



WINTER
2025



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IN THIS EDITION



3

SICK LEAVE CHANGES
BEST PRACTICES
DOING WHAT
THEY DO BEST



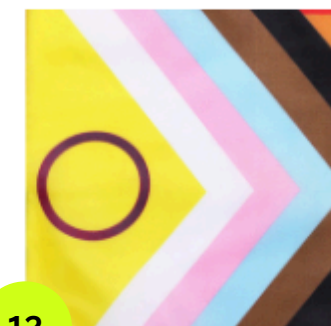
5

MEET NICK BROWN
NEW ATTORNEY
GENERAL



9

HONORING OUR HISTORY
LIFE AND TIMES OF
BAYARD RUSTIN



12

VIBRANT PRIDE
HISTORY AND
EVOLUTION OF
PRIDE FLAGS



15

LOOKING AHEAD
DEEPER DIVE INTO
2025 LEGISLATION



BIG SICK LEAVE CHANGE IN 2025 BASED ON RAIN BEST PRACTICES RECOMMENDATION

by **Marisa Sanchez-Reed** (she/her, they/them), SAO
former RAIN Best Practices Co-Chair (2018-2021)

Think about where we were at the beginning of 2021, four short (or maybe long?), years ago.

I'll set the scene: It was the second-ish year of covid. For the most part, we were no longer wiping down groceries. Most of the state was working remotely because wearing masks and distancing were our best defense against contracting something that could harm us. Although the vaccine had been developed, getting it out to folks took time. Online meetings were constant and came with a learning curve for many. For example, a Texas attorney felt the need to explain he wasn't a cat when he realized IN REAL TIME that he didn't know how to turn the cat filter off during a zoom call with the district court judge. Many folks were tired of making plans, only to have to cancel them. We were trying our best, but coping with "the new normal" was really, really hard.

I was trying desperately to find a way to feel hopeful and also to get a reprieve from the heaviness and strangeness of the world. During a time when loss and grief were everywhere, the idea of spending time with family and finding ways to connect moved to the forefront. It became especially important to contend with the idea that sometimes family looks like a mom, a dad, a little boy and a little girl. Other times, it may look like a military wife who babysits her friend's kiddo while both husbands are deployed.

For queer folks, it may look like the people you are safest with, biologically related or not, even when the rest of the world feels impossible. Covid reminded us about the importance of family and how, at the end of the day, all we have is each other.

Jasper (the other Co-Chair) and I decided the Best Practices subcommittee would take on a project to recommend Washington State use a more accurate definition of family, a definition that reflects the world we live in. We worked with the subcommittee to do research and craft a recommendation. We found examples of organizations and agencies that used more inclusive definitions of family. Eventually, folks came forward and were willing to provide written testimony about the importance of using a more expansive definition. Making this change would mean a better world for all of us, not just for queer people.

In 2025, the Office of Financial Management updated WAC 357-01-172 to allow cabinet agency employees to take sick leave to care for anyone who depends on them for care, instead of defining which family members employees can take leave for.



Photo: Nalinthip / Adobe

Real talk: If state employees work for a governor appointed agency head, they are able to take sick leave to care for the people who depend on them. Now we, those of us who are lucky enough to fall under this rule change, can use the sick leave we earn to care for the people we love.

We may not feel the gravity of it right now, but we certainly will when we need to take sick leave to care for someone we love. We will be able to prioritize the thing that will be most important – showing up. This is how it always should have been.

None of this work happened in a vacuum or at the hands of one person. It took years and SO MANY conversations. It took rewording and revisions and patience. But most of all it took a community of people who care. It took Governor Inslee, [who created RAIN](#) and the Best Practices subcommittee in 2016. It took the work of the incredible subcommittee – people who showed up month after month, provided feedback, and who shared vulnerability and brain power. It took people at OFM and other agencies who were willing to hear and prioritize the Best Practices recommendation. It took analysis and [a rule change](#). **This was a big lift.**

The change to sick leave is worthy of celebration. And also, the work is not done. What happens when a loved one dies? What happens if they don't fall under the named family roles defined in bereavement policies? How can we ensure everyone in Washington state is able to take sick leave when they need it?

As chaotic as the world was at the beginning of 2021, I don't feel like 2025 has started off much gentler. Grief, loss, and fear are still hanging around, it seems. But we have each other, we have community, and we have fire burning in our bellies. We stand on the shoulder of giants who have prepared us for these moments and who have led the way. Let this be a reminder that the work we do now is the foundation for the legacy we'll leave for those who come after us.



