps in the interim to reduce threats to her safety, including that she be searched only by female correctional officers; that she be provided with a separate shower time without the presence of men; and that she be referred to by the correct name and female pronouns.

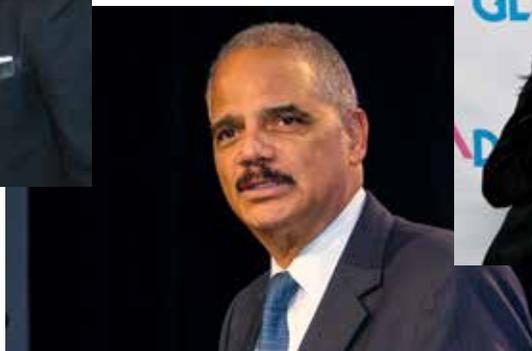
Our laws, our Constitution, and our values say that people should not be stripped of their basic humanity when they are incarcerated, and our state prisons have a responsibility to ensure the safety of all inmates—including that of our client. State correctional systems in Massachusetts and across the country must adopt safer and more humane policies for assessing placements for transgender inmates. ■

18th Annual Spirit of Justice Award Dinner

Honoring Eric H. Holder Jr., the 82nd Attorney General of the United States • October 22, 2017



GLAD Civil Rights Project Director Mary Bonauto with GE Vice President Mo Cowan and State Street Vice President Paul Francisco



Honorable Eric H. Holder Jr.



Darla Pires DeGrace and Shelle Mendes

Photos: InfinityPortraitDesign.com

Fighting Trump's Transgender Military Ban

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serving—some for decades, all with dignity and courage—began to come out to their commanding officers. At the same time, it was announced that openly transgender Americans would be able to enlist beginning the following year.

But that thoroughly vetted and thoughtful policy was suddenly threatened when, last July, President Trump tweeted an announcement that transgender people would be prohibited from serving in any capacity in the U.S. military.

GLAD and our partners at the National Center for Lesbian Rights (NCLR) immediately saw this announcement for what it was—a serious attack on our community. We knew we needed to act quickly to ensure the rights and dignity of transgender Americans, preserve the stability of our military, and protect our nation's core values of equality and fairness.

We filed the first challenge to Trump's discriminatory and harmful transgender military ban, *Doe v. Trump*, on August 9, on behalf of five (since joined by a sixth) service members and two individuals seeking to serve. A few weeks later, we joined a second case, *Stockman v. Trump*, representing additional current and aspiring service members.

On October 30, D.C. District Court Judge Colleen Kollar-Kotelly issued a nationwide preliminary injunction halting the ban in *Doe v. Trump*. Judge Kollar-Kotelly agreed our plaintiffs were likely to prevail on their claim that Trump's ban violates their constitutional right to equal protection, and recognized the serious harm the ban was already causing to transgender service members—who under it face discharge and the loss of their livelihoods, health care, and post-military retirement they have worked hard to earn—as well as to transgender Americans who the ban blocked from ever being able to serve, regardless of their individual qualifications.

Since then, each of the other three federal district courts to consider Trump's transgender military ban, including in GLAD's second case *Stockman v. Trump*, has issued a similar injunction halting its enforcement while the cases proceed.

The Trump administration challenged those rulings on appeal—and, as we got closer to the January 1, 2018 start date for open enlistment,

began to ask for “emergency stays” of those rulings, seeking to delay that date. But neither the district courts nor the courts of appeal were persuaded by the administration's argument that the military was not prepared for open enlistment to begin. The district courts denied the government's request for an emergency stay, and the courts of appeal followed suit.

In ruling against a stay, the D.C. Court of Appeals described the central question with these profound words: “[I]t must be remembered that all Plaintiffs seek during this litigation is to serve their Nation with honor and dignity, volunteering to face extreme hardships, to endure lengthy deployments and separation from family and friends, and to willingly make the ultimate sacrifice of their lives if necessary to protect the Nation, the people of the United States, and the Constitution against all who would attack them.”

Late in the evening on December 29, we got incredible and welcome news: the Pentagon confirmed that the government was withdrawing its appeals of the temporary orders prohibiting enforcement of the ban, and would not seek a last minute “emergency” stay from the United States Supreme Court to delay the January 1 enlistment date. Transgender people throughout the country, whose future educational and career dreams rest on their being able to enlist, would finally be able to move forward.

But this fight is far from over. While enforcement of the ban is currently blocked by court order, it remains official policy to deny

continued service and enlistment by transgender people. The government is continuing to defend Trump's ban in federal district court, where we are currently engaged in the discovery process. The government has also said that it will soon conclude a study of transgender people serving in the military, and we expect that it may use the outcome of that study as a further attempt to defend Trump's discriminatory policies.

“The beginning of open transgender enlistment is truly historic and something to celebrate,” says GLAD Transgender Rights Project Director Jennifer Levi, who with NCLR's Shannon Minter is one of two transgender attorneys leading the fight against the ban. “But we can't let down our guard. Beyond its devastating discriminatory impact on individual service members and on our military itself, allowing a ban on transgender service members to stand would have wide ranging implications. If transgender people are deemed categorically unfit to serve in the military, that exclusion will be used to justify discrimination in housing, employment, social services, family law, healthcare, public benefits, insurance, and beyond. This is a critical fight, for our community and for our nation's values.”

