

From: QUENTIN VAN METER
Sent: 2/4/2020 7:56:26 AM
To: "Kelsey Coalition" <kelseycoalition@gmail.com>, "Natasha Chart" <natasha.chart@gmail.com>
Cc: "Julianne Young" <julianneyoung@gmail.com>, "Richard Mast" <RMast@lc.org>, "Steve Smith" <steve@stevesmithlaw.com>, "Fred Deutsch" <drfred@deutschclinic.com>, "Mary McAlister" <mmcalister@childparentrights.org>, "David Pickup" <davidpickuplmft@gmail.com>, "Eunie Smith" <alaeagle@charter.net>, "Gary McCaleb" <mccgsm@gmail.com>, "Glenn Ridder" <glenn.ridder@outlook.com>, "Horvath Hacs" <birdcatcher9@yahoo.com>, "Hudson, MD Bernard" <loyolamd82@gmail.com>, "James Shupe (Formerly Jamie Shupe)" <jamie.shupe@yahoo.com>, "Michelle Cretella" <drcretella@gmail.com>, mike@drlaidlaw.com, "Jane Robbins" <rlrobb123@gmail.com>, "Lappert Patrick" <patrick@lappertplasticsurgery.com>, "MD Paul Hruz PhD" <hruz_p007@att.net>, "Margaret Clarke" <margaretclarke317@icloud.com>, "Matt Sharp" <msharp@adfllegal.org>, "McHugh Paul" <pmchugh1@jhmi.edu>, "Monique Robles MD" <pamosa27@comcast.net>, "Roger Brooks" <rbrooks@adfllegal.org>, "Scott, Greg" <Greg.Scott@heritage.org>, "Timothy Millea MD" <TMillea@qcora.com>, "Vernadette Broyles" <vbroyles@childparentrights.org>, "Walt Heyer" <waltsbook@yahoo.com>, "William Malone" <malone.will@gmail.com>
Subject: Re: Idaho Vital Statistics Integrity Act - short window for comments - by Friday, January 24

I agree that adopting use of cis-gender only validates transgender as a healthy variant which it is clearly not.

Quentin

On February 4, 2020 at 10:44 AM Kelsey Coalition <kelseycoalition@gmail.com> wrote:

Looks great! My only concern is with the quote from SEGM. Will, would you consider this? First, the reference "cisgender-identifying individuals." I believe there is way to make this point, without using a word like "cis" which indirectly endorses the ideology upon which transgender identities are based.

My other suggestion with the quote is to add non-binary. Even though transgender has become an umbrella term covering both, some nonbinary individuals do not say they are transgender. Many forms offer both categories for people to check when they identify themselves.

Will, could SEGM consider rewording this -- something like "not only transgender individuals, but ALL persons" as well as add a reference to nonbinary? ~KC

On Tue, Feb 4, 2020 at 10:35 AM Natasha Chart <natasha.chart@gmail.com> wrote:

This is great, I love it. Thank you for doing this.

On Tue, Feb 4, 2020, 9:43 AM Julianne Young <julianneyoung@gmail.com> wrote:

After visiting with Stephen Smith last night I have determined that the best way to counter the arguments raised in the law-suit is the insert some additional language into our legislative intent, rather than addressing another section of code. My additions are highlighted below. Your feedback is sincerely appreciated.

The legislature finds a compelling interest in maintaining accurate, quantitative, biology-based statistics on Idaho certificates of birth which provide vital statistics fundamental to the performance of government functions that secure the public health and safety, including, but not limited to, identifying public health trends, assessing risks, conducting criminal investigations, and helping individuals determine their biological lineage, citizenship, or susceptibility to genetic disorders; and,

The equality clause prohibits purposeful discrimination and not facially neutral laws of general applicability such as a biology-based definition of sex which has been consistently applied since our nation's founding.

Decades of court opinion have upheld the argument that the biological distinctions between male and female justify separate but equal treatment under the law and a defined category of sex which relies on biological fact is the only category which can be demonstrated to have obvious, immutable, and distinguishable characteristics.

The definitional erasure of biological sex significantly impacts the rights of others and would constitute manifest injustice in undermining the implementation of many policies which have been advanced to secure the privacy and interests of individuals specific to their biological sex.

The erasure of biological sex negatively impacts the health and safety of all individuals. For example, the Society for Evidence-Based Gender Medicine has declared that "the conflation of sex and gender in healthcare is alarming and is poised to subject hundreds of thousands of transgender and cisgender-identifying individuals to unintended medical harm from receiving incorrect diagnoses and being subjected to incorrect treatments. It will also greatly impede scientific research, not only in the area of transgender treatments, which sorely lacks quality long-term outcome evidence, but also in other areas of medical research."

"Vital statistics" is defined in Idaho Code Section 39-241(21) as "data" (being the plural of "datum") which is a known fact; and,

Idaho certificates of birth are of an evidentiary character and prima facie evidence of the facts recited therein (Code Section 39-274); and,

Age and Sex, unlike the names of natural parents whose rights have been terminated, are legally applicable facts fundamental to the performance of public and private policies and contracts.

The failure to maintain accurate, quantitative vital statistics and legal definitions upon which government and others may with confidence rely constitutes a breach of the public trust; and

Government has a compelling interest in maintaining the public trust and confidence and a duty to fulfill, to the best of its ability, those functions which rely on accurate vital statistics; and,

Therefore, the legislature directs that an Idaho certificate of birth documents specific quantitative, material facts at the time of birth: time of birth, date of birth, place of birth and biological sex.

On Tue, Jan 21, 2020 at 10:34 AM Richard Mast <RMast@lc.org> wrote:

All,

Please meet Steve Smith, an Idaho allied attorney, and Idaho Representative Julianne Young. They have been working on a birth certificate protection bill, to reverse a recent court decision striking down sex-based birth certificates in Idaho. This will restore the status quo, making Idaho one of four states that require birth certificates to reflect sex, along with Kansas, Ohio, and Tennessee.

Julianne has a short window to receive comments (especially desired from the medical experts).

Matt Sharp provided ADF factual findings for the recitals and some edits. I have accepted his changes; made a few suggested edits of my own, and thus open it up to you all for any input for Julianne and Steve.

There may be an opportunity for expert testimony, but I leave the details on that to Rep. Young.

Thanks,

Richard L. Mast, Esq.*
Senior Litigation Counsel
Liberty Counsel
PO Box 540774
Orlando, FL 32854
(407) 875-1776 phone
(407) 875-0770 fax

LC.org
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Restoring History and Environmental Stewardship
www.KelseyCoalition.org