

No. 25-840

IN THE
Supreme Court of the United States

INTERNATIONAL PARTNERS FOR ETHICAL CARE, INC.,
et al., *Petitioners*,

v.

ROBERT FERGUSON, Governor of Washington, in His
Official Capacity, et al., *Respondents*.

On Petition for a Writ of Certiorari to the United
States Court of Appeals for the Ninth Circuit

**Brief *Amicus Curiae* of America's Future,
Public Advocate of the U.S., Public Advocate
Fdn., U.S. Constitutional Rights Legal Defense
Fund, Judicial Action Group, Judicial Action
Group Foundation, Center for Morality, and
Conservative Legal Defense and Education
Fund in Support of Petitioners**

RICK BOYER Lynchburg, VA 24506	WILLIAM J. OLSON* JEREMIAH L. MORGAN
JAMES N. CLYMER Lancaster, PA 17603	WILLIAM J. OLSON, P.C. 370 Maple Ave. W., Ste. 4
PHILLIP L. JAUREGUI Washington, DC 20005	Vienna, VA 22180 (703) 356-5070
JOSEPH W. MILLER Fairbanks, AK 99708	wjo@mindspring.com <i>*Counsel of Record</i>
J. MARK BREWER Johnson City, TX 78636	<i>Attorneys for Amici Curiae</i>
KERRY L. MORGAN Wyandotte, MI 48192	February 17, 2026

TABLE OF CONTENTS

	<u>Page</u>
TABLE OF AUTHORITIES	iii
INTEREST OF THE <i>AMICI CURIAE</i>	1
STATEMENT OF THE CASE	2
SUMMARY OF ARGUMENT.	4
ARGUMENT	
I. THE WASHINGTON STATUTE’S INJURY TO PETITIONERS’ PARENTAL RIGHTS IS IMMEDIATE AND DEFINITE, NEITHER FUTURE NOR SPECULATIVE	5
A. Parents Have Standing to Challenge the Washington Law which Endangers Their Children	6
B. The Decision Below Conflicts with a Fifth Circuit Decision	10
II. THE WASHINGTON LAW HAS NO RATIONAL BASIS, AS IT IS PREDICATED ON A DESTRUCTIVE HOAX.	11
A. The Origins of the “Transgender-medical Complex” Were Steeped in Fraudulent “Science” and Child Sexual Abuse	12
B. The Epstein Files Reveal the Connection between Transgender Care and Child Sexual Abuse	18

III. THE PASSAGE OF TIME HAS SERVED TO EXPOSE THE TRANSGENDER HOAX.	21
A. Major Medical Organizations Are Beginning to Admit that “Transgender Care” Is Child Abuse	21
B. State Legislatures and Justices of This Court Have Likewise Recognized the Abusive Reality of Transgender Treatments	25
CONCLUSION	28

TABLE OF AUTHORITIES

	<u>Page</u>
<u>STATUTES</u>	
TN Code § 68-33-101	25, 26
Wash. Rev. Code § 13.32A.082(2)(c)(ii)	2
Wash. Rev. Code § 13.32A.082(2)(d)	2
Wash. Rev. Code § 13.32A.082(3)(b)(i)	2
 <u>CASES</u>	
<i>Deanda v. Becerra</i> , 96 F.4th 750 (5th Cir. 2024)	
	10, 11
<i>Elrod v. Burns</i> , 427 U.S. 347 (1976)	6
<i>Parents Protecting Our Child., UA v. Eau Claire Area Sch. Dist.</i> , 145 S. Ct. 14 (2024)	
	9
<i>Pierce v. Soc’y of Sisters</i> , 268 U.S. 510 (1925)	6
<i>United States v. Skrmetti</i> , 605 U.S. 495 (2025)	
	5, 16, 25, 28
 <u>MISCELLANEOUS</u>	
American Society of Plastic Surgeons, “Position Statement on Gender Surgery for Children and Adolescents” (Feb. 3, 2026)	
	23
Kate Armanini, “Tom Pritzker, cousin of Gov. JB Pritzker, named in latest release of Epstein documents,” <i>Chicago Tribune</i> (Nov. 19, 2025)	
	20
Jennifer Bilek, “The Billionaire Family Pushing Synthetic Sex Identities (SSI),” <i>TabletMag.com</i> (June 14, 2022)	
	20, 21
The Cass Review (2024)	
	21
Hudson Crozier, “Sex-Change Surgeon Asked Epstein To Fund ‘Groundbreaking’ Transgender Documentary, Emails Show,” <i>Daily Caller</i> (Feb. 2, 2026)	
	18, 19

Paige Cunningham, “First major medical group opposes gender transition surgeries for youth,” <i>Washington Post</i> (Feb. 3, 2026)	23, 24
Dept. of Health and Human Services, “HHS Releases Peer-Reviewed Report Discrediting Pediatric Sex-Rejecting Procedures,” (Nov. 19, 2025)	22, 23
Dept. of Health and Human Services, “Supplement to Treatment for Pediatric Gender Dysphoria: Review of Evidence and Best Practices,” (Nov. 19, 2025)	22
“Ex-GI Becomes Blonde Beauty,” <i>New York Daily News</i> (Dec. 1, 1952)	12
Shane Galvin, “Detransitioner wins \$2 million against New York docs who pushed double mastectomy,” <i>New York Post</i> (Jan. 31, 2026) . .	24
Walt Heyer, “The troubling history of ‘sex change’ surgery,” <i>Mercatornet.com</i> (May 8, 2015)	13, 16, 17
Elliot Kaminetzky, “Lawmakers must recognize the transgender-suicide lie — and protect children,” <i>New York Post</i> (Jan. 24, 2024)	26
Alfred Kinsey, et al., “ <u>Sexual Behavior in the Human Female</u> ” (1953)	12, 14
Robert Knight, “How Alfred C. Kinsey’s Sex Studies Have Harmed Women and Children,” <i>ConcernedWomen.org</i>	13, 14
Joanne Meyerowitz, “Sex Research at the Borders of Gender: Transvestites, Transsexuals, and Alfred C. Kinsey,” <i>Bulletin of the History of Medicine</i> Vol. 75, No. 1 (Spring 2001)	13