GLAD, with our partners at NCLR and the other organizations who are challenging Trump's ban in court, will not stop fighting until it is gone for good. ■

To follow case developments, visit www.glad.org/cases/doe-v-trump and www.glad.org/cases/stockman-v-trump



GLAD Staff Attorney Allison Wright (right) was awarded the distinguished Lavender Rhino Award last October by The History Project for her contribution to the LGBTQ community.

Photo: The History Project, Matt Kurkowski, xocialight.com

Announcing the GLAD One Justice Fund

Lawyers are a key bulwark in the ongoing fight against discrimination and oppression—not just for the LGBTQ community but for all our communities that are fighting for liberation and justice. And GLAD’s lawyers do us proud—every single time. That’s why we need to support GLAD—now more than ever!

—Elyse Cherry, Co-Chair, GLAD One Justice Fund

We are facing unprecedented, hateful attacks by an administration determined to strip away our rights and freedoms. The president has reversed sound military policy with his reckless ban barring transgender Americans from serving their country. He has appointed anti-LGBTQ officials to the highest levels of government and the federal bench. His actions threaten to roll back



rights for transgender students, while opening the door to religious discrimination against LGBTQ people and people seeking birth control. Deportations and unconstitutional travel bans are separating families and demonizing immigrants. Meanwhile, the health and insurance needs of our loved ones are under assault, and federal agencies are stripping away metrics to track the needs

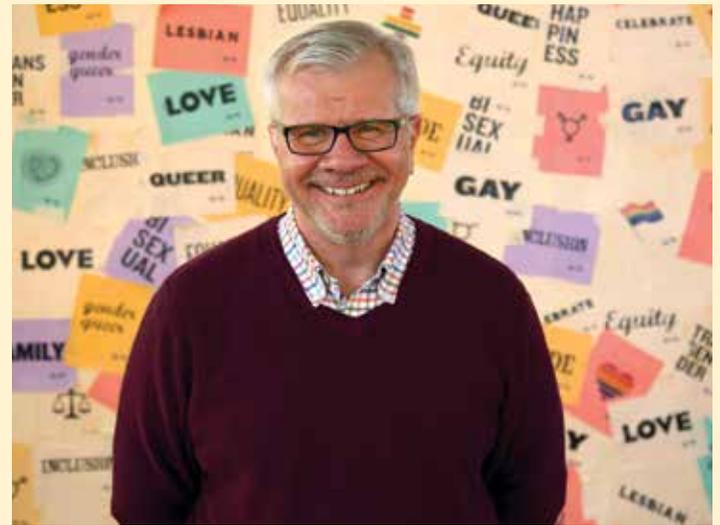
and wellbeing of LGBTQ communities, especially elders. In courts and state legislatures across the country, similar attacks are happening every day.

While the president and his advisors are hell-bent on dividing our communities—LGBTQ, immigrant, Muslim, communities of color, women—GLAD is proud to show that we are one justice movement. GLAD is responding to these injustices with strategic and unwavering resistance—by defending against attacks in the courts and advancing justice for all.

That’s why we are announcing the creation of the GLAD One Justice Fund, a \$1.7 million investment that will launch the next generation of GLAD’s litigation and advocacy work to defend and advance LGBTQ rights for years to come.

At a critical time for the LGBTQ community, the One Justice Fund will build on GLAD’s winning track record and expertise in litigation, policy and education to:

- Leverage the courts to resist attacks on marriage and parenting rights, and advance transgender protections, employment non-discrimination and more
- Expand legal staff to advance groundbreaking litigation and legal work nationwide—to stop bigotry before it spreads
- Increase rapid-response services of our GLAD Answers infoline to field the surge in daily emergency legal inquiries



- Launch new education and advocacy initiatives to advance strategic, movement-building priorities for equality in law, racial and economic justice

The three-year fund will ensure that GLAD’s growth will be sustained—expanding our Legal team now and growing our Development team to meet new demands by 2020.

We are proud to announce that generous donors have already made gifts and pledges of nearly \$1M, or 58% of our \$1.7M goal.

Our deepest thanks go to our One Justice Fund Co-chairs for

their leadership:

Elyse Cherry and Scott Pomfret. And our One Justice Fund Committee Members: Gary Daffin, Catherine D’Amato, Kristen Elechko, Deborah Heller Oz Mondejar, Rick McCarthy, Richard Moore, Bryan-Eric Simmons Ian Tzeng, and Rich Yurko.



Become an

influential part of the movement toward justice for all by investing in the GLAD One Justice Fund today. Your one-time or multi-year support will ensure a staunch, smart, swift opposition to these outrageous attempts to curtail the rights and dignity of LGBTQ people, women, people of color, immigrants, religious minorities and every one of our allies. ■

For more information about the GLAD One Justice Fund, contact GLAD Director of Development Brianna Boggs at bboggs@glad.org or 617-426-1350

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GLAD thrives due to the support of volunteers, donors and in-kind contributors. We extend our thanks to the following individuals and organizations who worked with us in the past year toward achieving a more just world. We apologize if we have omitted anyone.

