The Legal Rights of Lesbian, Gay, Bisexual, and Transgender Youth in the

Juvenile Justice System




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Lesbian, gay, bisexual, and transgender (LGBT) young people in the juvenile justice system, like all people in state custody, have clearly established civil rights under the U. S. Constitution, state and federal statutes and regulations, and agency policy. By examining how these rights apply to LGBT youth, juvenile justice professionals can gain a greater understanding of how to develop fair and appropriate policies and procedures for working with LGBT youth, in order to protect their civil rights and provide for their safety and rehabilitation.

LGBT Youth in Juvenile Justice Placements Have a Right to be Safe from Emotional, Physical, and Sexual Abuse.

All young people in state custody have a right to be safe in the institutions and facilities in which they are held.[1] Because young people in the juvenile justice system are under the care and protection of the state, juvenile justice officials have a legal responsibility to protect these youth from physical, emotional, and sexual abuse by other youth or facility staff.[2] For example, if staff are aware that a youth is being subjected to harassment or violence, they must respond with appropriate remedial action designed to stop the harassment and violence, especially if the youth is known to be vulnerable because he or she is young, has a mental illness, is openly LGBT, or is perceived to be LGBT.[3] To ensure that all staff members understand their legal obligations to protect LGBT youth, facilities should adopt non-discrimination policies and implement regular staff training that specifically addresses the needs of LGBT youth.[4] These policies should include a sound classification system that prevents the placement of vulnerable LGBT youth in cells or units with aggressive youth who may physically or sexually attack them.[5]

LGBT Youth Have a Right Not to be Isolated from Other Youth in the Facility.

All youth in juvenile justice facilities have a right to be free from unreasonably restrictive conditions of confinement including isolation.[6] Facilities violate this constitutional right when they place LGBT youth in extended isolation, either as punishment for expressing their identity[7] or based on the unfounded and illogical myth that all LGBT youth are a danger to other youth.[8] Facilities may also violate this constitutional right by placing LGBT youth in segregation or isolation "for their own safety." While an LGBT youth may be at risk of violence in a juvenile justice placement, the law requires a more effective and less stigmatizing

* This document summarizes a longer article published in the Summer 2006 issue of the *Temple Law Review*, co-authored by Rudy Estrada, Staff Attorney at Lambda Legal Defense and Education Fund and Jody Marksamer, Staff Attorney at the National Center for Lesbian Rights.

response than simply holding the youth in isolation.[9] Rather than punishing the victim, the facility has an obligation to address the root of the problem and take appropriate remedial steps to ensure that the harassment and violence does not persist.

LGBT Youth who are not Adjudicated "Sex Offenders" Have a Right to be Free from a "Sex Offender" Label or Classification.

LGBT youth should never automatically be treated as sex offenders, housed with sex offenders, or sent to sex offender treatment programs simply because of their gender identity or sexual orientation. These practices are both discriminatory and extremely harmful. Being wrongly labeled or treated as a sex offender may also cause a youth permanent psychological damage. If a facility labels or treats an LGBT youth as a sex offender or houses the youth with sex offenders without adequate due process protections, such as a hearing, an evaluation by a qualified mental health professional, and an opportunity to appeal, the facility has violated the youth's constitutional rights.[10]

LGBT Youth in Juvenile Justice Facilities Have a Right to Receive Appropriate Medical and Mental Health Care.

All youth in detention and correctional facilities have a right to receive adequate physical and mental health care.[11] This includes a right to receive health care that may be unique to LGBT youth.[12] For example, a facility should provide appropriate health care to a transgender youth who is diagnosed with Gender Identity Disorder. If a facility ignores the instructions of a transgender youth's treating physician or otherwise does not provide the youth with necessary health care, this act or omission may constitute a violation of the youth's right to appropriate health care.[13] In addition, LGBT youth should not be forced to undergo inappropriate or unethical services that are damaging to their emotional well-being, including "conversion therapies" or other controversial practices intended to involuntarily change a person's sexual orientation or gender identity. These practices have been condemned by all of the major medical and mental health associations because they cause emotional harm.[14]

LGBT youth, especially those facing extreme forms of anti-LGBT abuse and harassment, may be at an increased risk for suicide.[15] Thus facilities should have adequate policies governing the supervision and treatment of suicidal wards.[16] Facility administrators must ensure that staff respond in a timely and appropriate manner to all anti-LGBT harassment and abuse in order to alleviate conditions that could cause or exacerbate suicidal feelings.[17] In addition, facilities should not withhold supportive services, such as peer support groups or other community resources that help to ameliorate feelings of isolation and depression for an LGBT youth.