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by RAIN Communications & Outreach

ATTORNEY GENERAL NICK BROWN INTRODUCES HIMSELF TO BRG MEMBERS

On January 9th, newly elected Attorney General (AG) Nicholas Brown gathered with over 360 attendees for an online Q & A specifically for all Business Resource Group (BRG) members. The meeting included live American Sign Language (ASL) interpretation and captions and was moderated by LaTasha Tisdell, Inclusive Culture and Belonging Manager, Office of Financial Management (OFM).

Raised in Washington, AG Brown credits his parents, both veterans and state employees, for “pushing” him into public service. His career has taken him all the way from Judge Advocate General (J.A.G.) lawyer in Baghdad to U.S. Attorney, appointed by President Biden in 2021.

AG Brown stepped down from his presidential appointment after being elected as the first African American Attorney General of Washington State. He believes in state-focused work and the power of a separately elected AG office to advocate for the people while representing state government.

His priorities include increasing public safety beyond law enforcement, making Washington an economically viable place to live, and embracing Washington’s unique diversity to face the poignant challenges ahead: “I anticipate Washington once again being heavily involved in some of that litigation that we anticipate coming because of change in policy from the Trump Administration.”

AG Brown is excited about the work ahead. He wants to do a good job for his constituents and hopes we will hold him accountable to that: “I would just encourage this group and the organizations that you represent and the communities you come from not to be shy about reaching out to our office and finding a way to make sure that we’re addressing people’s problems.”

continued...

Questions and Answers

(SUBMITTED IN ADVANCE FROM BRG MEMBERS)

On relationships with tribal communities: “[...] This is a huge priority for me. [...] I've spent a lot of time as Governor Inslee's counsel working with tribes across the state on some really challenging issues around gaming policy, environmental issues, criminal justice matters, and I really felt like I've built a good foundation to understand the unique government-to-government relationships that we have with tribes, and the [sic] importance of tribal sovereignty. [...] I was proud during the campaign to get so much support from the tribal governance with that relationship, and Washington has had an improved relationship with tribal communities, but we still have a long way to go.

We have a really solid tribal liaison in the office who is continuing on in his role, and I'm excited to continue that work, but making sure that we have a true government-to-government and respectful relationship with tribes and learn from them how Washington can get better is going to be really important for me, and I'm really excited about that. I'm excited to have couple of tribal Chairmen on my transition committee who are already providing some additional input to the office.”



Challenges around Diversity, Equity, and Inclusion (DEI) Initiatives: “[...] As we all know nationally, efforts to undermine the work that state governments are doing around diversity is rampant and increasing, and increasingly supported by, unfortunately, [...] our national Supreme Court and courts across the country. [...] We have seen a real pull back from both government and private diversity efforts. Thankfully in Washington, I think at least at a state level we're doing okay [...]. My job first and foremost is to inform people in the state what their law or legal requirements are, and we have, I think, a solid foundation to continue the diversity efforts we have here, but we are going to see more and more legal challenges to those efforts. My office will be doing everything we can to defend Washington law and defend those unique values that protect and emphasize issues like DEI. I know this is a daunting issue for many people, particularly as corporations across America revert to their diversity policies, but this is something we will take very seriously in this office.”

Protecting 2SLGBTQIA+ Washingtonians: “This is an increasing priority and concern because of hate and attacks we've seen against people because of their identity [...], and we've seen that all across Washington. [...] People were often shocked when I would relay that we were often in the top 5 of hate crimes per capita in America, and LGBTQIA people are often facing the brunt of that , so as a state, we need to enforce Washington law that provides protection for people, and we also need to use the AG Office Civil Rights Division to make sure that we are doing everything we can to respond to hate crimes and to respond to discrimination in whatever form it takes.”



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On Immigrants with Pending Asylum and Deferred Action for Childhood Arrivals (DACA): “AG has a very limited role in resource provision. With that being said, we are spending a lot of time preparing for attacks on immigrant rights that might come from the new change in federal administration, and I cannot get into all the details, but I will tell you just as a general matter, our office has spent a lot of time going through all the proposals that have been talked about by the Trump Administration that were set forth in project 2025, including attacks on birthright citizenship, including reversion from the protections that DACA provides, and a host of other issues.

“Because we don't know exactly what those might look like and what actions they specifically will take, it's hard to predict. But I will tell you we have done a lot of legal analysis on the issues that we've seen presented, and if they take the form that they could take, we will be prepared to defend people here to the extent we can, and it's a big priority for me, and we won't shy away from those fights. I will say there might be fights led directly out of Washington State or there might be ones we're partnering with other states and other jurisdictions. But the office has spent a lot of time preparing for change around birthright citizenship and DACA and change, we have all these broad proposals around deportation and the like. And we just have to see how those actions are actually executed. But it is not an area we will shy away from at all.”

