



Idaho

ACLU, Legal Voice File Lawsuit Challenging Idaho's Law Targeting Transgender Student Athletes

FOR IMMEDIATE RELEASE

April 15, 2020

CONTACT:

Tyler Richard, ACLU, 402-202-6211, trichard@aclu.org

Caitlin Copple Masingill, 406-493-4281, ACLU of Idaho, caitlin@fullswingpr.com

Eliza Amon, Legal Voice, 917-686-4185

BOISE, Idaho — A lawsuit was filed today challenging Idaho's recently passed law that bans women and girls who are transgender and many women and girls who are intersex from participating in school sports. Gov. Brad Little signed the law, HB 500, making Idaho the first state to impose an outright ban on participation of transgender athletes and the only with a statewide law regulating transgender and intersex athletes in the country.

Today's lawsuit was filed on behalf of a track athlete at Boise State University who is transgender and a junior at Boise High School who is cisgender and concerned about being subjected to invasive "sex verification" testing under the new law.

"We're suing because HB 500 illegally targets women and girls who are transgender and intersex and subjects all female athletes to the possibility of invasive genital and genetic screenings," said **Gabriel Arkles, senior staff attorney with the American Civil Liberties Union's LGBT & HIV Project**. "In Idaho and around the country, transgender people of all ages have been participating in sports consistent with their gender identity for years. Inclusive teams support all athletes and encourage participation — this should be the standard for all school sports."

In 2020, over [200 anti-LGBTQ](#) laws were active in state legislatures, including dozens targeting transgender youth. Idaho already has one of the most restrictive policies in the country regulating participation of transgender athletes in high school athletics. This restrictive policy, which will be replaced by HB 500's outright ban on participation, required girls who are transgender to complete one year of hormone therapy as part of gender transition before competing in girls' sports. This is the same rule that exists in the NCAA and elite international competition. 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.

“I just want to run with other girls on the team,” said **Lindsay Hecox**, who moved to Idaho in the hopes of one day joining the track team and cross country teams at BSU. “I run for myself, but part of what I enjoy about the sport is building the relationships with a team. I’m a girl, and the right team for me is the girls’ team.”

"Alongside Idahoans throughout the state, we have been fighting this hateful, unconstitutional legislation since it was introduced," said **ACLU of Idaho Legal Director Ritchie Eppink**. “Businesses, major employers, schools, doctors, and counselors have all warned that this law is terrible for Idaho.”

“Embedding this discrimination into Idaho law is unnecessary and harmful to all,” says **Legal Voice’s Catherine West**. “Female athletes deserve to play, not endure invasive testing or internal and external exams.”

“Governor Little claims he is not a ‘discrimination guy,’ but signing this misguided bill proves otherwise,” says **Chelsea Gaona-Lincoln of Legal Voice**. “We stand with our transgender siblings and community members impacted by this harmful bill.”

“By discriminating and invading privacy, HB 500 violates the U.S. Constitution and Title IX, and we look forward to presenting our arguments to the court,” said **Kathleen Hartnett of Cooley, LLP**.

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

###

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.*