LGBT Youth Have a Right to be Treated Equally and Without Discrimination.

All youth in state custody have a federal constitutional right to equal protection under the law.[18] This means that juvenile justice providers must treat LGBT youth equally when determining placements, delivering services, and responding to complaints of harassment or abuse.[19] Juvenile justice programs should not refuse to accept a youth for placement because of the youth's sexual orientation or gender identity, nor should a

facility treat an LGBT youth differently in its provision of care and services. For example, a facility should not require LGBT youth to wear distinguishing clothing because of their identity. In addition, juvenile justice professionals should respond appropriately to complaints of sexual orientation or gender identity harassment or abuse, following the facility's adopted procedures for handling incidents of ward-on-ward harassment or violence on other bases. Facility staff should never ignore LGBT-related abuse, send a youth to isolation for protection, move an LGBT youth from placement to placement rather than address the harassment, or tell youth that they should expect to be harassed because they are openly LGBT.

All youth have a constitutional right to freedom of speech and freedom of expression,[20] which includes the

LGBT Youth Have a Right to Express Their Sexual Orientation and Gender Identity.

right to be open about one's sexual orientation[21] and the right to express one's gender through clothing and grooming.[22] Juvenile justice facilities should not require a youth to hide his or her sexual orientation or gender identity in order to receive services or refuse to allow transgender or gender-nonconforming youth to express their gender through clothing and accessories.[23]

LGBT Youth in Juvenile Justice Placements Have a Right Not to Participate in Religious Activities that Condemn LGBT People.

The First Amendment also guarantees young people in state custody a right to religious freedom and a right to be free from religious indoctrination.[24] LGBT youth in juvenile justice facilities should not be forced to hide their identities because of religious objections or be required to participate in religious activities that condemn homosexuality and gender difference. In addition, facility staff must not be permitted to intimidate or coerce a young person into adopting any particular religious practices or beliefs.[25] LGBT youth who wish to participate in religious activities that are accepting and affirming of their identities must be permitted to do so.

CONCLUSION

Professionals who work for juvenile justice agencies have a tremendous responsibility to protect the safety and well-being of all youth in their care, including those who are LGBT. Accordingly, these agencies and facilities should educate themselves on the needs of LGBT youth and the scope of their civil rights. They also should enact non-discrimination policies, train juvenile justice staff on how to work with LGBT youth, and establish practices that deal effectively with anti-LGBT abuse. These actions should be taken proactively, prior to any abuses of LGBT young people, rather than in response to complaints or in the course of time-consuming and resource-intensive litigation. Fortunately, there are a wealth of educational tools and materials available to help juvenile justice facilities comply with professional standards of care for LGBT youth and ensure that LGBT youth are provided with the care and protection they deserve. For more information or to learn more about these resources visit www.nclrights.org.

ENDNOTES

[1] In 1982, the U.S. Supreme Court ruled that people involuntarily committed to state mental institutions are entitled to a standard of care that takes into consideration their complete dependence on the government for protection and necessary care. Since these patients are not convicted criminals, the Supreme Court reasoned that the Eighth Amendment's protection of prisoners from cruel and unusual punishment does not apply. Instead, the Court found that the Fourteenth Amendment's guarantee of liberty is a more appropriate basis for the right to the state's protection from harm for those who are involuntarily committed. Youngberg v. Romeo, 457 U.S. 307 (1982). Similarly, youth in juvenile justice facilities are entitled to more protection than incarcerated adults, because like those who are involuntarily committed, they have not been "convicted of crimes," so most courts analyze their conditions of confinement claims under the federal Due Process Clause of the Fourteenth Amendment also. *See A.M. v. Luzerne County Juvenile Detention Ctr*., 372 F.3d 572, 579 (3d Cir. 2004); *Alexander S. v. Boyd*, 876 F. Supp. 773, 782 (D.S.C. 1995), aff'd in part and rev'd in part on other grounds, 113 F.3d 1373 (4th Cir. 1997), *cert. denied*, 118 S.Ct. 880 (1998) ("[J]uveniles possess a clearly recognized liberty interest in being free from unreasonable threats to their physical safety."); *A.J. v. Kierst*, 56 F.3d 849, 854 (8th Cir. 1995); *Gary H. v. Hegstrom*, 831 F.2d 1430, 1431-32 (9th Cir.1987); *H.C. ex rel. Hewett v. Jarrard*, 786 F.2d 1080, 1084 -85 (11th Cir.1986); *Santana v. Collazo*, 714 F.2d 1172, 1179 (1st Cir.1983); *Milonas v. Williams*, 691 F.2d 931, 942, n. 10 (10th Cir. 1982) ("[B]ecause the state has no legitimate interest in punishment, the conditions of juvenile confinement...are subject to more exacting scrutiny than conditions imposed on convicted criminals."). *But see Nelson v. Heyne*, 491 F.2d 352, 355 (7th Cir.1974) (applying the cruel and unusual punishment test of the Eighth Amendment).