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Dena G. Willmore
Karen Tirozzi &
Danielle Pease
Christopher Transue &
Adrienne Shapiro
Jonathan "Dutch" Treat
Mark & Wellner Tremallo
Thomas G. J.
Trykowski, AIA
& Joseph Cacciola
Geoffrey W. Tuba
United Parish of
Auburndale
United Way of
Rhode Island
Christopher Valente
Rich Van Loan
Anthony Viola &
Michael Hershey
Ellen Wade, Esq. &
Maureen Brodoff, Esq.
Wade Horowitz
LaPointe LLC

O'Hanlan-Walker LGBT
Equality Fund
Francis C. Ward
John P. Ward, Esq. &
Alain Balseiro
Shana Weaver
Jeffrey Webb &
Mark Schuster
Geoffrey Weber
Arthur E. Webster, Esq.
Don Cornuet &
Steve Weiner
Katherine &
Kimberly Weir
Nicholas Whalen
Mary White
Jo Ann Whitehead &
Bette Jo Green
Susan Wilson, Esq. &
Laura Kanter
Evan Wolfson & Cheng He
Rodney L. Yoder &
Michael J. Piore
Mark R. Young &
Gary Sullivan
Elizabeth A. Zeldin, Esq.
& Polly Grant
Dana Zircher

as of 11/27/17

Legacy Society

Anonymous (3)
Carol Alms
Amy Aulwes &
Warren Zola
Michael Baeder &
David Wimberly
Sharyn Bahn
Gloria & Linda
Bailey-Davies
Dawn Baumer &
Rosie Hartzler
Bruce Bell &
George Smart
Linda Betzer
Dr. Stephen Boswell &
John Neale
Eva N. Boyce
Peter Brady & Alan Davis
Shelley Brauer &
Jean Hey
Ann M. Briley, MD
Bill Brindamour &
Peter Tognalli
David Brown
The Estate of Larry Brown
Dr. Paula G. Carmichael &
Rev. Richelle Russell
The Estate of
Leslie H. Carter
The Estate of Esther Carty
David Cash
Patience Crozier &
Jessica R. Keimowitz

Thank You

The Estate of Pam Dennis
Laura Diamond &
Carolyn McDonald
Abby & Mary
Diamond-Kissiday
Lisa J. Drapkin &
Debbie Lewis
Nannette Dumas
Peter J. Epstein Esq.
In memory of Eli J.,
Ada R. & Linda
M. Erskan
Suzanne Estler
Adam Feinberg
Robert Flavell &
Ronald Baker
David F. Freedman
John Giso
Gail E. Goodearl &
Sarah Jane Guy
Holly Gunner &
Anne Chalmers
Dean T. Hara
Harry Harkins
Christopher Hartley &
Micah Buis
J. Bourge Hathaway &
Julia Fitz-Randolph
Warren Hathaway
Deborah Heller &
Ann Sanders
Joanne Herman
Gavin Hilgemeier
Joan Hilty
Kenneth Hirschkind
Leslie Horst
Claire E. Humphrey
James E. Humphreys
Rabbi Devorah Jacobson
& Ms. Margaret Mastrangelo
Barbara Jordan
Susan Judge
John Kane
Terence Keane &
Douglas Hughes
Rudy Kikel & Sterling Giles
Robert King & Gary Jordan
G. Paul Kowal
R.P. André LaCroix
Karen Lichtenstein
Arthur Lipkin &
Robert Ellsworth
The Estate of
Kay Longcope
Marie A. Longo
Tony Maida &
Anthony Volpe
David Martin &
The Rev. Steve Godbrey
Daniel Mauk &
Mitchell Sendrowitz
Marc Maxwell
Richard D. McCarthy
Laura McMurry
Brian McNaught &
Raymond Struble

The Estate of
Russell Miller
Robert Minnoccio
Paul Moreno &
Stephen Barlow
Jeffrey H. Munger &
Robert T. Whitman
The Estate of
Vincent Nardone
Andrew S. &
Samuel C. Pang, MD
Trevor Paulson
Patricia Peard &
Alice Brock
Janet F. Peck &
Carol A. Conklin
Estate of Jalna Perry, MD
Mark Philibert &
David Rooks
Scott Pomfret &
Scott Whittier
Brian Quint
Nick & Sian Robertson
Richard Rubinstein
Takoma Sampson &
Leah Whaley-Holmes
Jess & Robbie Samuels
Arnold Sapenter &
Joseph Reed
Mary & Jean B. Seavarese
The Estate of Joan Schneider
Robert Seletsky & Michael Miller
Joanne Shapiro
The Estate of Cameron Smith
Diane Smith
Tony Smith
Andrew Sorbo
Trina Soske & Sarah Yedinsky
Scott Squillace, Esq.
Anne Stanback &
Charlotte Kinlock
Kenneth Stilwell
Donald Stone
Mark Strickland
The Estate of Raymond Sullivan
Amalie Tuffin & Laura Lewis
Anthony Volponi
Herbert Walcoe
Karen &
Marilyn Watson-Etsell
Kendall Watts
Lisa B. Weissmann, MD &
Debra Shapiro, MD
Tim Wernette
Jo Ann Whitehead &
Bette Jo Green
The Roy Glenn Wood Trust
David Yalen
Peter Zupcowska &
Robert Wilson

The Pop-Up Transgender ID Project

A project of GLAD, Ropes & Gray LLP and MTPC, the Pop-Up Transgender ID Project supports transgender people across New England in acquiring accurate identity documentation.