Veterans: “David Puente, head of the Veterans office, is also in my transition committee, and it was important for me to have him included as a Veteran and as the son of a Veteran. This is a personal issue as well. The AG's Office has a specific group that focuses on veterans' issues, and it is something that I would like to grow if we can, because we see veterans often bearing the brunt of bad business practices and all sorts of benefits they're denied. We want to make sure that office is actively engaged in preventing some of the issues and providing better healthcare for Veterans and the like.”

In the last minutes of the meeting, LaTasha Tisdell touched on some of the remaining questions about homelessness, substance abuse, pushback around wearing cultural wear at work, and a myriad of other issues that will come to the AG's office with the new administration. AG Brown offered availability and connection:

“We're going to spend a lot of time thinking about how we better connect with the people we serve to make sure that some of the quiet voices are being heard and not just the louder ones.”

BLACK HISTORY IS AMERICAN HISTORY: HONORING BAYARD RUSTIN (1912-1987)

by Masozi Nyirenda (ally/she), DES




This year's Black History Month theme, "African Americans and Labor," highlights the crucial role Black people have played in the workforce. Bayard Rustin's legacy exemplifies the intersectionality of race, labor, and justice.

Rustin was a key figure in both the civil rights and labor movements, notably as the architect of the 1963 March on Washington. He also served on the AFL-CIO executive council and co-founded its [A. Philip Randolph Institute](#). As a Black gay man, Rustin faced discrimination but remained a steadfast advocate for workers' rights, linking economic justice to racial and social equality.

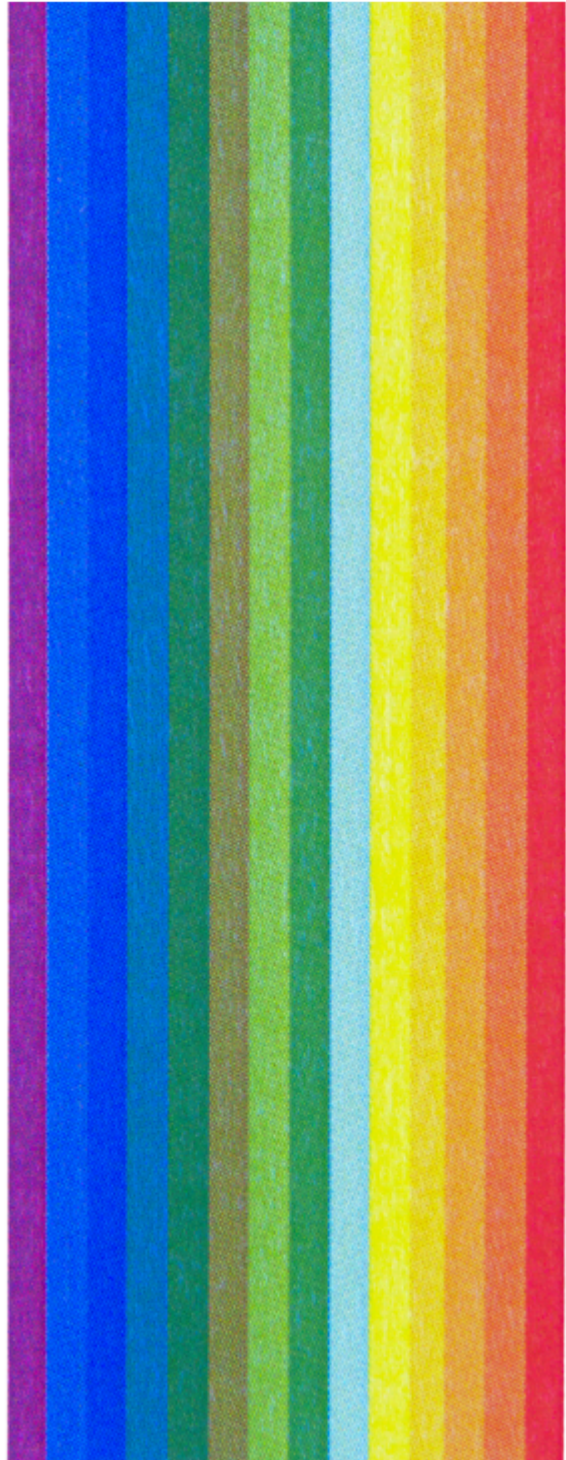
As a public servant in Washington State, I strive to emulate Rustin's courage and commitment to inclusivity. Honoring his legacy is a reminder that progress requires amplifying diverse voices and championing justice for all.