[2] *See R.G. v. Koller*, 415 F.Supp.2d 1129 at 1157 (D.Hawai'i, 2006) (finding facility violated LGBT plaintiffs' due process rights by allowing pervasive verbal, physical, and sexual abuse to persist); *Alexander S. v. Boyd*, 876 F. Supp. at 797- 798; A.M., 372 F.3d at 787; *Guidry v. Rapides Parish Sch. Bd*., 560 So.2d 125 (La. Ct. App. 1990) (holding that the failure to protect children from sexual behavior of other confined children may result in liability). Juveniles in confinement also have the right to reasonable protection from facility staff. Courts have held that facility staff are prohibited from using physical force against juveniles for any purpose other then to restrain a juvenile who is either physically violent and immediately a danger to himself or others, or who is physically resisting institutional rules. *See Pena v. N. Y. Div. for Youth*, 419 F. Supp. 203, 208 (S.D.N.Y. 1976) (holding that unless child is uncontrollable and constitutes a serious and evident danger to himself or others, use of physical restraints is prohibited); *Milonas v. Williams*, 691 F2d 931, 935, 943 (10th Cir. 1982).

[3] *See, e.g., R.G. v. Koller*, 415 F.Supp.2d at 1158 (finding placing vulnerable LGBT youth in unit with aggressive boys amounts to deliberate indifference); *A.M. v. Luzerne County Juvenile Detention Ctr*., 372 F.3d 572, 579 (3d Cir. 2004) (finding sufficient evidence individuals were deliberately indifferent to the substantial risk of harm to 13 year old boy with mental illness who was placed in general population).

[4] *See R.G. v. Koller*, 415 F. Supp. 2d at 1157 (finding supervisory defendants' failure to adopt policies and procedures and to provide training regarding how to ensure safety of LGBT wards supports a finding of deliberate indifferent to plaintiffs' safety); Unpublished Order Dismissing Writ of Habeus Corpus Without Prejudice, Family Court of the First Judicial Circuit, Hawaii, Judge Wong, March 17, 2005 ("The Court is concerned that the problems raised by this case are systemic and must be addressed ... with the adoption, with deliberate speed, of policies and operation procedures that are appropriate to the treatment of lesbian, gay, and transgender youths, that set standards for the conduct of youth correctional officers and other staff, and that provide on-going staff training and oversight.").

[5] Appropriate classification is particularly important for the physical and emotional safety of transgender youth. In R.G. the transgender plaintiff was originally placed in the girls unit. Because of physical plant repairs, she was transferred to the general boys unit where she was subjected to physical and sexual assaults. The defendants' own experts submitted declarations stating that in their expert option, they believed that male to female transgender wards, like the plaintiff, were "better off in O & A with the girls than anywhere else at HYCF and that the placement kept them physically and psychologically safe." *R.G. v. Koller*, 415 F. Supp. 2d at 1145. *See also Alexander S*., 876 F. Supp. at 797- 798 (facilities must have a system for screening and separating aggressive juveniles from vulnerable juveniles); *R.G. v. Koller*, 415 F. Supp. 2d at 1158 (same).

[6] *See, e.g., Alexander S*., 876 F. Supp. at 798. *See also H.C ex rel. Hewett v. Jarrard*, 786 F.2d 1080 (11th Cir.1986) (juvenile isolated for seven days was entitled to damages for violation of 14th Amendment); *Milonas v. Williams*, 691 F.2d at 941-42 (use of isolation rooms for periods less than 24 hours violated the 14th Amendment); *Morales v. Turman*, 364 F. Supp. 166 (E.D. Tex. 1973) (solitary confinement of young adults held unconstitutional); *Inmates of Boys' Training Sch. v. Affleck*, 346 F. Supp. 1354 (D.R.I. 1972).