Office of the Attorney General, Press Release, “AG Paxton Declares So-Called Sex-Change Procedures on Children and Prescription of Puberty Blockers to be ‘Child Abuse’ Under Texas Law,” (Feb. 21, 2022)	25
Rebecca Poole, “From GI Joe to GI Jane: Christine Jorgensen’s Story,” <i>Nationalww2museum.org</i> (June 30, 2020). . . .	15
Vernon Rosario, “The Birth of Transgender Science,” <i>Gay and Lesbian Review</i> (Sept.-Oct. 2024)	15
Leor Sapir, “ACLU Attorney Confesses: Transgender-Suicide Claim is a Myth,” <i>City-Journal.org</i> (Dec. 5, 2024).	27
Jennifer Thetford-Kay, “A Brief Look at the History of Medicalising Sex & Gender — Part Two,” <i>Medium.com</i> (June 28, 2023) . .	15, 16
Matt Walsh, “The Disturbing Facts The Epstein Files Revealed,” <i>Daily Wire</i> (Feb. 2, 2026)	19, 20

INTEREST OF THE *AMICI CURIAE*¹

Amici curiae America's Future, Public Advocate of the United States, Public Advocate Foundation, U.S. Constitutional Rights Legal Defense Fund, Judicial Action Group, Judicial Action Group Foundation, Center for Morality, and Conservative Legal Defense and Education Fund are nonprofit organizations, exempt from federal income tax under either section 501(c)(3) or 501(c)(4) of the Internal Revenue Code. These entities, *inter alia*, participate in the public policy process, including conducting research, and informing and educating the public on the proper construction of state and federal constitutions, as well as statutes related to the rights of citizens, and questions related to human and civil rights secured by law. Some of these *amici* have filed *amicus* briefs in this Court in cases addressing similar issues. See *Parents Protecting v. Eau Claire Area School District, Wisconsin*, No. 23-1280, Brief Amici Curiae of America's Future, et al. (July 8, 2024); *United States v. Skrmetti*, No. 23-477, Brief of Amici Curiae America's Future, et al. (Oct. 15, 2024); *Mahmoud v. Taylor*, No. 24-297, Brief Amici Curiae of America's Future, et al. (Oct. 16, 2024) and Brief Amici Curiae of America's Future, et al. (Mar. 10, 2025), and *Mirabelli v. Bonta*, No. 25A810, Brief Amicus Curiae of America's Future, et al. (Jan. 21, 2026).

¹ It is hereby certified that counsel of record for all parties received timely notice of the intention to file this brief; that no counsel for a party authored this brief in whole or in part; and that no person other than this *amicus curiae*, its members, or its counsel made a monetary contribution to its preparation or submission.

STATEMENT OF THE CASE

The law challenged here was enacted by the State of Washington in 2023, giving strangers authority over the sexual lives of runaway children, while keeping their parents in the dark. Previously, a state-regulated youth shelter was required to attempt to contact parents of runaway children within 24 hours, and was required to contact them within 72 hours to pick up the child unless they believed the child would be subject to neglect or abuse if returned home. *See* Petition for Certiorari (“Pet.”) at 4. The 2023 law, Wash. Rev. Code § 13.32A.082(2)(c)(ii), provided that if the child is seeking “protected health care services,” the shelter need not inform the parents, and need only inform the Washington State Department of Children, Youth and Family Services (“DCYF”). *Id.* at 5. DCYF must then “[o]ffer to make referrals on behalf of the minor for appropriate behavioral health services,” Wash. Rev. Code § 13.32A.082(3)(b)(i). *Pet.* at 6. These “protected health care services” expressly include so-called “gender-affirming treatment.” Wash. Rev. Code § 13.32A.082(2)(d). *Pet.* at 5. The requirement that parents must be notified within 72 hours was entirely removed. *See* *Pet.* at 11-14.

The 2023 law was challenged by five Washington couples, four of whom are parents of gender-confused children (one of the children had already run away in the past), and by advocacy organizations International Partners for Ethical Care, Inc. (“IPEC”), and Advocates Protecting Children (“APC”). The plaintiffs argued that the law incentivized children to run away from their parents to seek potentially irreversible and life-

altering surgical and chemical treatments for “gender transition” which their parents did not wish to provide, in violation of the parents’ Due Process rights under the Constitution. Defendants are Washington’s Governor, Attorney General, and Secretary of the Washington Department of Children, Youth, and Families.

The District Court for the Western District of Washington dismissed the case, concluding that because none of the plaintiff parents’ children had run away and been granted “gender treatments” by the state, the parents’ injuries were too speculative to support standing. *Int’l Partners for Ethical Care, Inc. v. Inslee*, 2024 U.S. Dist. LEXIS 87844 at *3-4 (W.D. Wash. 2024) (“*IPEC I*”).

