Attachment:

From: Margaret Clarke
Sent: 3/19/2020 12:18:47 PM
To: "James Shupe (Formerly Jamie Shupe)" <jamie.shupe@yahoo.com>
Cc:
Subject: Thank you Fred
Attachments: image004.jpg

Begin forwarded message:

From: Margaret Clarke <margaretclarke317@icloud.com>
Subject: Re: Idaho Vital Statistics Integrity Act - short window for comments - by Friday, January 24
Date: March 19, 2020 at 3:17:11 PM CDT
To: "Dr. Fred Deutsch" <drfred@deutschclinic.com>
Cc: Julianne Young <juliannehyoung@gmail.com>, Michelle Cretella <drmcretella@gmail.com>, Katherine Cave <kelseycoalition@gmail.com>, "James Shupe (Formerly Jamie Shupe)" <jamie.shupe@yahoo.com>, Mary McAlister <mmcalister@childparentrights.org>, Natasha Chart <natasha.chart@gmail.com>, Mast Richard <RMast@lc.org>, Steve Smith <steve@stevesmithlaw.com>, David Pickup <davidpickuplmft@gmail.com>, Eunie Smith <alaeagle@charter.net>, McCaleb Gary <mccgsm@gmail.com>, Glenn Ridder <glenn.ridder@outlook.com>, Horvath Hacsi <birdcatcher9@yahoo.com>, Laidlaw Michael <mike@drlaidlaw.com>, Jane Robbins <rlrobb123@gmail.com>, Patrick Lappert <patrick@lappertplasticsurgery.com>, MD Paul Hruz PhD <hruz_p007@att.net>, Matt Sharp <msharp@adflegal.org>, McHugh Paul <pmchugh1@jhmi.edu>, Monique Robles MD <pamosa27@comcast.net>, Quentin Van Meter <kidendo@comcast.net>, Brooks Roger <rbrooks@adflegal.org>, Timothy Millea MD <TMillea@qcora.com>, Vernadette Broyles <vbroyles@childparentrights.org>, Kaycee Heyer <waltsbook@yahoo.com>, William Malone <malone.will@gmail.com>, "Scott, Greg" <Greg.Scott@heritage.org>, "sjvick@senate.idaho.gov" <sjvick@senate.idaho.gov>

Dear Fred,

Please do not say that the South Dakota effort failed!!

You successfully inspired, encouraged and counseled numerous VCAP efforts around the country. You brought together the brightest most experienced professions from coast to coast to sacrificially and generously provide numerous white papers to persuade reticent legislators. You established the ideal witness list that we are all still following in our individual states. You lead the way with creative media efforts that each of us have tailored to our individual states and speakers. Your sacrifice of time, energy and resources was the epitome of servant leadership. Your courage to confront this growing abomination in spite of the attacks has fortified many other witnesses and legislative sponsors who have been attached knowing that you have gone before us. And, most importantly you connected us all to each other.

This is just beginning.

Thank you Fred, et. All.
Margaret Clarke, General Counsel

Pl. Trial Ex. 101

Eagle Forum of Alabama
leading the pro-family movement since 1972
205.879.7096 office
205.587.5166 cell
margaretclarke317@icloud.com
www.eagleforum.org

On Mar 19, 2020, at 2:32 PM, Dr. Fred Deutsch <drfred@deutschclinic.com> wrote:

Thank you for your courage. Though our session in SD is now over and our efforts to protect gender-confused vulnerable children failed, I continue to receive ugly email and social media posts. America needs more state legislators like you. - Fred Deutsch, South Dakota Rep.