By recognizing Rustin's contributions, we affirm the importance of inclusion and collective advocacy, ensuring that everyone is valued in the fight for equity and dignity in the workplace and beyond.



THE STRUGGLES AND SUCCESSES OF BAYARD RUSTIN (1912-1987)

by anonymous



Bayard Rustin was a Black gay man who played a pivotal role in the labor and civil rights movements of the 20th century. Despite his significant contributions, he often worked behind the scenes, largely because his sexuality and arrest record made him a target of criticism, even within the movements he supported.

The Struggles

Bayard Rustin grew up in West Chester, Pennsylvania, raised by his grandparents in a Quaker household that instilled in him values of nonviolence and equality. As a young man, he became politically active, fighting against racial segregation and economic inequality.

However, being openly gay in an era of deep homophobia posed tremendous challenges for Rustin. In 1953, he was arrested on charges related to his sexuality, an event that opponents would later use to discredit him and undermine his work. This arrest, combined with societal prejudice against both his race and sexual orientation, forced Rustin to step out of the spotlight on several occasions. [Source: [Bayard Rustin – Wikipedia](#)]

Even within the civil rights movement, Rustin faced discrimination. Leaders were wary of associating with him, fearing that his sexuality and previous arrests would be used to delegitimize their cause. [Source: [Bayard Rustin – Wikipedia](#)] Despite this, Rustin remained steadfast in his commitment to justice and equality.