A Ninth Circuit panel affirmed. The parents argued that they had stopped even discussing issues of gender with their confused children for fear that the children would run away to take advantage of the new law and receive surgical and chemical intervention without parental consent or knowledge. The Ninth Circuit ruled that the parents’ choice not to speak with their children about gender issues constituted “[d]amages ‘inflicted by [their] own hand,’” and thus they had no standing. *Int’l Partners for Ethical Care Inc. v. Ferguson*, 146 F.4th 841, 849 (9th Cir. 2025) (“*IPEC II*”).

The Ninth Circuit denied *en banc* review. *Int’l Partners for Ethical Care Inc. v. Ferguson*, 161 F.4th 604 (9th Cir. 2025) (“*IPEC III*”). Dissenting from the denial of *en banc* review, Judge VanDyke noted that

“Washington [claims it] doesn’t harm any parent until the moment that it gets caught secretly subjecting a child to so-called gender transition services — something that parents might never know until it’s too late.” *Id.* at 605 (VanDyke, J., dissenting). He argued that “[s]uch a reductionist view of parental rights ... chills the rights of these parents to direct the care and upbringing of their children, strikes at the heart of what the parental right protects, and constitutes a current and ongoing invasion of the parents’ constitutional rights.” *Id.* Judge VanDyke argued that:

[s]o long as Washington encourages minors to take the plunge into gender transitions without the knowledge (or even over the objection) of fit parents, parents lose their ability to direct the care and upbringing of their children, regardless of whether § 13.32A.082(2)(c)(ii)’s sword of Damocles ever falls on that particular parent.... [O]ur own court has tragically erred. [*Id.* at 611 (VanDyke, J., dissenting)].

SUMMARY OF ARGUMENT

The Ninth Circuit has elevated its standard to demonstrate standing to a point that the challenged state law will go unchallenged until irreversible damage is done to one or more troubled minor children as a result of freezing the parents out of the decision-making process. This law was adopted on the premise that gender-confused minors should be directed toward “gender-affirming” treatments, while keeping parents

in the dark. Washington State's usurpation of the role of parents long recognized by this Court results in nothing less than child sexual abuse, which this Court cannot allow to go unaddressed, particularly in view of its earlier decisions including *United States v. Skrmetti*, 605 U.S. 495 (2025) and the conflict the Ninth Circuit has created with the Fifth Circuit's decision in a similar case.

This law was enacted in Washington State at the height of the transgender craze which swept the nation. Since then, the corrupt origins of transgenderism, and its true nature as child abuse, has been demonstrated from multiple sources including the Epstein files. Several states, the British and U.S. governments, the American Society of Plastic Surgeons and the American Medical Association have recognized the folly and profound danger of transgender treatments for minors. What Washington State has termed "gender affirming" care is now understood to be child abuse, and the Ninth Circuit's decision should be reviewed by this Court.

ARGUMENT

I. THE WASHINGTON STATUTE'S INJURY TO PETITIONERS' PARENTAL RIGHTS IS IMMEDIATE AND DEFINITE, NEITHER FUTURE NOR SPECULATIVE.

A. Parents Have Standing to Challenge the Washington Law which Endangers Their Children.

One hundred years ago, this Court stated, “[t]he child is **not the mere creature of the State**; those who nurture him and direct his destiny **have the right**, coupled with **the high duty**, to recognize and prepare him for additional obligations.” *Pierce v. Soc’y of Sisters*, 268 U.S. 510, 535 (1925) (emphasis added). The State of Washington has legislatively stripped that constitutional right from the Petitioner parents here, and the loss of that constitutional right and the real risk of irreversible harm is itself sufficient to demonstrate standing.² “The loss of [constitutional] freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.” *Elrod v. Burns*, 427 U.S. 347, 373 (1976).

Nevertheless, the Ninth Circuit apparently adopted the view that until one of Petitioners’ children actually runs away to a youth shelter, and is provided dangerous surgical or chemical treatments without the parents’ knowledge, Petitioners cannot demonstrate standing. Such a rule would prevent parents from acting to protect their children before strangers actually, and sometimes irreversibly, interfere in the health and personal sexual development of minor children. The Washington law immediately strips

² Some of these *amici* recently discussed parental rights being violated by a California parental exclusion policy in *Mirabelli v. Bonta*, No. 25A810. See Brief Amicus Curiae of America’s Future, et al. (Jan. 21, 2026).

rights from parents in favor of strangers, and immediately undermines the parents' authority over every gender-confused child in the state. The change in the law is stark, as it authorizes literal strangers — as *de facto* or *de jure* agents of the state — to influence and make intimate, sexual decisions for children. In practice, the Washington law destroys the promise of *Pierce*, rendering certain children “mere creature[s] of the state.”

The law's sponsors made it clear that they intended to impose their judgment about the best interest of children instead of the parents. Senator Liias stated, “when a young person is [among other things] seeking gender-affirming care in the face of opposition and hostility from their family ... we need to focus on the essential needs of a young person — insure they're getting the care they deserve....” Pet. at 7. Representative Taylor stated:

we're talking about children who are not in this room hearing really encouraging language from their parents. It's the ... words that are constantly told — “you cannot be uniquely you. You cannot be something other than what I desire for you to be. And if you do not follow my rules ... I'm not even gonna give you the safety, the comfort that you so desire when you want to be uniquely you.” ... [So w]e must step in. We must provide a place for this child. [*Id.* at 8.]