From: Julianne Young <juliannehyoung@gmail.com>
Sent: Thursday, March 19, 2020 11:19 AM
To: Michelle Cretella <drmcretella@gmail.com>
Cc: Kelsey Coalition <kelseycoalition@gmail.com>; James Shupe (Formerly Jamie Shupe) <jamie.shupe@yahoo.com>; Mary McAlister <mmcalister@childparentrights.org>; Natasha Chart <natasha.chart@gmail.com>; Richard Mast <RMast@lc.org>; Steve Smith <steve@stevesmithlaw.com>; Dr. Fred Deutsch <drfred@deutschclinic.com>; David Pickup <davidpickuplmft@gmail.com>; Eunie Smith <alaeagle@charter.net>; Gary McCaleb <mccgsm@gmail.com>; Glenn Ridder <glenn.ridder@outlook.com>; Horvath Hacsi <birdcatcher9@yahoo.com>; Michael Laidlaw <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@adflegal.org>; McHugh Paul <pmchugh1@jhmi.edu>; Monique Robles MD <pamosa27@comcast.net>; Quentin Van Meter <kidendo@comcast.net>; Roger Brooks <rbrooks@adflegal.org>; Timothy Millea MD <TMillea@qcora.com>; Vernadette Broyles <vbroyles@childparentrights.org>; Walt Heyer <waltsbook@yahoo.com>; William Malone <malone.will@gmail.com>; Scott, Greg <Greg.Scott@heritage.org>; sjvick@senate.idaho.gov
Subject: Re: Idaho Vital Statistics Integrity Act - short window for comments - by Friday, January 24

H509 passed the Senate 27-6 with the support of every Republican Senator. The governor is receiving national pressure to veto. Any support that can be communicated is helpful: governor@gov.idaho.gov

Here is a link to my Facebook page where I posted my comments, as I provided them to CNN, along with a link to their 'news coverage' of H509. https://www.facebook.com/YoungForIdahoHouse/

Thank you again for your help and support in this effort. Prayers for the governor and his staff now!

Julianne Young

On Tue, Mar 17, 2020 at 7:34 AM Julianne Young <juliannehyoung@gmail.com> wrote:
Yesterday H500, a bill protecting female athletes from being displaced by biological males, was debated in the Senate and passed 11 to 24. I believe the vote will be similar on H509. It is now about bill number 30 on the

Senate third reading calendar. I continue to pray that we get a vote before we are disbanded due to the coronavirus. If we adjourn, it will die. It could be late today if bills move quickly or, perhaps, tomorrow.

Julianne Young

On Sat, Mar 14, 2020 at 8:51 AM Julianne Young <juliannehyoung@gmail.com> wrote:
Our committee hearing went well and we came through Senate State Affairs with a party line vote. 509 has been hanging on the Senate third reading calendar waiting for a floor vote for several days and they are not moving business through very quickly. There are more than 50 bills ahead of us and they are talking about adjourning mid-week next week because of the corona virus. We have the support of leadership but the Democrats will be attempting to use the time pressure against us. Your prayers are appreciated.

On Thu, Mar 5, 2020 at 8:13 AM Julianne Young <juliannehyoung@gmail.com> wrote:
It has been confirmed that we will get a hearing toward the beginning of next week.

On Wed, Mar 4, 2020 at 8:49 AM Julianne Young <juliannehyoung@gmail.com> wrote:
I believe that our ability to address the negative AG opinion which came out Friday (after H509 passed the House) will be critical. I'm attaching the opinion (with my scribbles). Your criticism and suggestions are appreciated. Thanks.

On Wed, Mar 4, 2020 at 7:44 AM Julianne Young <juliannehyoung@gmail.com> wrote:
I heard from the Speaker last night that we will have a hearing for H509 on the Senate side. I will be more confident in this when I hear it from the chairman, but I have good reason to hope. It's time to think about what we will present and who might be able to testify. I will let you know as soon as I have more information.

On Sat, Feb 22, 2020 at 2:50 PM <drmcretella@gmail.com> wrote:
Yes. This must be personalized!
Stories - not facts - move people to act!

Sent from my iPhone

On Feb 22, 2020, at 4:25 PM, Kelsey Coalition <kelseycoalition@gmail.com> wrote:

Although we all know this whole thing is ridiculous and it is Orwellian that we have to have a bill to say that 1+1=2, I think sometimes people can see this issue more clearly when we can personalize the issue.