Photos (previous; this page): Library of Congress / Unsplash

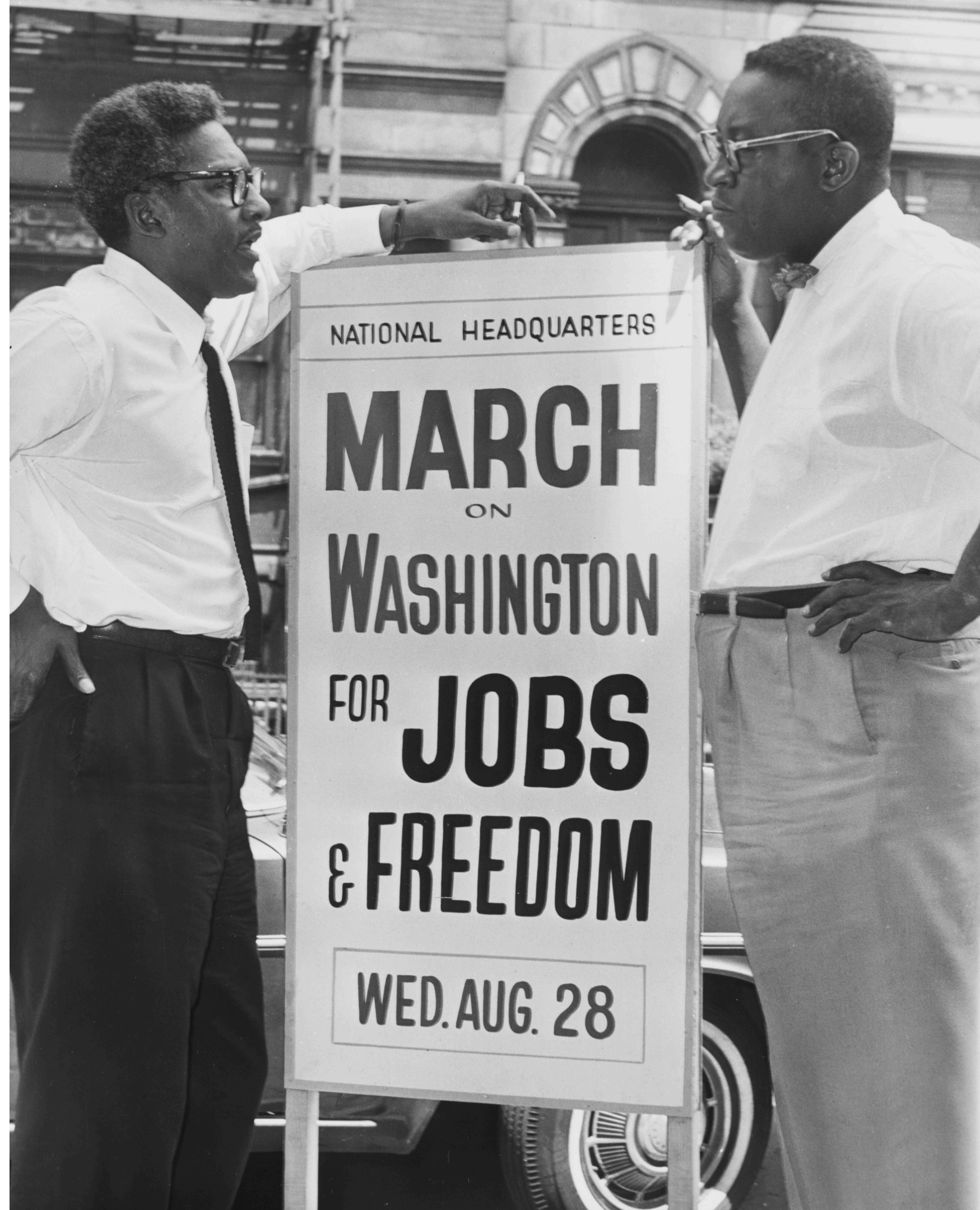


Photo: Library of Congress / Unsplash

The Successes

Rustin's influence on labor and civil rights was immense. In the 1940s, he worked with A. Philip Randolph, the head of the Brotherhood of Sleeping Car Porters, to fight for the rights of Black workers. Together, they pressured President Franklin D. Roosevelt to issue Executive Order 8802, which prohibited racial discrimination in defense industries and established the Fair Employment Practices Committee. [Sources: [Executive Order 8802 – Wikipedia](#); [A. Philip Randolph – Wikipedia](#)] This was a groundbreaking victory for labor equality.

Rustin's most famous achievement came in 1963 when he organized the **March on Washington for Jobs and Freedom**, where Dr. Martin Luther King Jr. delivered his iconic "I Have a Dream" speech. Rustin's organizational skills and strategic vision were crucial to the success of the march, which remains one of the largest and most impactful demonstrations in U.S. history. [Source: [March on Washington – Wikipedia](#)]

Beyond his work in the United States, Rustin was an international advocate for human rights and economic justice, supporting movements for democracy and labor rights in Africa, Asia, and the Caribbean. [Source: [Bayard Rustin – Wikipedia](#)]

In his later years, Rustin continued to champion the rights of marginalized communities, including LGBTQIA+ people. Although he was often sidelined for his identity during his lifetime, his contributions have been increasingly recognized in recent years. In 2013, President Barack Obama posthumously awarded Bayard Rustin the **Presidential Medal of Freedom**, acknowledging his profound impact on American society. [Source: Presidential Medal of Freedom Award Announcement – Obama White House Archives]

Legacy

Bayard Rustin's life is a testament to resilience and the power of intersectional advocacy. He demonstrated that the fight for labor rights, civil rights, and LGBTQIA+ rights are interconnected struggles for dignity and equality. His story continues to inspire activists and leaders to stand firm in the face of adversity and fight for justice for all.

UNFURLING UNITY: THE VIBRANT JOURNEY OF PRIDE FLAGS THROUGH HISTORY

by **Megan Socea** (she/her), DCYF



In 1978, Gilbert Baker chose a Rainbow Flag to represent Pride because it was a natural and necessary display of hope from some of the earliest recorded histories of the Bible, Chinese, Egyptian, and Native American history. ([Fisher & Antonelli, 2018](#)) He created an iconic symbol of liberation, a symbol that everybody now instantly understands. Gilbert Baker hoped it would be a great symbol, but he couldn't have imagined how the symbol transcended being just a flag and became an unspoken way of connection.

2SLGBTQIA+ communities widely use the rainbow-striped pride flag, and the flag has also evolved over time. Let's break it all down.

Pride Flag History

The history of the pride flag can be traced back to Gilbert Baker and his friendship with Harvey Milk, the first openly gay person to hold a high public office in a major American city. Baker had served in the Army and moved to San Francisco following his honorable discharge. Milk challenged Baker to create a symbol of pride for what was then just called the gay community. ([Baume, 2020](#)) Though it was often called the "gay pride flag" at first, it has now come to represent a more diverse community.

