



Written by [Rebecca Terrell](#) on May 1, 2023

DOJ Attacks Tennessee's Defense of Minors Against Gender Mutilation

Tennessee governor Bill Lee is promising to protect children from “permanent, life-altering decisions,” despite [pushback](#) from President Joe Biden's Department of Justice. Lee signed a bill in March — slated to go into effect July 1 — banning so-called transgender medical treatments.

The DOJ says the new law is unconstitutional, supposedly violating the 14th Amendment's Equal Protection Clause. The agency is accusing Tennessee of discrimination, arguing that the bill denies access for those diagnosed with gender dysphoria to the same or similar procedures that non-transgender minors can obtain. DOJ is joining a [lawsuit](#) filed April 20 on behalf of a number of plaintiffs, filed by the American Civil Liberties Union and the radical leftist Lambda Legal Defense and Education Fund.



AP Images
Bill Lee

Governor Lee tweeted that this is “federal overreach at its worst,” and vowed to work with Tennessee's Attorney General Jonathan Skrmetti, who is among the state officials named as defendants in the case.

Jace Wilder of the Tennessee Equality Project told Nashville's [News Channel 5](#) that the DOJ is going to continue to fight states against bills like this

I actually had a conversation with a DOJ member today who affirmed and wanted the trans community to know that they are fully on our side and this is a top priority for them, because they see that this is such a horrible piece of discriminatory legislation that violates a basic human right — that they see it as an absolute violation of justice for these children.

Last year the DOJ was able to keep a similar measure from fully going into effect in [Alabama](#) on the same 14th Amendment grounds. At that time the Assistant Attorney General, Kristen Clarke, sent a [letter](#) to all states' attorneys general reminding them of federal constitutional and statutory provisions against discrimination. She said that her agency considers cross-dressing minors to be protected by these provisios.

An ongoing [case](#) challenging an Arkansas ban on gender mutilation for minors alleges three violations of the U.S. Constitution. In addition to the Equal Protection Clause, plaintiffs in that lawsuit also claim breaches of the 14th Amendment's Due Process Clause (claiming that the new law restricts the rights of parents to make medical decisions for their children) and of the First Amendment's free speech guarantee (alleging that it restricts healthcare professionals from communicating with their patients).



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Tennessee's new law, [Senate Bill 1](#), specifically prohibits puberty blockers, cross-sex hormones, and transgender surgery for minors diagnosed with gender dysphoria. However, it allows these treatments for others with "congenital defects" such as "abnormalities caused by a medically verifiable disorder of sex development."

For otherwise healthy children, the law maintains that such treatments are "harmful, unethical, immoral, experimental or unsupported by high-quality or long-term studies." It also points out that condoning these treatments could promote even more gender dysphoria.

On the other hand, the lawsuit claims that there are professional groups that support such mutilating tactics. Among these, it names specifically the American Medical Association, the American Academy of Pediatrics, and the American Academy of Family Physicians.

Governor Lee has also faced media [scrutiny](#) for signing a bill in March that bans drag shows in his state. The openly lesbian White House press secretary, Karine Jean-Pierre, denounced him and anyone else who may attempt to protect his jurisdiction from such perversion:

Right now you have a governor from Tennessee has decided to go after drag shows. What sense does that make, to go after drag shows? How does that going to help people's lives who are thinking about the economy, who are thinking about making sure their kids are going to be safe when they go to school, their communities are safe. But that's what he wants to focus on. So it's part of a larger pattern from elected officials who espouse freedom and liberty but apparently think that freedom of speech only extends to people who agree with them. And that's what we're seeing from what's happening in Tennessee and other places as well.

Interestingly, among the individual plaintiffs named in the Tennessee lawsuit is Dr. Susan Lacy, who owns MORE Clinic in Memphis, where she provides so-called transgender care. In 2021, she launched a [GoFundMe](#) campaign to help tackle "financial challenges" posed by pandemic lockdowns. That campaign is still ongoing, despite Joe Biden's declaration last September that the pandemic is over. Lacy has raised nearly \$13,000 of her original \$100,000 goal. It is uncertain whether publicity from the lawsuit will help her fundraiser.



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