[7] In addition to isolation, forcing LGBT youth to dress differently than other youth in the facility, requiring LGBT youth to perform different chores, or singling out LGBT youth in any other way, are actions that a court would likely find unconstitutionally punitive. *See, e.g.,Gerks v.Deathe,* 832 F.Supp. 1450 (W.D. Okla.1993) (finding due process rights of girl may have been violated for asking her to clean her own excrement); *Gary W. v. Louisiana*, 437 Supp. at 1230 (addressing types of work performed by youth).

[8] Youth in juvenile detention or correctional facilities should not be placed in conditions that amount to punishment or be stigmatized or humiliated as part of their treatment. With the understanding that some restrictions of liberty may be constitutional, a court will look at whether a particular restriction is "reasonably related" to a legitimate governmental interest to determine if there is a violation. If it is not, it may be inferred that the purpose of the restriction is punishment. *Bell v. Wolfish*, 441 U.S. 520, 539. *See also Milonas v. Williams*, 691 F.2d 931, 942 (10th Cir. 1982) ("Any institutional rules that amount to punishment of those involuntarily confined ...are violative of the due process clause per se.").

[9] *See R.G. v. Koller, supra* at 1155-56 ("After examining expert opinions and case law regarding the use of isolation on children, the court concludes that the defendants' use of isolation was not within the range of acceptable professional practices and constitutes punishment in violation of the plaintiffs' Due Process rights...The likely perception by teenagers that isolation is imposed as punishment for being LGBT only compounds the harm...Consistently placing juvenile wards in isolation, not to impose discipline for violating rules, but simply to segregate LGBT wards from their abusers, cannot be viewed in any reasonable light as advancing a legitimate nonpunitive governmental objective."). A lawsuit on behalf of young people in a juvenile detention facility in Philadelphia in the 1970's also addressed the use of isolation for protection and segregation and resulted in a settlement under which the facility agreed no longer to place gay youth in isolation. *Santiago v. City of Philadelphia*, Civ. Act. No. 74-2589 (E.D. Pa. 1978). The settlement provided: "Homosexuals shall be protected from harassment, and shall not be stigmatized by putting them in isolation, segregating them by unit or otherwise discriminating against them....Attorneys representing gay or lesbian juveniles should be aware of the possibility that a youth's homosexuality itself may be perceived as a danger to others, rather than the individual circumstances of the specific child. They should, of course, vigorously oppose any attempts by the institution to characterize gay or lesbian youths as dangerous or potential rapists." Stipulation, Santiago.

[10] In the adult context, the classification of an inmate as a "sex offender" has been found to have such stigmatizing consequences that unless the inmate has a sexual offense history, additional constitutional requirements must be met before this classification can take place. *See Neal v. Shimoda*, 131 F.3d 818, 830 (9th Cir. 1997) ("We can hardly conceive of a state's action bearing more 'stigmatizing consequences' than the labeling of a prison inmate as a sex offender."). Juveniles are entitled to greater protections than adult inmates, and branding a juvenile with a sex offender label clearly would have the same, if not an even greater, stigmatizing effect.

[11] *See Youngberg v. Romeo*, 457 U.S. 307 (1982); *Burton v. Richmond*, 276 F.3d 973 (8th Cir. 2002); *A.M.*, 372 F.3d 572, 585 n.3; *Jackson v. Johnson*, 118 F. Supp. 2d 278 at 289; *Alexander S.*, 876 F. Supp. at 788.

[12] *See A.M.*, 372 F.3d at 584-85 (discussing lack of medical and mental health care for ward with mental illness); *Jackson v. Johnson*, 118 F.Supp.2d at 289; *Alexander S.*, 876 F.Supp. at 788.

[13] Juvenile justice professionals must provide some form of appropriate treatment for transgender youth diagnosed with Gender Identity Disorder. Even under the more restrictive minimally adequate medical care standard applicable to adult prisoners, courts have held that "transexualism" constitutes a "serious medical need" therefore, deliberately denying access to transgender-related health care for prisoners amounts to cruel and unusual punishment under the Eighth Amendment of the U.S. Constitution. *See, e.g., Allard v. Gomez*, 9 Fed. Appx. 793 (9th Cir. 2001); *Meriwether v. Faulkner*, 821 F.2d 408, 413 (7th Cir. 1987) (holding that "[t]here is no reason to treat transsexualism differently from any other psychiatric disorder"); *Kosilek v. Malone*, 221 F.Supp. 2d 156 (Mass. Dist. Ct. 2001); *Wolfe v. Horne*, 130 F.Supp. 2d 648 (E.D. Pa. 2001); *Phillips v. Michigan Dep't. of Corr.*, 731 F.Supp. 792 (W.D. Mich. 1990).