Consider if you are a mother of a daughter. One day your daughter could decide without your involvement to change her birth certificate. This legal document would now say that you gave birth to a son. You have zero say. This document is a lie about your personal life and your health history and is happening to KC parents in many states. https://transgenderlawcenter.org/resources/id/state-by-state-overview-changing-gender-markers-on-birth-certificates

On Sat, Feb 22, 2020 at 2:57 PM James Shupe (Formerly Jamie Shupe) <jamie.shupe@yahoo.com> wrote:
As these bills are advanced, I think it's important to do at least some education on the history of gender identity, even if just briefly, because I don't believe there are very many lawmakers that are actually knowledgeable on the topic. No doubt many of them will find it disturbing to learn they're older than the quack theories behind the whole sham.

James

On Saturday, February 22, 2020, 02:48:38 PM EST, Michelle Cretella <drmcretella@gmail.com> wrote:

But it is even worse than any other example in history in the sense that the State is forcing people to participate in a lie akin to 2+2=5 ... I mean NO ONE should have to appeal to their "Freedom of Religion/Conscience" to stand up against 2+2=5 / a man is NOT a woman! If this is not the definition of insane I don't know what is!

On Sat, Feb 22, 2020 at 2:14 PM Mary McAlister <mmcalister@childparentrights.org> wrote:
> Excellent point Dr. C. That is one of the arguments we are making regarding the school affirmation policies, i.e., the state is compelling students to utter a false statement, which violates free speech and free exercise rights (or rights of conscience generally). That's underlying pronoun policies and privacy facilities use policies requiring children to affirm classmates are girls when they are boys.
>
> Mary E. McAlister, Esq.
> Senior Litigation Counsel
> Child & Parental Rights Campaign
> P.O. Box 637
> Monroe, VA 24574
> 434 610-0873
> mmcalister@childparentrights.org
> childparentrights.org
>
> On Sat, Feb 22, 2020, 1:36 PM Kelsey Coalition <kelseycoalition@gmail.com> wrote:
>> Just to expand a bit on the parent argument...it not simply the state being complicit in a legal fiction (that a girl was actually born a boy), but it is the state compelling an unwilling party to party to that legal fiction...parents whose legal records state they gave birth to a son when they really gave birth to a daughter.
>>
>> Haven't had a chance to watch the hearing, but was this argument part of the testimony?
>>
>>
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>> On Sat, Feb 22, 2020 at 11:22 AM Kelsey Coalition <kelseycoalition@gmail.com> wrote:
>>> Thank you, Julianne. Have you considered the argument from the parent perspective? When birth certificates are changed, they create a legal fiction involving unwilling parents: That a mother who gave birth to a daughter gave birth to a son, and vice versa. As recently as last month, a mother wrote to us expressing absolute shock that her young adult daughter can change her birth certificate without her permission. As she stated, she and her husband do not want their names connected to a "blatant lie."
>>>
>>> FYI, to encourage people to write to Idaho House members, I tweeted out a link to the bill and the House Members' emails here:
>>> https://twitter.com/CoalitionKelsey/status/1231246802189475842?s=20
>>>