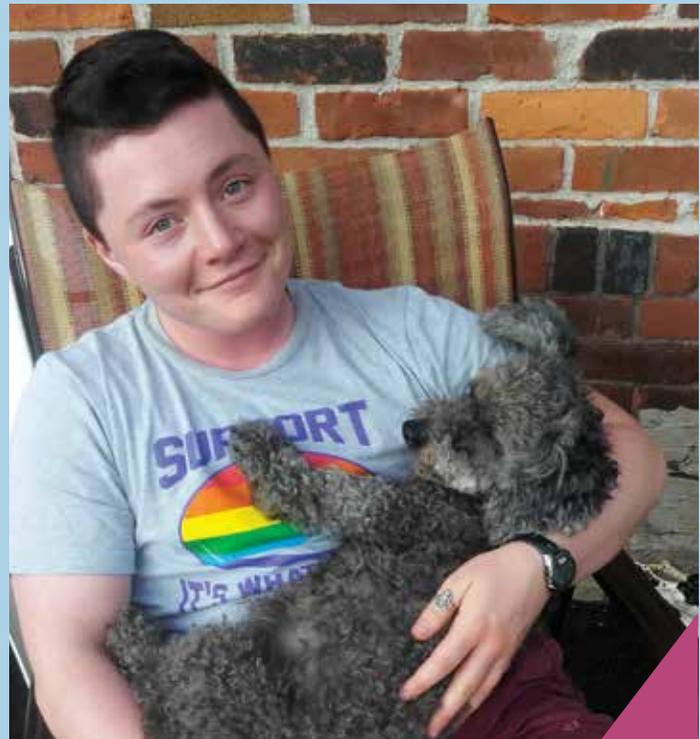
Immediately following the 2016 presidential election, GLAD partnered with law firm Ropes & Gray LLP and the Massachusetts Transgender Political Coalition to launch the Pop-Up Transgender ID Project, a rapid response clinic that provides legal support to transgender people in New England needing to update their legal name or gender marker on documentation like Social Security cards and birth certificates.

Thanks to Ropes & Gray's steadfast support of this project, we've assisted over 450 people throughout New England. The recruitment of hundreds of attorneys and staff, and the ongoing training and information sharing Ropes & Gray provides them not only sustains the Pop-Up Transgender ID Project but ensures clients have a positive experience every step of the way.

Thank you, Ropes & Gray, for your commitment to New England's transgender community!

I sought the help of the Pop-Up Transgender ID clinic when I needed to update my name on my Social Security card. The attorneys at Ropes & Gray were so supportive and respectful. It was comforting to know that they were there for me, from start to finish. – LB, Boston

If you'd like to contact the Pop-Up Transgender ID Project, visit www.glad.org/id



A Message From the CFO

GLAD's financial health is strong. We have about seven months of reserves, or net assets, as of March 31, 2017 including board designated funds. There is minimal debt and sufficient cash to meet our obligations.

In the first half of FY17, we were pleasantly surprised that event revenue exceeded expectations, with our most successful Summer Party and Spirit of Justice events ever. We also welcomed new foundation funding. By the end of October 2016, we were ahead of year-to-date revenue expectations.

And then, the November 8 election changed all our assumptions. We experienced a swell of new and increased contributions. For example, we raised almost \$700,000 in December, which was well above our average of \$400,000. The number of gifts in December also increased from an average of 800, to almost 1,200. We saw many significant first-time gifts from both individual donors and foundations. While the election was the trigger, none of this support would have been possible without the strong reputation that GLAD enjoys as a strategic leader in the LGBTQ legal movement.

We ended FY17 in March 2017 with a surplus of \$367,526 (see table below). With this extra revenue, and the expectation that new fundraising opportunities will continue, the approved budget for FY18 grows GLAD as an organization in both staff and non-staff resources, to help us meet the increased demands of this new Administration. It does so through a combination of reserve spending and a focused fundraising campaign. Read more about the One Justice Fund — a campaign to grow GLAD's legal capacity — on page 9.

	Operating Fund	Board Designated	Total Unrestricted	Temporarily Restricted	Total
Net Assets: March 31, 2016	\$ 945,628	\$ 574,838	\$ 1,520,466	\$ 418,379	\$ 1,938,845
FY17: Change in Net Assets	423,766	(50,717)	373,049	(5,523)	367,526
FY: Board Approved Transfer	(425,000)	425,000	–	–	–
Net Assets: March 31, 2017	\$ 944,394	\$ 949,121	\$ 1,893,515	\$ 412,856	\$ 2,306,371

Based on the table above, a couple of things to note:

- Temporarily restricted funds are cash gifts and pledges restricted by the donor for a particular purpose or timeframe. The net reduction of \$5,523 means we are spending down our backlog of restricted money and complying with the donors' intent. These funds are available to GLAD in FY18 and subsequent years.
- The board voted to move all of the FY17 surplus into the board designated fund. The FY18 budget includes expenditures for strategic initiatives totaling \$253,000 and for subsequent years we anticipate spending an additional \$295,000 to increase our legal staff, strengthen development capacity, and pay for increased operating costs, including a March 2018 office relocation.

