

U.S. Supreme Court Permits Enforcement of Transgender Military Ban While Court Challenges Continue

January 25, 2019 -- San Francisco –In a 5-4 ruling on Tuesday, January 22, the U.S. Supreme Court allowed the Trump administration to temporarily enforce its restrictions on transgender people serving in the military while lower court challenges continue. The ruling lifts two injunctions against the implementation of the administration’s ban but did not address the issue of transgender military service itself. An additional national injunction stemming from a case in Maryland U.S. District Court remains in effect. In light of the Supreme Court ruling, the Department of Justice is seeking to lift that injunction as well, but until that happens the ban will not be implemented.

The Bar Association of San Francisco (BASF) stands by its 2017 statement condemning Trump’s serially tweeted announcement of the ban. “The history of advancement and inclusion in our military, including open service by members of the LGBT community, has served as a mirror of our progress as a nation, and helped further acceptance and inclusion of all communities in our society,” BASF urged, concluding that “a policy that selects members of our military on any grounds other than military qualification is driven only by unacceptable and discriminatory social objectives, aimed at marginalizing members of our society, and reverses progress.”

Even a temporary enforcement of the service bans puts the safety and future of current and prospective transgender service members and their families at risk.

Along with our allies and the LGBT community, BASF remains watchful as ongoing court challenges address and rule on the merits of the ban. We will continue our steadfast efforts to promote acceptance and equality.

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The Bar Association of San Francisco (BASF) is a nonprofit voluntary membership organization of attorneys, law students, and legal professionals in the San Francisco Bay Area. Founded in 1872, BASF enjoys the support of more than 7,500 individuals, law firms, corporate legal departments, and law schools. Through its board of directors, its committees, and its volunteer legal services programs and other community efforts, BASF has worked actively to promote and achieve equal justice for all and oppose discrimination in all its forms, including, but not limited to, discrimination based on race, sex, disability, and sexual orientation. BASF provides a collective voice for public advocacy, advances professional growth and education, and attempts to elevate the standards of integrity, honor, and respect in the practice of law.