>>> If any of you are on twitter, please retweet. Thank you! -K
>>>
>>> On Sat, Feb 22, 2020 at 9:42 AM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>> The House State Affairs committee sent our bill to the floor on a party line vote with a do-pass recommendation.
>>>>
>>>> We had some great testimony (in opposition) from the National Organization of Women representative, Janelle Winterstein. Janelle opposed the bill, suggesting that it is uncharacteristic of the acceptance and kindness she has felt from Idahoans, including many of the more conservative members of the state affairs committee. It seems that this testimony would be a great benefit should a court be seeking evidence that this bill is motivated by animus.
>>>>
>>>> Our strongest opposition came from the Lambda Legal Attorney who represented the plaintiffs in F.V. v Barron (a very tall woman if you're skimming the video looking for her testimony). She countered some of my statements which suggested that this issue has not been robustly examined based on it's impacts on public policy and the state generally because the state conceded everything and the arguments make (based on the West Law minutes) addressed only the interests of the agency and not the public at large. She argued that everything I brought up had already been heard and considered by the court and that they have already decided this issue. By passing this bill, we are placing the DHW in a position to be found in contempt of court. This argument, coupled with the court costs may sway moderate republicans in the House and could stop the bill in the Senate if we don't have a strong counter-argument on the House floor. It could be up for debate on the floor as soon as next Tuesday and must be transmitted to the Senate by the end of the week.
>>>>
>>>> The video of the hearing is available here: https://legislature.idaho.gov/sessioninfo/2020/standingcommittees/HSTA/ . It does take awhile to open. It was about a 2 hour hearing. There was a very short bill right before mine but it only took a couple of minutes. Most of the file is our bill.
>>>>
>>>> Counter arguments I am considering include:
>>>>
>>>> The proposed statute complies with the requirement of the injunction in that the statute does not automatically reject applications to amend this category of material facts, but establishes a process by which those applications may be reviewed and considered. This process protects the interest of the state in ensuring the accuracy of material statistics.
>>>>
>>>> The legislature rejects the argument that biological sex is gender identity. Courts are required to observe the definitions established in the law. The legislative branch, including on the federal level, has consistently acted on a biological definition of sex. Yet, this court relied upon the conflation of sex and gender identity in issuing their ruling. The conflation of these terms in the law severely undermines the compelling interest of the state and jeopardizes the health and safety of all Idahoans. Sex specific policies have been upheld by the courts for decades specifically because of the material distinctions between male and female, statistically speaking. If we accept the premise that these distinctions are irrelevant, that sex is gender identity irrespective of biological fact, we must also find that all sex-based distinctions are discriminatory.
>>>>
>>>> I would sincerely appreciate legal feedback and suggestions.
>>>>
>>>> Julianne Young
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>>>> On Thu, Feb 20, 2020 at 7:34 AM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>> The Idaho Vital Statistics Act will be heard tomorrow morning in State Affairs. Our meetings are usually at 9 but I won't be surprised if we start at 8 AM. It will be available live online or recorded if any are interested in listening. We may get some ideas that will help as we head to the Senate.
>>>>>
>>>>> On Wed, Feb 12, 2020 at 2:59 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>> Does anyone have a contact in the research and statistics world or someone in the insurance industry (medical or car) that could provide a statement explaining the value of accurate information regarding biological sex as a qualifying characteristic for sex specific differences in policies, etc? These are research based private policies. When we fundamentally alter the legal definition of sex we undercut their ability to effectively implement those research-based policies.
>>>>>>
>>>>>> On Tue, Feb 11, 2020 at 6:05 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>> Hello all,
>>>>>>>
>>>>>>> I am adding Senator Steve Vick to this email group. He will be carrying the bill on the Senate side. We are on the agenda to print the bill in House State Affairs on Thursday and are working toward a full hearing a week from Wednesday. Welcome Senator Vick! We are glad to have you on board!
>>>>>>>
>>>>>>> Julianne Young
>>>>>>>
>>>>>>> On Mon, Feb 10, 2020 at 9:54 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>> And one last document-- This is an op-ed/ press statement if it passes muster:
https://docs.google.com/document/d/1Z8k-zehU6_j9JN-iHbG5-NVlLeOrlddM3Cryl_LXzFw/edit
>>>>>>>>
>>>>>>>> Feel free to comment on it and mark it up.
>>>>>>>>
>>>>>>>> On Mon, Feb 10, 2020 at 4:31 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>> Thank you all so much for your help and input. Here is an outline of talking points. Please weigh in and share cautions, resources, or additional ideas. Our full hearing will be a week from Wednesday.
>>>>>>>>>
>>>>>>>>> https://docs.google.com/document/d/1FckO5aKuniUTqJ8psNrWRRIYTNzn84uqLvOWRyj4FGI/edit
>>>>>>>>>
>>>>>>>>> On Mon, Feb 10, 2020 at 8:12 AM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>> Dear Friends,
>>>>>>>>>>
>>>>>>>>>> Attached below is the draft which we RS'd on Friday. The Lord is blessing our efforts! We anticipate a print hearing in House State Affairs this Wednesday and a full hearing towards the beginning of next week. I am working on talking points and a press release. We need to keep our messaging very controlled. Also, I would welcome input on plans for public testimony at the hearing. I am working on some drafts which I will post ASAP.
>>>>>>>>>>
>>>>>>>>>> Julianne Young
>>>>>>>>>>
>>>>>>>>>> On Fri, Feb 7, 2020 at 1:38 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>> Any last comments are invited. We'll RS at the end of the day.
>>>>>>>>>>>
>>>>>>>>>>> On Thu, Feb 6, 2020 at 2:27 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>>> And one more small change from our attorney general in 39-245A (1) (iv) and (v).
>>>>>>>>>>>>