Other highlights and trends:

- During fiscal year 2017, GLAD received donated legal services of \$4,008,303. These were unusually high, as a result of the new challenges presented by the new Presidential Administration and a reinvigorated religious opposition. Almost 75% of the donated services supported the Transgender Rights Project I.D. clinic and related impact litigation including in schools and prisons. The remaining 25% assisted GLAD in thwarting attempts to undermine non-discrimination protections and marriage equality. Please refer to the audit footnotes available at www.glad.org/financial-information/ for more details.
- At March 31, 2017, the market value of the investment portfolio was \$1.3m. The Finance & Audit Committee monitors investment results, risk tolerance and asset mix in accordance with our cash & investment policy. There has been a recent trend to slowly and responsibly raise the cash and short term bond positions.

We remain committed to excellence and will carefully monitor our financial results with an eye to the future.

Thank you for investing in GLAD. ■

Eva N. Boyce
Chief Financial Officer
December 2017

Summarized Financial Data for Annual Report

Statement of Activities*

For the 12 month period ended March 31, 2017

FY17

Support and Revenue

Contributions & Grants	\$ 2,399,981
Special events revenue, net	783,005
Fees & program revenue	280,501
Other income	42,565

Operating Income 3,506,052

Donated Services (In-kind Legal Fees) 4,008,303

Total Support & Revenue 7,514,355

Expenses

Transgender Rights Project	3,410,510
Civil Rights Project	2,100,261
AIDS Law Project	293,496
Public Affairs & Education	580,541
Development & Fundraising	423,974
General & Administrative	330,492

Total Expenses 7,139,274

Change in Net Assets from Operations 375,081

Other Revenue (Expenses)

Investment income	9,468
Net realized & unrealized gain (losses)	16,710
Spending policy transfer	(33,733)

Total Change in Net Assets 367,526

Net Assets, beginning of year 1,938,845

Net Assets, end of year \$ 2,306,371

Statement of Financial Position*

March 31, 2017

FY17

Assets

Cash & cash equivalents	\$660,006
Accounts receivable & pledges	444,388
Investments	1,333,641
Equipment, deposits & prepaid expenses	206,754

Total Assets \$ 2,644,789

Liabilities

Accounts payable & accrued expenses	\$ 292,411
Deferred rent	46,007

Total Liabilities 338,418

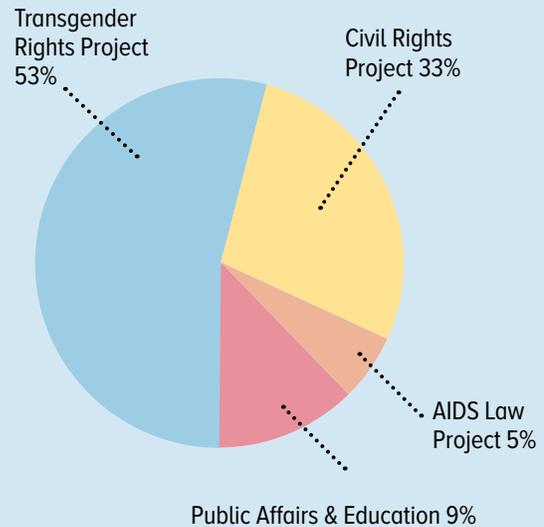
Net Assets

Operating	944,394
Board Designated	949,121
Temporarily Restricted	412,856

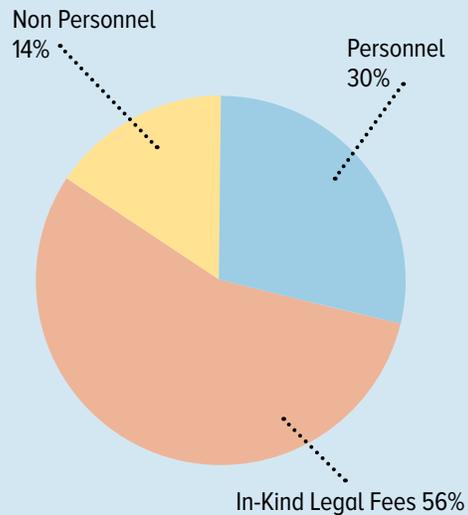
Total Net Assets 2,306,371

Total Liabilities & Net Assets \$ 2,644,789

Program Spending: FY17



Cost Categories: FY17



* Full audit available at www.glad.org/financial-information/



Keeping Families Together: *In Re D.*

LGBTQ elders, particularly LGBTQ elders of color, face distinct barriers to resources that impact their health and wellbeing, economic security, and social connections. GLAD is representing B, a 73 year old Massachusetts woman,

in her effort to be reunited with her spouse, D, 89, after guardianship of D was incorrectly assigned to D's nephew in Mississippi. B and D have been together for nearly thirty years and legally married in March 2017. After D was diagnosed with dementia-like symptoms, her nephew took D to Mississippi, where he lives, and secured guardianship and conservatorship of her—without telling the court about her marriage and her spouse in Massachusetts. GLAD is working to obtain access to critical medical information, assess D's current needs, and transfer guardianship to Massachusetts.

GLAD is hopeful that D will be able to return to Massachusetts, where she will once again be surrounded by the family and friends she knows and loves. We are grateful to co-counsel Mary Schmidt in Massachusetts and Dianne Ellis in Mississippi for their support in helping reunite B and D.

