



Idaho

Judge Blocks First Law Targeting Transgender Athletes as Case Continues

All Women and Girls Can Now Try Out for Fall Teams

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BOISE, Idaho — A federal judge today blocked Idaho's law targeting transgender student athletes, recognizing that "the Constitution must always prevail." By granting the motion for a preliminary injunction, brought by the American Civil Liberties Union, the ACLU of Idaho, Legal Voice, and Cooley LLP, girls and women who are transgender or intersex will continue to be able to participate in school sports in Idaho.

The lawsuit was brought on behalf of Lindsay Hecox, a student at Boise State University who is transgender and had been planning to try out for the cross-country team, and Jane Doe, a senior at Boise High School who is cisgender and concerned about being subjected to the law's invasive "sex verification" testing.

While the lawsuit is pending, the first outright ban on participation of transgender athletes anywhere in the world and the only statewide statute restricting the participation of transgender and intersex athletes in the country will not go into effect.

"I feel a major sense of relief," said **Lindsay Hecox**, who is preparing to try out for the track and cross-country teams at BSU. "I love running, and part of what I enjoy about the sport is building relationships with a team. I'm a girl, and the right team for me is the girls' team. It's time courts recognize that and I am so glad that the court's ruling does."

"Transgender people belong in Idaho, including on school sports teams," said **Ritchie Eppink**, **legal director for the ACLU of Idaho**. "This decision will not only protect women and girls, but also the Idaho economy as businesses have made it clear that they do not want to support

any attack on transgender students. This is a welcome first step, and our fight for Lindsay, Jane Doe and others impacted by this law is not over.”

Even before the passage of the Idaho law enjoined today, Idaho already had one of the most restrictive policies in the country regulating participation of transgender athletes in high school athletics. This restrictive policy required girls who are transgender to complete one year of hormone therapy as part of gender transition before competing in girls’ sports. While activities associations in other states have enacted a range of policies on the inclusion of transgender student athletes, Idaho is the first state to pass a state law governing athletic participation and the only state to enact a sweeping ban on participation at all levels.

“We are relieved that our clients, and all girls and women in Idaho, will be able to participate in sports without interference from this discriminatory law,” said **Gabriel Arkles, senior staff attorney** with the ACLU LGBT & HIV Project. “If politicians in other states attack transgender youth, they will face similar challenges.”

Athletes including [Billie Jean King](#), [Megan Rapinoe](#), and [Jason Collins](#) have spoken out against Idaho’s law attacking transgender student athletes and asked the NCAA to cancel March Madness tournaments scheduled for Idaho in 2021.

“School sports are about participation. All women and girls should be able to play without invasive testing,” says **Legal Voice’s Catherine West**.

“Idaho’s HB 500 violates both the Constitution and Title IX, and the court’s ruling today eloquently explains how it likely violates the equal protection rights not only of our clients but of all women and girl athletes in Idaho,” said **Kathleen Hartnett of Cooley, LLP**.

In 2020, over [200 anti-LGBTQ](#) laws were active in state legislatures, including dozens targeting transgender youth. The ACLU and its partners fought many of those and won, and will continue to fight for transgender and intersex students.

The lawsuit was filed in federal district court by the ACLU and the ACLU of Idaho, Legal Voice, and Cooley LLP.

Legal documents are available here: <https://www.aclu.org/cases/hecox-v-little>.

Legal Voice is a progressive feminist organization using the power of the law to make positive change for women, girls, and LGBTQ people in the Northwest. Legal Voice uses ground-breaking litigation, legislative advocacy, and community education to fight gender oppression and injustice. More at legalvoice.org.

The ACLU of Idaho is a non-partisan, non-profit organization dedicated to the preservation and enhancement of civil liberties and civil rights. The ACLU of Idaho strives to advance civil liberties and civil rights through activities that include litigation, education, and lobbying. Learn more at acluidaho.org.