Baker began working on a flag design and, with the help of volunteers, they dyed the fabrics and stitched together the first pair of rainbow flags. One was the original Gilbert Baker rainbow pride flag with eight strips of brilliant colors while the other added tie-dyed stars on a blue field in the upper left-hand corner, so it resembled the American flag. The flags were flown in the 1978 "Gay Freedom Day" Parade in San Francisco, now called the San Francisco Pride Parade. Soon, Baker approached the Paramount Flag Company to mass produce the flags, but hot pink/fuchsia flag fabric was difficult and expensive to mass produce, so Paramount began selling a seven-striped version. ([San Francisco Travel Association, 2008](#))

In November of 1978, Milk was assassinated. Grief and rage galvanized San Franciscans, especially gay activists like Baker. So, the "Gay Freedom Day Committee," now called the San Francisco LGBT Pride Celebration Committee, decided that Baker's flag should be flown from the light poles along both sides of the street (with half of the colored stripes on each side of the street) for the 1979 Gay Freedom Day Parade. But seven stripes were too difficult to split in half! So, they eliminated the indigo stripe to make even six colors, and Paramount began producing the new six-striped version, the Traditional Pride Flag that we fly today. ([Campbell-Dollaghan, 2015](#))

Photo: master old / Adobe

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Pride Flag Evolution

Over the years, the pride flag has been updated to be more inclusive of 2SLGBTQIA+ individuals and their allies. The original rainbow pride flag had eight stripes, and each colored stripe meant something: hot pink for sexuality, red for life, orange for healing, yellow for sunlight, green for nature, turquoise for art (or, some say, magic), indigo for harmony/serenity, and violet to symbolize the spirit of the 2SLGBTQIA+ people. ([Munson, 2024](#)) As briefly noted above, the eight stripes went down to seven, then again to six where the turquoise and indigo stripes were consolidated into one blue stripe. Almost 50 years later, this six-striped version of the pride flag endures.

In 2017, creative agency Tierney and the Philadelphia Pennsylvania Office of LGBT+ Affairs rethought and designed what is considered the Philly Pride Flag, in response to an increase in racist incidents in the city's Gayborhood. The Philly pride flag adds black and brown stripes to the top of the existing six-stripe rainbow design. This flag redesign was meant to demonstrate Philly's commitment to 2SLGBTQIA+ People of Color (POC). ([Tierney, 2017](#))

Inspired by the Philly pride flag, in 2018, Daniel Quasar, a queer, non-binary graphic designer in Oregon, set out to create a version of the pride flag that would help elevate other marginalized identities even further. The "Progress" pride flag adds the colors of the trans pride flag (white for intersex, transitioning, or no pre-defined gender, pink to represent anybody who identifies as a woman, and blue to represent anybody who identifies as a man), in an arrow on the left, along with the brown and black stripe from the Philly flag. The black stripe in this design honors those both living with and lost to HIV/AIDS. Quasar reports that the arrow points to the right intentionally, symbolizing forward progress, while the colors along the left edge show that progress still needs to be made. ([Quasar, 2018](#))

Finally in 2021, Valentino Vecchietti, an intersex writer and Intersex Equality Rights UK advocacy group member, gave us the latest remix of the pride flag, the Intersex-Inclusive "Progress" pride flag. Vecchietti's flag adds part of the Intersex Pride Flag design, a yellow triangle enclosing a purple circle, to the right-facing arrow on the Progress Pride Flag. The yellow and purple colors are meant to contrast with the blue and pink of the trans flag, and the circle symbolizes being unbroken and whole. On the Intersex "Progress" pride flag, Andy Campbell, the author of the 2019 essential book *Queer x Design*, writes: "in terms of how many colors it bears, and in what arrangement, gestures towards a history of change and communal/self-definition. Each new iteration adds complexity and nuance and, in my mind, credence to its arguable central importance in queer symbolics." ([Campbell, 2019](#))