Pelletier v. Executive Office of Health and Human Services, et al., Massachusetts Superior Court

GLAD and Health Law Advocates are challenging a denial of medically necessary facial feminization surgery for a transgender woman by MassHealth, the state Medicaid agency. Following a diagnosis of severe gender dysphoria, our client's doctors prescribed a course of medical treatment to allow her to live in her affirmed gender, including facial feminization surgery. Our client's insurer, MassHealth, refused to provide coverage for the surgery, claiming that facial feminization is categorically excluded in every instance. We filed suit in Suffolk Superior Court in September 2017, arguing that this is an improper interpretation of MassHealth regulations on health care for transgender people, which require a case-by-case determination—based on presented medical evidence and physician assessments—of whether facial feminization surgery is medically necessary to treat a particular individual's gender dysphoria.

Rivera v. Springfield Rescue Mission

In January 2017, GLAD filed a complaint with the Massachusetts Commission Against Discrimination on behalf of our client, Lynn Rivera, who was discriminated against by a religiously affiliated place of business based on their gender identity, sex, and race in violation of Massachusetts Public Accommodation Laws. In the fall of 2016, Lynn, who is of Puerto Rican descent and identifies as transgender, tried to shop at the Give-Away Center, a distribution center in Springfield open to the public that provides items like clothing and toiletries to those in need. Because Lynn exclusively wears men's clothing, Lynn intended to shop only for men's clothing items at the Give-Away Center. But when Lynn began shopping for clothing, an employee loudly told Lynn

that "only men were allowed in the men's section" and "only women were allowed in the women's section." This employee later said that because Lynn's identification said female, Lynn could not take any clothing from the men's section. The business, Springfield Rescue Mission, moved to dismiss the case by arguing their religious character exempted them from coverage under the Massachusetts Public Accommodation Law. GLAD has since submitted an opposition to their motion to dismiss and a rebuttal to Springfield Rescue Mission's position statement.

Commonwealth v. a Juvenile "LN"

GLAD, along with the ACLU of Massachusetts, filed an amicus brief in this case at the Supreme Judicial Court exploring the question of whether the Massachusetts statutory rape law can properly be applied to consensual conduct between two individuals under the age of sixteen. Beyond legal arguments that the statute should not apply to children under sixteen as perpetrators, we submit that criminalizing consensual sexual activity between two individuals under the age of sixteen hinders honest communication between young people and parents, health care providers, school personnel, and other sources of support about their sexual feelings and conduct, and interferes with a positive identity and regard for one's sexuality that experts agree is critical to avoiding risky behavior. We also argue that criminalization of consensual activity between young people under the age of sixteen is particularly harmful to LGBTQ youth who already experience a range of harmful outcomes due to the societal stigma associated with LGBTQ identity and sexual behavior. The message of deviance conveyed by the criminal law reflects, reinforces and amplifies this stigma, which results in higher rates of suicidality, depression, drug use and sexually transmitted infections among LGBTQ youth. We argue that the statute should not be interpreted to apply to two young people under sixteen because the Legislature could not have intended to harm the youth the statute intended to protect.

Title VII and The Courts: Zarda v. Altitude Express

GLAD submitted an amicus brief in this case before the U.S. Court of Appeals for the Second Circuit in which a plaintiff brought a discrimination claim under Title VII, charging that he was fired for being gay. The Second Circuit granted en banc review and, in so doing, specifically invited amicus briefs addressing the question of whether Title VII—our federal law that protects against discrimination in employment—prohibits sexual orientation discrimination. GLAD and others have long made the clear, common sense case that both gender identity and sexual orientation are protected under the law's prohibition of discrimination "because of sex." Last year the US Court of Appeals for the Seventh Circuit issued a watershed en banc ruling that Title VII does prohibit sexual orientation discrimination, and we hope to see the Second Circuit Court of Appeals do the same.

Masterpiece Cakeshop v. Colorado Civil Rights Commission

On December 5, the U.S. Supreme Court heard oral arguments in this case involving a gay couple who were refused service by a public business based on religious objections to their marriage. David and

Charlie filed a complaint with the Colorado Civil Rights Commission, which found that the bakery had violated Colorado nondiscrimination law requiring businesses to provide the same services to LGBTQ people that they provide to others. The outcome of this case could either preserve hard won protections in local, state and federal antidiscrimination laws, or allow them to be overridden by religious and moral objections. In October, GLAD and NCLR, assisted by Pierce Atwood, LLP, filed one of about forty friend-of-the-court briefs in support of David and Charlie, arguing that a constitutionally-compelled exception to antidiscrimination laws would impose serious harms on LGBT people, other historically marginalized groups, and our broader society.

Pidgeon v. Turner

The U.S. Supreme Court denied a petition for review of *Pidgeon v. Turner*, a case moving through the Texas courts concerning the question of whether the *Obergefell* marriage decision requires the equal provision of benefits to same-sex spouses of municipal employees (in this case, the City of Houston) as to different-sex spouses. GLAD and NCLR submitted an amicus brief supporting the request for Supreme Court review following a June Texas State Supreme Court ruling that sent the case back to the trial court rather than settle the matter directly. This case is not over, and we hope and expect the Texas trial court, on remand, will uphold spousal benefits for employees married to a person of the same sex, as *Obergefell* and common sense require.