Senator Trudeau stated, “we would love to know that every family is a family that supports their

children. But ... [m]any families don't. And for the kids that come from those families, they deserve the support and love as well." *Id.* at 8-9.

These Washington state legislators clearly view themselves in an adversarial relationship with the parents of gender-confused runaway children. The state has arrogated to itself the power to choose the best medical path for these children, regardless of the parents' wishes. The Ninth Circuit has established such a high bar for standing that irreversible damage can be done to the children before the parents are even advised. Petitioners' children have been made "mere creatures of the state" simply by running away from home, with no assessment of parental fitness.

The language of "love" and "support" veils the iron fist of the state allowing children too young to give valid consent to make irreversible, life-destroying decisions without the consent or even the knowledge of their parents. Before the law, Petitioners' children could not seek to have body parts removed or chemically altered without parental consent. Now, it appears they can. The parents' legal right to interpose between their confused, runaway children and physicians willing to perform irreversible surgeries or prescribe chemical treatments for profit has been voided by Washington. The harm from such a policy for the Petitioners is definite and immediate, neither future nor speculative.

As Judge VanDyke noted in his dissent,

[u]nder its rationale, Washington doesn't harm any parent until the moment that it gets caught secretly subjecting a child to so-called gender transition services — something that parents might never know until it's too late. Such a reductionist view of parental rights mistakes parental authority for a mere property interest in the physical possession of a child. [*IPEC III* at 605 (VanDyke, J., dissenting).]

The law is already “a current and ongoing invasion of the parents’ constitutional rights.” *Id.*

As Justice Alito recently noted,

the challenged policy ... specifically encourage[s state actors] to keep parents in the dark about the “identities” of their children, especially if the [state] believes that the parents would not support what the [state] thinks is appropriate. Thus, **the parents’ fear that the [state] might make decisions for their children without their knowledge and consent is not “speculative.”** **They are merely taking the [state] at its word.** [*Parents Protecting Our Child., UA v. Eau Claire Area Sch. Dist.*, 145 S. Ct. 14 (2024) (Alito, J., dissenting from denial of certiorari) (emphasis added).]

“The requirements of standing are strict, but they are not cruel.” *IPEC III* at 614 (Tung, J., dissenting). Petitioners have met them here.

B. The Decision Below Conflicts with a Fifth Circuit Decision.

The decision below is at direct odds with a recent decision of the Fifth Circuit, *Deanda v. Becerra*, 96 F.4th 750, 759 (5th Cir. 2024). In *Deanda*, a parent challenged a federal policy allowing contraceptives to be distributed to children without parental consent. Alexander Deanda argued that the policy invaded his parental right to prevent his daughter from having access to such medical procedures without his consent. The Fifth Circuit had no difficulty in finding standing where the child was given the legal ability to evade the parent’s rights, before the harm occurred. The Fifth Circuit reasoned that, without relief, the parent’s “**existing right to consent** to his children’s receiving contraceptives from Title X providers **will disappear. That is the ‘concrete interest[],’** ... which the ... policy would vaporize.” *Id.* at 757. (emphasis added).

The Fifth Circuit properly ruled that the state’s demonstrated effort to provide medical procedures without the parents’ notice was itself an injury.

To be sure, if one of Deanda’s daughters did get contraceptives from a Title X provider without his knowing, that would also injure Deanda. But it would mean Deanda had been **injured not once but twice** — once by the Secretary’s nullifying his parental rights and a second time by the Secretary’s succeeding in delivering birth control to Deanda’s daughter behind his back. [*Id.* at 759. (bold added)]

The injury “is not ‘premised on [his] minor children’s receiving family-planning services.’ It is premised on the Secretary’s express goal of overriding Deanda’s parental rights.” *Id.*

That is precisely the case here. As Senator Liias, one of the law’s sponsors, plainly stated,

where ... reunification [with the parents] would separate that vulnerable young person from the health care that they’re entitled to...[,] [w]hen a family is standing between their young person and essential health care services...[,] we need to focus on the essential needs of a young person — insure they’re getting the care they deserve.” [Pet. at 7.]

Just as with the Secretary’s secret contraceptive distribution plan to minors in *Deanda*, the Washington law’s express goal is overriding Petitioners’ parental right, in secret. That is all the injury necessary.

In establishing an impossible standard to establish standing, the Ninth Circuit created a conflict in the circuits which should be resolved.

II. THE WASHINGTON LAW HAS NO RATIONAL BASIS, AS IT IS PREDICATED ON A DESTRUCTIVE HOAX.

The sponsors of the challenged Washington law acted on the “politically correct” belief that cutting off children’s healthy body parts or chemically suppressing their naturally occurring sex hormones

are appropriate treatments for a mental health condition. *See* Pet. at 7. For example:

- Senator Liiias asserted that significant transgender intervention is “the care [young people] deserve.” *Id.* at 7;
- Senator Trudeau stated that supporting gender transition equals “support and love.” *Id.* at 9.
- Governor Inslee believes such radical procedures constitute “gender-affirming treatment.” *Id.* at 9.

Those views were baseless when stated, but since then, the unscientific, irrational, and immoral basis for such transgender “medical care” has been exposed, and the dark origins of this child sexual abuse are finally being understood.