Photo: New Africa / Adobe



Photo: yailek / Adobe

Pride Flag Meanings

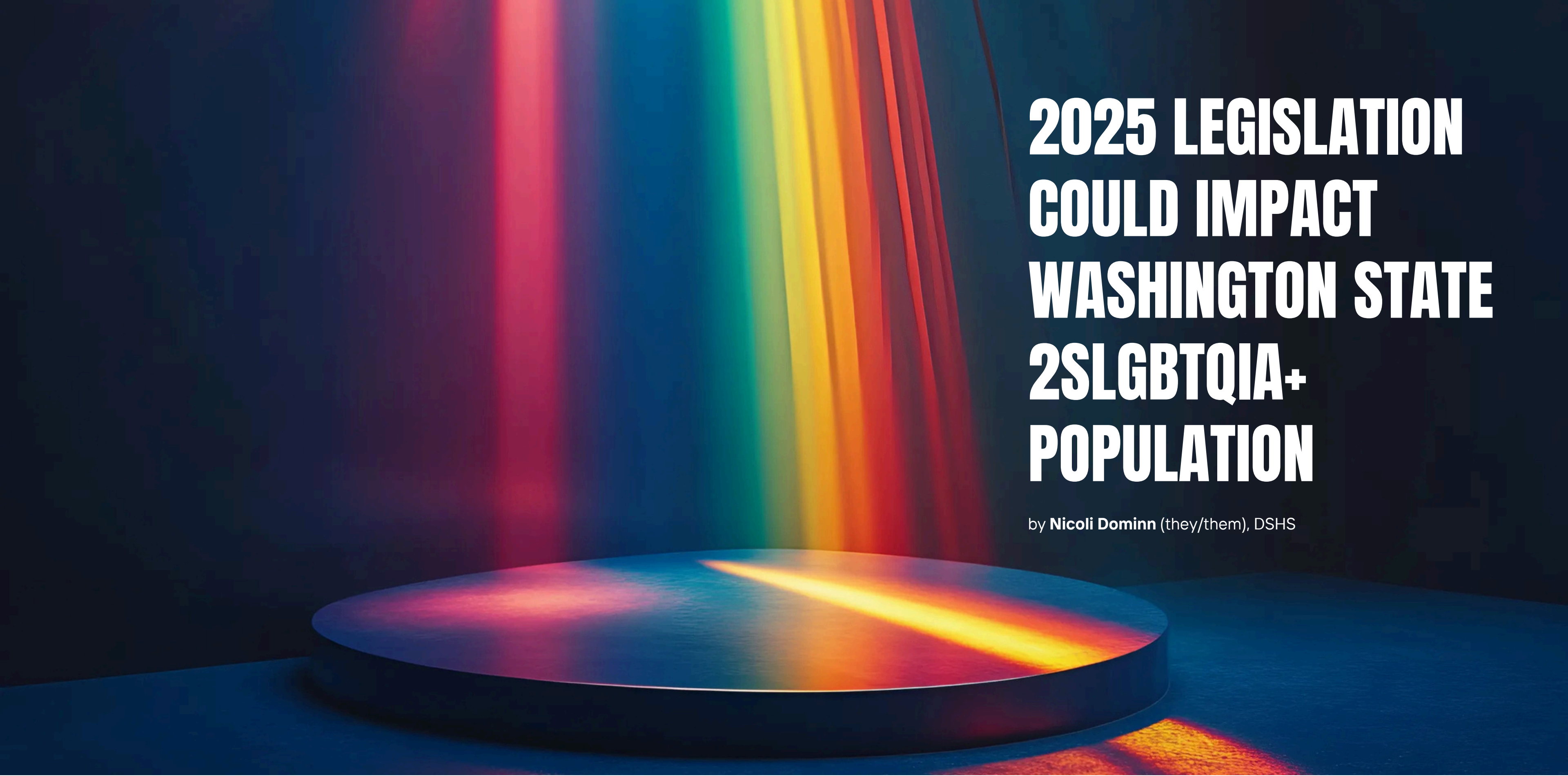
The classic rainbow pride flag is a ubiquitous, worldwide symbol of Pride. ([Nast, 2022](#)) However, you'll see many more visual symbols representing Pride. Individual marginalized communities included in the 2SLGBTQIA+ acronym have their own symbols and flags, some of which borrow from the original rainbow pride flag's structure. Some of these other symbols can be loosely categorized into three different categories: flags representing sexual orientation, flags representing gender identity and/or gender expression, and flags representing relationship structure.

Flags representing sexual orientation include: the Lesbian Pride Flag, Bisexual Pride Flag, Pansexual Pride Flag, Asexual Pride Flag, Demisexual Pride Flag, Polysexual Pride Flag, and the Trans-Inclusive Gay Men's Pride Flag. Flags collected representing gender identity and/or gender expression include: the Transgender Pride Flag, Non-Binary Pride Flag, Intersex Pride Flag, Genderfluid Pride Flag, Genderqueer Pride Flag, Agender Pride Flag, Bigender Flag, and the Demigender Pride Flag. Flags representing relationship structure include the Polyamory Pride Flag. Additional intersectionality pride flags include the Pride of Africa Flag, the Queer People of Color Pride Flag, and the Two-Spirit Pride Flag. The Human Rights Campaign (HRC) has collected all the flags for you to explore on their [website](#).

The Pride Flag is a significant display of hope and support for the 2SLGBTQIA+ community. Earlier last year, on June 3rd, 2024, during pride month, the Washington State Department of Corrections (DOC) raised the intersex-inclusive pride flag at its headquarters for the first time, next to the American and POW MIA flags that they always fly. ([Washington, 2024](#)) This serves as a powerful reminder that visible symbols of support can make a profound difference in the lives of marginalized individuals, but what if they raised the pride flag every day along with the other two flags that they always fly? Symbols like pride flags bring society closer to inclusivity and equality, but we can make even more progress towards true equality.

