



DEPARTMENT OF THE ATTORNEY GENERAL

DAVID Y. IGE
GOVERNOR

CLARE E. CONNORS
ATTORNEY GENERAL

For Immediate Release
November 26, 2019

News Release 2019-84

Hawaii Attorney General Fights Transgender Discrimination

HONOLULU – Attorney General Clare E. Connors joined a coalition of 23 attorneys general fighting to support transgender rights in an antidiscrimination lawsuit against the Gloucester County School Board in Virginia. Gavin Grimm, a former student at Gloucester High School, sued the local school board in 2015 — when he was still a student — for discrimination that banned him from using the common male restrooms at his high school. The coalition filed an [amicus brief](#) in the Court of Appeals for the Fourth Circuit in support of Grimm in the case of *Gavin Grimm v. Gloucester County School Board*.

“The school board’s actions violate both Title IX and the Equal Protection Clause of the U.S. Constitution,” said Attorney General Connors. “Our state has a longstanding commitment to protect the rights of the transgender community, and joining this brief reflects this policy.”

Grimm not only sued to challenge the Gloucester County School Board’s policy of banning him from using the common male restrooms at his high school, but also the board’s refusal to update his educational records to correspond with his updated birth certificate that reflects his male gender. The federal district court in Virginia ruled in Grimm’s favor in August 2019, finding that the school board’s actions discriminated against Grimm on the basis of his sex in violation of Title IX and the Equal Protection Clause of the U.S. Constitution.

The coalition of attorneys general argue, first and foremost, that transgender individuals have the right “to live with dignity, be free from discrimination, and have equal access to education, employment, housing, public accommodations, and other necessities of life.” They go on to argue that policies that prevent transgender individuals from using gender-segregated facilities consistent with their gender identity cause stigma, isolation, and exclusion. Additionally, the brief highlights how policies that allow students and members of the public to use gender-segregated facilities consistent with their gender identity promote safe and inclusive communities, workplaces, and schools, and benefit

the people of the states without harming personal privacy or safety interests, or without incurring any substantial costs.

Finally, the brief highlights that the school board's restroom policy preventing transgender people from using common restrooms consistent with their gender identity and its refusal to update Grimm's school records do nothing to further legitimate governmental interests and only serve to stigmatize transgender persons in violation of the Constitution's Equal Protection Clause.

Nearly 1.5 million people in the United States — including approximately 150,000 teenagers — currently identify as transgender.

Attorney General Connors joins the attorneys general of New York, Washington, California, Colorado, Connecticut, Delaware, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New Mexico, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, and the District of Columbia in filing the brief.

#

For more information, contact:

Krishna F. Jayaram
Special Assistant to the Attorney General
(808) 586-1284
Email: atg.pio@hawaii.gov
Web: <http://ag.hawaii.gov>
Twitter: @ATGHlgov