A. The Origins of the “Transgender-Medical Complex” Were Steeped in Fraudulent “Science” and Child Sexual Abuse.

The “transgender surgery” option can be traced to three “scientists”: Alfred Kinsey, Harry Benjamin, and John Money. Kinsey achieved fame from his books Sexual Behavior in the Human Male (1948) and Sexual Behavior in the Human Female (1953). While transgenderism was almost unknown at the time,³

³ The American public first learned of so-called “sex change” procedures through reporting on George William Jorgensen in late 1952. *See* “Ex-GI Becomes Blonde Beauty,” *New York Daily News* (Dec. 1, 1952).

Kinsey’s research and rejection of the sexual binary was a major contributor to its development. Kinsey “dismissed ... biological... explanations, and instead stood with a group of American physicians and scientists who in the 1950s postulated a behaviorist model of gender roles and gender identification.”⁴

Although his books are famous, the fraudulent and criminal means by which Kinsey conducted his “research” is not. Kinsey

believed that all sex acts were legitimate — including pedophilia, bestiality, sadomasochism, incest, adultery, prostitution, and group sex. He authorized abusive experiments on infants and toddlers to gather information to justify his view that children of any age enjoyed having sex. Kinsey advocated the normalization of pedophilia and lobbied against laws that would protect innocent children and punish sexual predators.⁵

Kinsey’s work:

chronicled systematic sexual abuse of boys aged 2 months to 15 years old. Kinsey concluded that the boys, despite violent

⁴ Joanne Meyerowitz, “Sex Research at the Borders of Gender: Transvestites, Transsexuals, and Alfred C. Kinsey,” *Bulletin of the History of Medicine* 72, 73, Vol. 75, No. 1 (Spring 2001).

⁵ Walt Heyer, “The troubling history of ‘sex change’ surgery,” *Mercatornet.com* (May 8, 2015) (hereinafter “Heyer”).

reactions and crying, enjoyed being manually and orally stimulated by pedophiles. To Kinsey, what most people thought was rape was merely “sex play” with children, which was essentially harmless, particularly if the child gave “consent.”⁶

Kinsey’s writings “normalized” sexual abuse of children:

Of 4,441 females interviewed, 1,075 reported being “sexually approached” as a girl by an adult male. But Kinsey dismissed emotional and even physical harm.... “[We] have only one clear-cut case of serious injury done to the child, and a very few instances of vaginal bleeding which, however, did not appear to do any appreciable damage.” [*Id.*]

In his book about female sexual behavior, Kinsey writes, “It is difficult to understand why a child, except for its cultural conditioning, should be disturbed at having its genitalia touched, or disturbed at seeing the genitalia of other persons, or disturbed at even more specific sexual contacts.”⁷

One of Kinsey’s clients was a man who wanted to be a woman. Kinsey recommended the man to Dr.

⁶ Robert Knight, “How Alfred C. Kinsey’s Sex Studies Have Harmed Women and Children,” *ConcernedWomen.org*.

⁷ Alfred Kinsey, et al., “Sexual Behavior in the Human Female” at 121 (1953).

Harry Benjamin, who later became famous for performing genital replacement surgery on World War II veteran George William Jorgenson, known thereafter as “Christine.”⁸ Born and educated in Germany, Benjamin promoted “turtle serum” as a “miraculous cure for tuberculosis.”⁹ When the product was revealed as useless, Benjamin began promoting “tying off the ducts carrying sperm from the testes to the urethra” as a means of “renewing male potency and lengthening life and vitality.” *Id.* He then “adapted the ... procedure to women by directing X-ray radiation to the ovaries, which would presumably lead to sterility.” *Id.* Medical journals disproved Benjamin’s techniques as “medical follies,” and physicians in the American Medical Association counted Benjamin among the “quacks, near-quacks, and faddists.” *Id.* Kinsey nonetheless referred his client to Benjamin. Benjamin advised his new client that genital removal surgery would solve his gender dysphoria. He recommended surgeons in Europe, who “performed one of the earliest gender-reassignment operations” on the client.¹⁰

“In the 1970s Benjamin formed what later became the Harry Benjamin International Gender Dysphoria

⁸ Rebecca Poole, “From GI Joe to GI Jane: Christine Jorgensen’s Story,” *Nationalww2museum.org* (June 30, 2020).

⁹ Vernon Rosario, “The Birth of Transgender Science,” *Gay and Lesbian Review* (Sept.-Oct. 2024).

¹⁰ Jennifer Thetford-Kay, “A Brief Look at the History of Medicalising Sex & Gender — Part Two,” *Medium.com* (June 28, 2023).

Association (HBIGDA), an association of therapists and psychologists. HBIGDA devised a set of ‘standards of care,’ largely derived from Benjamin’s case studies, that sanctioned the criteria and diagnostic procedure for transsexuality.” *Id.* HBIGDA became the World Professional Association for Transgender Health (“WPATH”) in 2007. Benjamin developed the “Harry Benjamin Standards of Care for Gender Identity Disorders,” which became today’s WPATH “Standards of Care” (“SOC”), frequently cited by courts in support of eliminating the binary distinction between biological males and females.¹¹

The third member of the “Transgender Trio” was the infamous Dr. John Money, “a dedicated disciple of Kinsey and a member of a transsexual research team headed by Benjamin.”¹²

Money’s first transgender case came in 1967 when he was asked by a Canadian couple, the Reimers, to repair a botched circumcision on their two-year-old son, David.... Money told the distraught parents that the best way to assure David’s happiness was to surgically change his genitalia from male to female and raise him as a girl. As many parents do, the Reimers followed their doctor’s orders, and David was replaced with Brenda.... [*Id.*]

¹¹ Justice Thomas exposed the unscientific nature of WPATH in *Skrmetti* at 543-46 (Thomas, J., concurring) (“WPATH’s lodestar is ideology, not science.”).