[14] E.g., In 1993, the American Academy of Pediatrics issued a Policy Statement on Homosexuality and Adolescence: "Therapy directed specifically at changing sexual orientation is contraindicated, since it can provoke guilt and anxiety while having little or no potential for achieving changes in orientation." In 1997, the American Psychiatric Association explained "there is no published scientific evidence supporting the efficacy of 'reparative therapy' as a treatment to change one's sexual orientation" and it developed a policy in opposition to "any psychiatric treatment, such as 'reparative' or 'conversion' therapy which is based upon the assumption that homosexuality per se is a mental disorder or based upon a prior assumption that the patient should change his/her homosexual orientation." Also in 1997, the American Psychological Association (APA) issued a *Resolution on Appropriate Therapeutic Responses to Sexual Orientation*, stating, "The APA opposes portrayals of lesbian, gay, bisexual youth and adults as mentally ill due to their sexual orientation and supports the dissemination of accurate information about sexual orientation, and mental health, and appropriate interventions in order to counter bias that is based in ignorance or unfounded beliefs about sexual orientation."

[15] In a recent survey of high school students in California, students who were harassed based on their actual or perceived sexual orientation were more than three times as likely seriously to consider suicide and have a plan for how they would do it compared with students who were not harassed. California Safe Schools Coalition, *Safe Place to Learn: Consequences of Harassment Based on Actual or Perceived Sexual Orientation and Gender Non-Conformity and Steps for Making Schools Safer*, available at http://www.casafeschools.org/SafePlacetoLearnLow.pdf. Although LGBT youth may be at risk for suicide, LGBT youth should never automatically be placed on suicide watch or in isolation simply because they are LGBT.

[16] The failure to provide mental health screening, sufficient mental health services, or policies governing the supervision and treatment of suicidal wards can contribute to the liability of facilities in cases brought forward by the families of young people who have committed suicide while in juvenile facilities. *See Viero v. Bufaro*, 925 F. Supp. 1374 (N.D. Ill. 1996) (finding officials not entitled to qualified immunity concerning suicide of boy with well-documented mental health needs who did not receive any services,

medication, or close supervision); *see also A.M.*, 372 F.3d at 585, FN3 (finding that juvenile detention center has a duty to protect detainees from harm, whether self-inflicted or inflicted by others); *Dolihite v. Maughon*, 74 F.3d 1027 (11th Cir. 1996).

[17] *See R.G. v. Koller*, 415 F.Supp.2d at 1157 (concerned lack of minimally adequate policies, procedures, and training to ensure ward safety resulted in severe harassment and abuse by staff and wards which exacerbated plaintiffs' suicidal feelings).

[18] The Equal Protection Clause of the Fourteenth Amendment to the U.S. Constitution provides: "No state shall...deny to any person within its jurisdiction the equal protection of the laws." In addition to the protections provided by the Equal Protection clause, some states also have statutes that prohibit discrimination against LGBT youth in juvenile justice facilities. For example, a number of states have laws that protect individuals from discrimination by governmental agencies, which may include juvenile detention and correctional facilities. See, e.g., R.I. GEN. LAWS § 28-5.1-7 (a) ("Every state agency shall render service to the citizens of this state without discrimination based on race, color, religion, sex, sexual orientation, gender identity or expression, age, national origin, or disability. No state facility shall be used in furtherance of any discriminatory practice nor shall any state agency become a party to any agreement, arrangement, or plan which has the effect of sanctioning those patterns or practices."); MINN. STAT. § 363A.02 (4) (prohibiting discrimination in public services based on race, color, creed, religion, national origin, sex, marital status, disability, sexual orientation, and status with regard to public assistance). Other states have non-discrimination laws that protect children and adults who are living in "institutional settings", which likely would include a juvenile justice facility. *See, e.g.*, IOWA CODE ANN. § 19B.12 (2) (prohibiting state employees from discriminating against a person in the care or custody of the employee or a state institution based on sex). Still other states have non-discrimination laws that apply to businesses and other facilities considered to be "public accommodations." *See, e.g.*, LA. REV. STAT. § 51:2232 (10) (explicitly including as part of the Louisiana public accommodations nondiscrimination law any place which is supported directly or indirectly by government funds, although the law is not inclusive of sexual orientation and gender identity); *Chisolm v. McManimom*, 275 F.3d 315, 325 (adult jail, like a hospital, is place of public accommodation under New Jersey's Law Against Discrimination); *Ortland v. County of Tehama*, 939 F. Supp. 1465, 1470 (California Unruh Act is applicable in claims against governmental agencies). Finally, juvenile justice facilities may be prohibited from discriminating against LGBT youth pursuant to state laws prohibiting discrimination in housing, since such facilities provide publicly assisted housing accommodations. *See Doe v. Bell*, 754 N.Y.S.2d 846, 850 (N.Y. Sup. Ct. 2003) (recognizing residential foster care facility as "publicly-assisted housing accommodation" for purposes of disability discrimination claim under New York's Human Rights Law).