>>>>>>>>>>>> On Thu, Feb 6, 2020 at 9:56 AM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>>> And with one more small change in (4) as recommended by ADF.
>>>>>>>>>>>>
>>>>>>>>>>>> On Wed, Feb 5, 2020 at 5:53 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>>>
>>>>>>>>>>>> I was able to visit with Matt Sharpe at ADF about my previous questions and have incorporated what I believe is a much improved strategy in section (5). I am sending this final draft [vital statistics draft(3) attached below] to you, to ADF , and to our folks here a vital statistics. Hopefully we are near or at our final draft so that we can work on securing support from the governor's office. Leadership appears to be supportive so I have good reason to hope we will soon have a hearing. Thank you again for your help!
>>>>>>>>>>>>>
>>>>>>>>>>>>> On Wed, Feb 5, 2020 at 12:19 PM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>>>> In regard to the last question: a colleague who is an attorney suggested that a better approach may be to stipulate that the physician make a presumptive determination of male or female and that after undergoing the appropriate combination of genetic analysis and evaluation of the individual's naturally occurring internal and external reproductive anatomy a signed affidavit from the parents and the physician may be submitted within 3 years or the presumptive determination may be challenged in a court as stipulated in (4). This eliminates the potential for an open-ended indeterminate status.
>>>>>>>>>>>>>>
>>>>>>>>>>>>>> Thoughts on this idea?
>>>>>>>>>>>>>>
>>>>>>>>>>>>>> On Wed, Feb 5, 2020 at 11:55 AM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>>>>> My apologies if this is redundant. I have tried to 'reply all' in order to share this with the larger group but I'm not sure that it worked. If you could ensure that the larger group has access to this request I would appreciate it. Thanks so much.
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> Our vital statistics folks in the Department of Health and Welfare have raised some questions which we have attempted to address in the attached draft. Their comments focused primarily on 39-245A (4) and (5).
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> They wanted to ensure that the language stipulated that the affidavit be one provided by the department and asked that we make some changes in formatting to make the process more clear to the public. I believe the changes to (4) are straightforward.
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> They raised some good questions regarding (5) though:
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> 1- Our current language does not require verification from a medical professional that the appropriate chromosomal analysis and evaluation of anatomy has taken place and that the decision of sex is appropriate based on that analysis and evaluation.
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> 2- Our language is silent about what happens if they don't resolve the indeterminate status within the three years. Do we need to specify that it can be resoled in court after this? Do we need to specify any requirements should that be the case?
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> The drafter and I took a stab at it in the attached draft. Again, feedback is appreciated. Thank you to those who are providing review on this!
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> Representative Young
>>>>>>>>>>>>>>>
>>>>>>>>>>>>>>> On Wed, Feb 5, 2020 at 11:06 AM Julianne Young <juliannehyoung@gmail.com> wrote:
>>>>>>>>>>>>>>> Did you receive the email I attempted to add as 'reply to all' with the questions raised by our