¹² Heyer, *supra*.

Unfortunately for David, the experiment was a disastrous failure.

In reality, David Reimer's "adaptation" to being a girl was completely different from the glowing reports concocted by Money for journal articles. By age twelve, David was severely depressed and refused to return to see Money. In desperation, his parents broke their secrecy, and told him the truth of the gender reassignment. At age fourteen, David chose to undo the gender change and live as a boy. [*Id.*]

But the secret David's parents kept from him paled in comparison to the secret Dr. Money kept from them:

In 2000, at the age of thirty-five, David and his twin brother finally exposed the sexual abuse Dr. Money had inflicted on them.... The pedophilic doctor ... forced the boys to engage in incestuous sexual activities with each other.... In 2003 ... David's twin brother, Brian, died from a self-inflicted overdose. A short while later, David also committed suicide. Money had finally been exposed as a fraud, but that didn't help the grieving parents whose twin boys were now dead. [*Id.*]

B. The Epstein Files Reveal the Connection between Transgender Care and Child Sexual Abuse.

The Jeffrey Epstein files recently released by the U.S. Justice Department demonstrate that leading “transgender care” figures have been involved in longstanding relationships with Epstein, including soliciting funds from him. In 2013, an unidentified assistant of Epstein wrote to Dr. Jess Ting: “Jeffrey would like you to enjoy a day on his island during your vacation! ... We can have you and your family picked up from St. John on what ever day is convenient for you, brought to Jeffrey’s island to play with his “toys” and have some lunch.”¹³ Ting apparently accepted that invitation, as another Epstein assistant wrote him a few days later, “I hope you had a nice visit to Jeffrey’s island last Friday.” *Id.* Dr. Ting, a “pioneer of ‘gender-affirming’ medical procedures” and now “an assistant professor of surgery at New York’s Mount Sinai Health System,” later asked Epstein “to fund his upcoming documentary” pushing his offerings. Ting wrote, “Mount Sinai, being the progressive place that it is ... created the first full-spectrum academic program in the US focused on transgender surgery and care....” *Id.*

“If I could just be really forward, I was wondering if you would be interested in supporting this documentary?” Ting asked

¹³ Hudson Crozier, “Sex-Change Surgeon Asked Epstein To Fund ‘Groundbreaking’ Transgender Documentary, Emails Show,” *Daily Caller* (Feb. 2, 2026).

Epstein. “If so, the producer, director and I would love to come and give you the pitch in person. This is an exciting, groundbreaking project — both the center and the documentary.... I hope you can be a part of it.”
[*Id.*]

In 2018, Rutgers professor Robert Trivers wrote to Epstein expressing his excitement over the sexual activities that the advancement of transgender hormones could make possible:

“[W]ith greater molecular control over development we are increasingly capable of producing novel phenotypes — more feminine men, by blocking testosterone receptors (or castration) and, at the same time, increasing estrogen production ... male -> female is 4 times more frequent than female -> male. the first is attractive — he is a woman with a [penis], so that if your fantasy is to suck a man’s [penis], otherwise you are completely heterosexual, it would be much nicer if the rest of the organism is female, then **you get the best of both worlds**. so many transsexual women are very attractive and easily make money, which in turn they assert **promotes their prostitution** since they have to pay hefty fees for injections every week, but they are sexually happy.”¹⁴

¹⁴ Matt Walsh, “The Disturbing Facts The Epstein Files Revealed,” *Daily Wire* (Feb. 2, 2026) (emphasis added).

Trivers then goes on to argue for the virtual elimination of age minimums to perform such procedures on small children. “BTW we are now pushing the intervention earlier — so you notice your 3-year old son has trans tendencies, so now you intervene with hormones — i would be frightened to do that — but who knows?” *Id.* This is consistent with WPATH’s modern SOC which eliminate any recommended age minimums for hormones or surgery.

Epstein also had connections to the transgender supporting billionaire Pritzker family who are immensely well-connected politically and are heavy funders of the transgender surgery effort. The Epstein files show Epstein emailing Thomas Pritzker, cousin of Illinois Governor J.B. Pritzker. “Epstein emailed: ‘nice to see you, please come more often.’ Tom Pritzker responded, ‘Always fun.’ Epstein also wrote that Tom Pritzker was ‘like family’ in 2017 in a text message.”¹⁵ “Epstein accuser Virginia Giuffre testified in 2016 that she was coerced into having sex with [Pritzker].” *Id.*

The Tawani Foundation, founded by the former James Pritzker, who now identifies as Jennifer Pritzker after a 2013 “transition,” has been a massive funder of the transgender-medical complex, including

¹⁵ Kate Armanini, “Tom Pritzker, cousin of Gov. JB Pritzker, named in latest release of Epstein documents,” *Chicago Tribune* (Nov. 19, 2025).