[19] Although there is not a large body of equal protection case law in the child welfare or juvenile justice context, the right to equal protection has been clearly established within the public school context. These cases illustrate the types of violations that would also be actionable in juvenile justice placements. For example, in the first federal appellate case addressing anti-gay violence in schools, a court awarded nearly a million dollars in damages to Jamie Nabozny, a student who suffered severe anti-gay abuse in his Wisconsin high school. *Nabozny v. Podlesny*, 92 F.3d 446 (7th Cir. 1996). In that case, school administrators told Nabozny that the abuse should be expected because he was openly gay. The court, however, disagreed explaining, "The Equal Protection Clause ... require[s] the state to treat each person with equal regard, as having equal worth, regardless of his or her status....We are unable to garner any rational basis for permitting one student to assault another based on the victim's sexual orientation." *Id.* at 456 and 458. This reasoning has obvious applications in situations involving state custody, where an LGBT young person in a juvenile justice placement may be singled out for mistreatment on the basis of sexual orientation or gender identity.

[20] The First Amendment to the Constitution guarantees that "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

[21] *See Henkle v. Gregory,* 50 F. Supp. 2d 1067 (D. Nev. 2001) (allowing claims under Title IX for discrimination and harassment by other students and under First Amendment based on demands by school officials that student keep his sexual orientation to himself).

[22] *See, e.g., Doe v. Yunits*, 2000 WL 33162199 (Mass. Super. 2000), *aff'd sub nom. Doe v. Brockton Sch. Comm.*, 2000 WL 33342399 (Mass. App. Ct. 2000) (holding that transgender student had First Amendment right to wear clothing consistent with her gender identity and that treating transgender girl differently than biological girls was discrimination on the basis of sex).

[23] Although there is not a large body of First Amendment case law in the child welfare or juvenile justice context, in the public school context, courts have held school officials liable for forcing LGBT youth to conceal their sexual orientation as a condition of enrollment, for not permitting a transgender student to dress in accordance with their gender identity, and for prohibiting students from bringing a same-sex date to the high school prom. These cases illustrate the types of violations that may be actionable for youth in the juvenile justice system. *Davis v. Monroe County Bd. of Educ.*, 526 U.S. 629 (1999); *Ray v. Antioch Unified Sch. Dist.*, 107 F. Supp. 2d 1165 (N.D. Cal. 2000); *Doe v. Yunits*, 2000 WL 33162199 at *3; *Fricke v. Lynch*, 491 F. Supp. 387 (D.R.I. 1980).

[24] *See Canell v. Lightner*, 143 F.3d 1210, 1214 (9th Cir. 1998) (holding that a practice of condoning or failing to prevent known proselytizing or religious indoctrination by prison staff would violate the Establishment Clause if plaintiff could make requisite factual showing).

[25] *See Bellmore v. United Methodist Children's Home and Department of Human Resources of Georgia*, Settlement Terms available at www.lambdalegal.org. *See also R.G. v. Koller*, 415 F.Supp. 2d at 1160-1161 ("[T]he court is concerned by the evidence that members of the HYCF staff have promoted certain religious teachings to the plaintiffs.").

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YOUTH PROJECT has been advocating for LGBTQ youth in schools, foster care, juvenile justice settings, and the mental health system since 1993. The Project provides direct, free legal information to youth, legal advocates, and activists through a toll-free line; advocates for policies that protect and support LGBTQ youth in these different arenas; and litigates cases that are creating new legal protections for youth in schools, foster care, juvenile justice, and other settings.

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