Transgender Youth: School Bullying and Harassment

Rhode Island

GLAD filed a complaint with the Office of Civil Rights on behalf of a nine-year-old Rhode Island transgender girl, H.H., who experienced pervasive physical and sexual harassment by her peers at her elementary school—including a sexual assault on the school bus—because of her gender expression. The student’s family reported the harassment to the principal and H.H.’s teachers when the bullying and abuse began, but the school failed to take reasonable measures to end the harassment, even assigning H.H. a seat in her classroom next to a student who was her primary harasser and sexually assaulted her on the bus. Our complaint on behalf of the family states that the school violated Title IX through their deliberate indifference to the pervasive harassment and by failing to create a safe and welcoming environment for H.H.

Massachusetts

- We are working with a school district in Massachusetts to develop an inclusive and affirming athletics policy to make athletic spaces safer for transgender students. We became involved after we learned that a talented high school athlete experienced pervasive discrimination by his lacrosse team based on his gender identity. Despite being informed that the student had transitioned over the summer, the athletics director, coach and team captains hadn’t proactively taken steps to ensure he would be welcomed when he joined his teammates in the fall. The team environment deteriorated into an unsafe place for him and the environment became so hostile, the student was forced to leave the team and stop playing sports at his school.

• *Cormier v. City of Lynn*

GLAD submitted an amicus letter to the Massachusetts Supreme Judicial Court in this bullying case involving very serious injury to a fourth-grade student while on school property. The student had been bullied for years because of his physical appearance, and sustained the injury after being pushed down a flight of stairs at school by a known bully.

The issue in the case is when the school district and the city should be immune from liability and, conversely, what should trigger the possibility of liability.

Our letter discusses bullying as a pervasive problem in schools, particularly for vulnerable populations such as LGBTQ youth, and cites Massachusetts’ bullying law that was enacted to protect students. The law notes that certain students are likely to be more vulnerable to bullying based upon actual or perceived characteristics including sexual orientation, gender identity or expression, and physical appearance. GLAD argues that a decision in this case in favor of the school district would undermine efforts to protect young people from bullying.

Comprehensive Criminal Justice Reform in Massachusetts

LGBTQ youth, particularly LGBTQ youth of color, are overrepresented in the juvenile justice system due to stereotypes, pervasive stigma, bias, and other structural factors. Family rejection, unsupportive schools and discriminatory policing practices contribute to increased interactions between LGBTQ youth and the juvenile and criminal justice systems. LGBTQ adults, too, are disproportionately vulnerable to discrimination when interacting with the criminal justice system.

GLAD is working in several coalitions to push legislative action for criminal justice reform. Through legislative action, GLAD hopes the Massachusetts Legislature will make major reforms to the criminal justice system that will, for example, reduce the involvement of youth and adults in the criminal justice system, lower the threshold for expungement of juvenile records so that such records do not follow youth for the rest of their lives, and reform the inhumane practice of solitary confinement on both youth and adults who are incarcerated. Our efforts gained momentum last session, with the House and Senate passing major criminal justice reform bills and including some of the coalitions’ key amendments, such as expungement of some juvenile records and restrictions on the use of solitary confinement.

Transgender Equality Across New England

GLAD is leading two critical movements to advance and protect transgender equality in state law. GLAD and our partners in Freedom for All New Hampshire are working hard to pass House Bill 1319, which would add gender identity to the state’s non-discrimination law. New Hampshire is the last state in New England to have no explicit protections for transgender people, and this bipartisan effort will be a model for the nation.

In Massachusetts, opponents of equality have put repealing our hard-won transgender public accommodations protections on the 2018 ballot. This November, Massachusetts voters will have the chance to show the nation that they support transgender equality. GLAD is a leading member of Freedom for All Massachusetts, the bipartisan coalition working to ensure Massachusetts upholds fairness and equality for all.

Advocating for LGBTQ Youth in the Juvenile Justice System

continued from page 5

Our clients and their peers are remarkably resilient in spite of Long Creek's harmful environment, thanks in notable part to the support of local organization Portland Outright and its Executive Director Osgood.

Operating in Portland since the 1990s, Portland Outright is a youth-driven program that supports underserved LGBTQ+ youth through ongoing mentorship, social events and trainings, as well as intentional support to youth navigating systems, such as the foster care system, homelessness, mental health services, and the juvenile justice system, including Long Creek.

"At the core of Portland Outright has always been young people mobilizing other young people to be at the table about decisions being made in their own lives, supported by a network of adult mentors," says Osgood.

About five years ago, the organization started focusing on mobilizing low-income LGBTQ young people around gender and racial and economic justice, which drove their work in homeless shelters, residential treatment centers, and eventually Long Creek.

"[The assesment on Long Creek] confirms what we already know: prisons do not work for youth."

— GLAD Civil Rights Project Director
Mary L. Bonauto

"We'd been working a lot with low-income folks and folks experiencing homelessness," Osgood says. "One of the things we were hearing was that a lot of them were coming into contact with the juvenile justice system, either going in and out of Long Creek or leaving Long Creek and going straight into homelessness or into residential treatment that was creating further harm."

To support the LGBTQ youth incarcerated in Long Creek, Portland Outright (www.portlandoutright.com) created Sexuality and Gender Awareness For Everyone (SAFE) Group, a space inside Long Creek where "young people can talk to each other and organize or create the kinds of connections that help them survive the day-to-day while also creating a vision for a more just system for community-based alternatives to incarceration," Osgood says. "They talk about the conditions of incarceration but also the systems that are funneling LGBTQ young people into incarceration—the school to prison pipeline, the mental health system, lack of healthcare, homelessness."