WPATH.¹⁶ Pritzker, known as the “first transgender billionaire,” is the cousin of Illinois Governor J.B. Pritzker. The entire Pritzker family are some of the biggest funders of the radical transgender revolution. *Id.*

Over the past decade, the Pritzkers of Illinois, who ... include among their number former [Obama] U.S. Secretary of Commerce Penny Pritzker, current Illinois Gov. J.B. Pritzker, and philanthropist Jennifer Pritzker, appear to have used a family philanthropic apparatus to drive an ideology and practice of disembodiment into our medical, legal, cultural, and educational institutions. [*Id.*]

III. THE PASSAGE OF TIME HAS SERVED TO EXPOSE THE TRANSGENDER HOAX.

A. Medical Organizations Are Beginning to Admit that “Transgender Care” Is Child Abuse.

As the medical evidence against WPATH and the transgender-medical complex has been mounting, government agencies and major medical groups are retreating from their support for imposing irreversible medical treatments on minors.

The Cass Review (2024) reported the lack of evidence behind “transgender care,” and based on that

¹⁶ Jennifer Bilek, “The Billionaire Family Pushing Synthetic Sex Identities (SSI),” *TabletMag.com* (June 14, 2022).

report, the UK National Health Service banned transgender treatments for minors except for trials. That report concluded that evidence supporting the use of puberty blockers and hormone treatment of minors is remarkably weak.

Our own Department of Health and Human Services (“HHS”) has joined the UK National Health Service in reversing course on irreversible treatments. HHS released a peer-reviewed study highlighting the dangers of surgical and chemical interventions attempting to reverse nature.¹⁷

HHS Secretary Robert F. Kennedy, Jr., stated:

The American Medical Association and the American Academy of Pediatrics peddled the lie that chemical and surgical sex-rejecting procedures could be good for children.... They betrayed their oath to first do no harm, and their so-called “gender-affirming care” has inflicted lasting physical and psychological damage on vulnerable young people. That is not medicine — it’s malpractice.¹⁸

¹⁷ Dept. of Health and Human Services, “Supplement to Treatment for Pediatric Gender Dysphoria: Review of Evidence and Best Practices,” (Nov. 19, 2025).

¹⁸ Dept. of Health and Human Services, “HHS Releases Peer-Reviewed Report Discrediting Pediatric Sex-Rejecting Procedures,” (Nov. 19, 2025).

“‘This report marks a turning point for American medicine,’ said National Institutes of Health Director Jay Bhattacharya, M.D., Ph.D. ‘The evidence in it meticulously documents the risks the profession has imposed on vulnerable children.’” *Id.* “‘Our report is an urgent wake up call to doctors and parents about the clear dangers of trying to turn girls into boys and vice-versa,’” said Assistant Secretary for Health Brian Christine, M.D. *Id.*

The HHS report found that “the harms from sex-rejecting procedures — including puberty blockers, cross-sex hormones, and surgical operations — are significant, long term, and too often ignored or inadequately tracked.... [U]nnecessary procedures and long-term health risks such as infertility are the byproduct of the overmedicalization of children.” *Id.*

Just weeks ago, the American Society of Plastic Surgeons (“ASPS”) announced that it recommends that surgeons not operate on school-age children, but rather delay gender-related chest, genital, and facial surgery until a patient has more than reached the age of majority — being at least 19 years old.¹⁹ A past president of ASPS, Bradley Glasberg, has cautioned: “‘This is a vulnerable, adolescent population ... We are mindful that some of these surgeries are irreversible.’” *Id.*

¹⁹ See American Society of Plastic Surgeons, “Position Statement on Gender Surgery for Children and Adolescents” (Feb. 3, 2026); Paige Cunningham, “First major medical group opposes gender transition surgeries for youth,” *Washington Post* (Feb. 3, 2026).

A spokesman for the American Medical Association (“AMA”), which previously appeared to adopt the politicized WPATH Standards of Care wholesale, supported that change, saying that “‘the evidence for gender-affirming surgical intervention in minors is insufficient for us to make a definitive statement’ but that it agrees with ASPS that surgeries for minors should be generally deferred to adulthood in the absence of clear evidence.” *Id.*

It may be that the legal system has had an influence on the ASPS and AMA positions, as on January 30, 2026,

[a] 22-year-old woman who identified as a boy in her teen years won a \$2 million decision in a landmark lawsuit against New York doctors accused of pushing a double mastectomy on her when she was a minor. Fox Varian had the life-altering surgery when she was just 16-years-old — getting approval from a psychologist and a surgeon — both of whom a jury found liable of medical malpractice [and] was awarded \$1.6 million for past and future pain and suffering, and an additional \$400,000 for future medical expenses — in the first detransitioner malpractice lawsuit in the nation to go to trial and win. [Shane Galvin, “Detransitioner wins \$2 million against New York docs who pushed double mastectomy,” *New York Post* (Jan. 31, 2026).]

Nationwide, 28 similar lawsuits are now in different stages of legal proceedings. *Id.*

B. State Legislatures and Justices of this Court Have Likewise Recognized the Abusive Reality of Transgender Treatments.

States have not just retreated from the WPATH view, but have come to recognize that “transgender” surgeries and chemical castration constitute child abuse. In 2022, Texas Attorney General Ken Paxton issued an opinion holding that “procedures done on minors such as castration, fabrication of a ‘penis’ using tissue from other body parts, fabrication of a ‘vagina’..., prescription of puberty-suppressors and infertility-inducers, and the like are all ‘abuse.’” Paxton stated, “There is no doubt that these procedures are “abuse” under Texas law, and thus must be halted.”²⁰

Tennessee, in a law upheld by this Court in *Skrametti*, banned such brutal procedures on minors. The legislative findings referenced the grim history of child abuse that has marked the transgender-medical complex.

The legislature determines that medical procedures that alter a minor’s hormonal balance [or] remove a minor’s sex organs ... are harmful to a minor when these medical procedures are performed for the purpose of

²⁰ Office of the Attorney General, Press Release, “AG Paxton Declares So-Called Sex-Change Procedures on Children and Prescription of Puberty Blockers to be ‘Child Abuse’ Under Texas Law,” (Feb. 21, 2022).

enabling a minor to identify with, or live as, a purported identity inconsistent with the minor's sex.... The legislature finds that Dr. John Money, one of the earliest advocates for performing or administering such medical procedures on minors ... abused minors entrusted to his care, resulting in the suicides of David and Brian Reimer.... The legislature finds that healthcare providers in this state have sought to perform such surgeries on minors because of the financial incentive associated with the surgeries, not necessarily because the surgeries are in a minor's best interest.²¹

For years, the transgender-medical complex has terrified parents with threats that their children will commit suicide if the parents do not permit irreversible surgeries and experimental hormone treatments. As psychologist Elliot Kamietzky notes, "It's the lie that convinced a thousand parents ... across America.... Governors and lawmakers have given in to the same fear.... Parents have likely heard some variation of 'Better a live son than a dead daughter,' [but the] lies about suicide are ... misleading scare tactics."²²

²¹ TN Code § 68-33-101.

²² Elliot Kamietzky, "Lawmakers must recognize the transgender-suicide lie — and protect children," *New York Post* (Jan. 24, 2024).

Now, even some of the most strident advocates for trans surgeries have retreated. During oral argument for *Skrametti*, ACLU attorney Chase Strangio (born Kate Strangio) conceded to Justice Alito that “there is no evidence ... in the studies that this treatment reduces completed suicide. And the reason for that is completed suicide ... is rare and we’re talking about a very small population of individuals with studies that don’t necessarily have completed suicides within them.”²³

At this point, the evidence is clear not just that the transgender craze is ending, but that the transgender-medical complex has lost the scientific battle. The premise of the Washington law is that it is reasonable for the State to facilitate minors making life changing decisions to cut off healthy body parts or suppress naturally-occurring sex hormones, and that these procedures constitute “the care [young people] deserve” (Pet. at 7; statement of Senator Lias), or provide “support and love” (Pet. at 9; statement of Senator Trudeau), or constitute “affirming treatment” (Pet. at 9; statement of Governor Inslee). This premise has been utterly debunked.

The transgender-medical complex has not just supported bad science, and what Secretary Kennedy described as malpractice, it is actual child sexual abuse. It imposes lifelong, irreversible consequences on children too young to consent — facilitated by

²³ Leor Sapir, “ACLU Attorney Confesses: Transgender-Suicide Claim is a Myth,” *City-Journal.org* (Dec. 5, 2024).

keeping their parents in the dark — in service to a dangerous ideology.

None of this is news to this Court, as Justice Thomas last year called out WPATH’s so-called “Standards of Care” (“SOC”) as unscientific and politicized.

Recent revelations suggest that WPATH, long considered a standard bearer in treating pediatric gender dysphoria ... bases its guidance on insufficient evidence and allows politics to influence its medical conclusions.... WPATH itself recognizes that evidence supporting the efficacy of puberty blockers, cross-sex hormones, and surgical intervention for treating gender dysphoria in children is lacking.... A contributor to the Guidelines underscored this challenge, explaining that, “[o]ur concerns, echoed by the social justice lawyers we spoke with, is that evidence-based review reveals little or no evidence.” [Skrmetti at 543-44 (Thomas, J., concurring).²⁴]

CONCLUSION

These *amici* urge the Court to determine that Petitioners have standing, grant certiorari, vacate the decision below, and, because similar issues were

²⁴ The unscientific and politicized views of WPATH were addressed extensively by some of these *amici* in prior *amicus* briefs, including in Brief of *Amici Curiae* America’s Future, et al., *United States v. Skrmetti*, No. 23-477 (Oct. 15, 2024).

recently resolved in *Skrmetti*, remand with instructions to find that the challenged Washington law be declared unconstitutional.

Respectfully submitted,

RICK BOYER
INTEGRITY LAW FIRM
P.O. Box 10953
Lynchburg, VA 24506

PHILLIP L. JAUREGUI
JUDICIAL ACTION GROUP
JUDICIAL ACTION GROUP
FOUNDATION
1300 I Street, NW #400E
Washington, DC 20005

J. MARK BREWER
209 N. Nugent Ave.
Johnson City, TX 78636

JAMES N. CLYMER
CLYMER MUSSER &
SARNO, P.C.
408 West Chestnut St.
Lancaster, PA 17603

WILLIAM J. OLSON*
JEREMIAH L. MORGAN
WILLIAM J. OLSON, P.C.
370 Maple Avenue West,
Suite 4

Vienna, VA 22180-5615
(703) 356-5070
Fax (703) 356-5085
wjo@mindspring.com
*Counsel of Record

JOSEPH W. MILLER
LAW OFFICES OF JOSEPH
MILLER, LLC
P.O. Box 83440
Fairbanks, AK 99708

KERRY L. MORGAN
PENTIUK, COUVREUR &
KOBILJAK, P.C.
2915 Biddle Ave.,
Ste. 200
Wyandotte, MI 48192

February 17, 2026
Attorneys for *Amici Curiae*