Portland Outright has also collaborated with Maine Inside Out (www.maineinsideout.org), an organization that uses original theater inside and outside correctional facilities to initiate dialogue and build community across boundaries. A new collaboration between the two organizations involves opportunities to create visual art pieces made by incarcerated LGBTQ youth. An installation of that visual work is part of "Love Is: Alternatives to Incarceration," a showcase of theater, film, and visual art. The body of work is a catalyst for young people and the outside community "to have conversations about their vision of justice and of the communities they want to live in," says Osgood.

We are proud to collaborate with Portland Outright and Maine Inside Out to empower and advocate for and with youth and to find solutions for systemic change.

"Getting to know our youth clients over the past year has been a privilege," says Crozier. "Their strength and resilience in the face of inhumane conditions is inspiring. And, witnessing how community organizations like Portland Outright and Maine Inside Out have supported their voices and empowerment reminds me of how important it is to fight to keep hope, and that we can change the systems that care for our youth."

"Partnering with GLAD has been like coming home to our community in lots of ways," says Osgood. "To have folks with a legal lens, who show up consistently for our members and are willing to do the community building, as well as the advocacy work, has really been a gift for the movement that we're building."

And we are making progress. Earlier this year, one of our clients was released early to after-care. Another of our clients still inside has become a resident leader and has a treatment program that better meets his needs. Our clients contributed their stories and voices in a federal audit process that led to the facility failing to meet federal standards and having to undergo policy and training changes. Maine's Department of Corrections is in the process of updating their transgender and intersex policy based on our recommendations and continued advocacy.

Last December, an expert assessment on Long Creek authorized by the Maine Juvenile Justice Advisory Group was released, highlighting problems at Long Creek and providing a roadmap of recommendations for addressing concerns GLAD has raised over the past year. We are working with Portland Outright, Maine Inside Out, and others on the ground in Long Creek, to push for immediate and dramatic changes, such as:

- Releasing the 25-50% of youth currently at Long Creek who, according to the assessment, should not be there.
- Correcting the serious safety concerns of the youth in Long Creek.
- Developing policy and training about LGBTQ youth.
- Increasing resources and accountability from the State for funding community-based alternatives to incarceration, such as residential facilities and family and community support services.

"This report confirms what we already know: prisons do not work for youth," says Bonauto. "We expect the committed leadership of Long Creek and staff and supervisors to seize this opportunity to take a hard and urgent look at rebuilding the medical and mental health services youth need based on research and experiences that work well elsewhere."

There is much work to be done, in and outside of Long Creek. But the courageous youth determined to change their futures give us hope. GLAD will keep fighting for them, will keep supporting their self-advocacy to send the message that LGBTQ youth, like all youth, deserve to be safe, welcomed, and loved for who they are. ■

Welcome New Staff

Khari Charles, Community Engagement Manager

Khari joined GLAD in January 2018, bringing to the organization deep community connections and experience in local and national organizing, including with the National LGBTQ/HIV Criminal Justice Working Group, The MA Against Solitary Confinement Coalition (MASC), and Black & Pink. Khari is Chairperson on the National Black Leadership Coalition, and the founder of Queeri, an organization aimed at bridging the gaps between intersections of race, class, gender, sexual identity and orientation.

Tessa Holtzman, Legal Assistant

Tessa joined GLAD in June 2017 after graduating from Bates College with a B.A. in Institutional Politics and a minor in Spanish. While at Bates, Tessa interned with the ACLU where she researched the barriers experienced by survivors of domestic violence who were applying for U.S. visas. She also interned with U.S. Senator Martin Heinrich where she worked to help draft information-technology legislation to serve Native American communities. Tessa is excited to be starting her career in public policy and legal advocacy at GLAD.

Rianna Johnson-Levy, Legal Assistant

Rianna joined GLAD in October 2017 after graduating from Yale University with a B.A. in African American Studies and Women's, Gender, and Sexuality Studies. Rianna previously interned with the ACLU's LGBT & HIV Project. She also interned with Lambda Legal, working with their Youth in Out-of-Home Care Project, researching the disproportionate contact LGBTQ youth of color have with the juvenile justice system.

Chris Rainville, Events Manager

Prior to joining GLAD in November 2017, Chris was the Manager of Production for Special Events and Communications at Columbia University Medical Center in the Office of Development in New York City. His previous work includes staffing the Children's Museum of the Arts as a Teaching Artist, and freelancing as a film producer in the New York City area. Chris earned a B.A. in Film & TV Production as well as a Certificate of Meeting and Conference Management from New York University.

36th Annual Summer Party

Honoring Jeanne Leszczynski & Diane DiCarlo for their dedication and work on behalf of LGBTQ justice [July 29, 2017](#)



David Wilson, Sally Deane and Anderson Clark



Board members Fred Csibi and Francisco Cabas with TJ Rivetti



Morgan Wentworth and Corri Hale



Honorees Jeanne Leszczynski and Diane DiCarlo



Joanna Hamilton and Lindsay Harrison



GLAD Executive Director Janson Wu with Leila Eshghi and Kate Clinton



**LEGAL ADVOCATES
& DEFENDERS**

for the LGBTQ Community

30 Winter Street, STE 800, Boston, MA 02108

POSTAGE
INFO

Save the Date