Flag visual resources:

- [The History, and Controversy, Behind the Rainbow Pride Flag](#) (Website has a picture of the tie-dyed star version - hard to find!)
- All Flags: [HRC | LGBTQ+ Pride Flags](#)



2025 LEGISLATION COULD IMPACT WASHINGTON STATE 2SLGBTQIA+ POPULATION

by **Nicoli Dominn** (they/them), DSHS

Disclaimer: While the Rainbow Alliance and Inclusion Network (RAIN) Business Resource Group wishes to share and bring awareness of legislation potentially affecting the 2SLGBTQIA+ community, RAIN and this author do not call upon its members and readers to endorse or oppose any of the following legislation, and/or take actions regarding the following legislation. RAIN and this author do not express any opinions for or against any of the following legislation.



As of 01/20/2025, 18 Washington State bills for the 2025-2026 legislative session and eight federal bills and resolutions from would impact the 2SLGBTQIA+ population, if passed into law. Five Washington State bills have identical predecessors that failed in the 2023-2024 legislative session.

Nine of the Washington State bills address transgender youth (the term 'youth' includes both minors and young adults). In 2022, UCLA Williams Institute estimated that transgender youth aged 13-17 made up about 1.43% of the US population and 1.09% of the Washington state population, and transgender young adults aged 18-24 made up about 1.31% of the US population and 2.01% of the state population (Herman, Flores, and O'Neill 2022). A more recent CDC Youth Risk Behavior Survey from 2023 showed that in the US, 3.3% of high school students were transgender and another 2.2% questioned their genders (Suarez et al. 2024). The Trevor Project's survey of transgender persons aged 13-24 shows that in the year preceding the survey, significantly more transgender people reported at least 1 suicide attempt, as well as a higher number of suicide attempts, following the enactment of legislation around the US between 2018-2022 restricting rights or prohibiting services for transgender people (Lee et al. 2024).

The following lists Washington State bills before federal bills and resolutions, ordered alphanumerically. On the next page, a discussion of the intent behind and potential impacts of some of the legislation is provided, arranged by topic.

Bills (and Bill Titles) with Potential Impact to 2SLGBTQIA+ Washingtonians

- [HB 1027](#): Concerning housing of inmates in state correctional facilities.
- [HB 1038](#): Prohibiting puberty blocking medications, cross-sex hormones, and gender transition surgeries for minors.
- [HB 1052](#) (Companion Bill: [SB 5038](#)): Clarifying a hate crime offense.
- [HB 1072](#): Preserving access to protected health care services.
- [HB 1129](#) (Companion Bill: [SB 5121](#)): Concerning health plan coverage of fertility-related services.
- [HB 1262](#) (Companion Bill: [SB 5228](#)): Updating the governor's interagency coordinating council on health disparities.
- [SB 5012](#): Concerning the organization of interscholastic athletics.
- [SB 5029](#): Concerning the transportation of individuals released or discharged from the custody of the department of corrections.
- [SB 5097](#): Safeguarding competitiveness in girls' interscholastic athletic activities.
- [SB 5101](#): Expanding access to leave and safety accommodations to include workers who are victims of hate crimes or bias incidents.
- [SB 5123](#): Expanding protections for certain students to promote inclusivity in public schools.
- [SB 5136](#): Protecting the rights of parents and guardians by using students' given names in public schools.
- [SB 5137](#): Requiring parental or legal guardian approval before a child participates in comprehensive sexual health education.
- [SB 5179](#): Establishing a complaint process to address noncompliance with certain state education laws.
- [SB 5180](#): Securing the rights of students to have a safe, civil, and respectful learning community.
- [SB 5181](#): Amending the parents rights initiative to bring it into alignment with existing law.
- [H.Res.26](#): Deeming certain conduct of members of Antifa as domestic terrorism and designating Antifa as a domestic terrorist organization.
- [H.R. 28](#) (Related: [S.9](#)): Protection of Women and Girls in Sports Act of 2025
- [H.Res.47](#) (Related: [S.Res.22](#)): Concerning the National Collegiate Athletic Association policy for eligibility in women's sports.
- [S.74](#): A bill to require the Attorney General to submit to Congress a report relating to violence against women in athletics.
- [S.4638](#) (Related: [H.R.5009](#)): National Defense Authorization Act for Fiscal Year 2025
- [S.Res.21](#): A resolution designating October 10, 2025, as "American Girls in Sports Day".

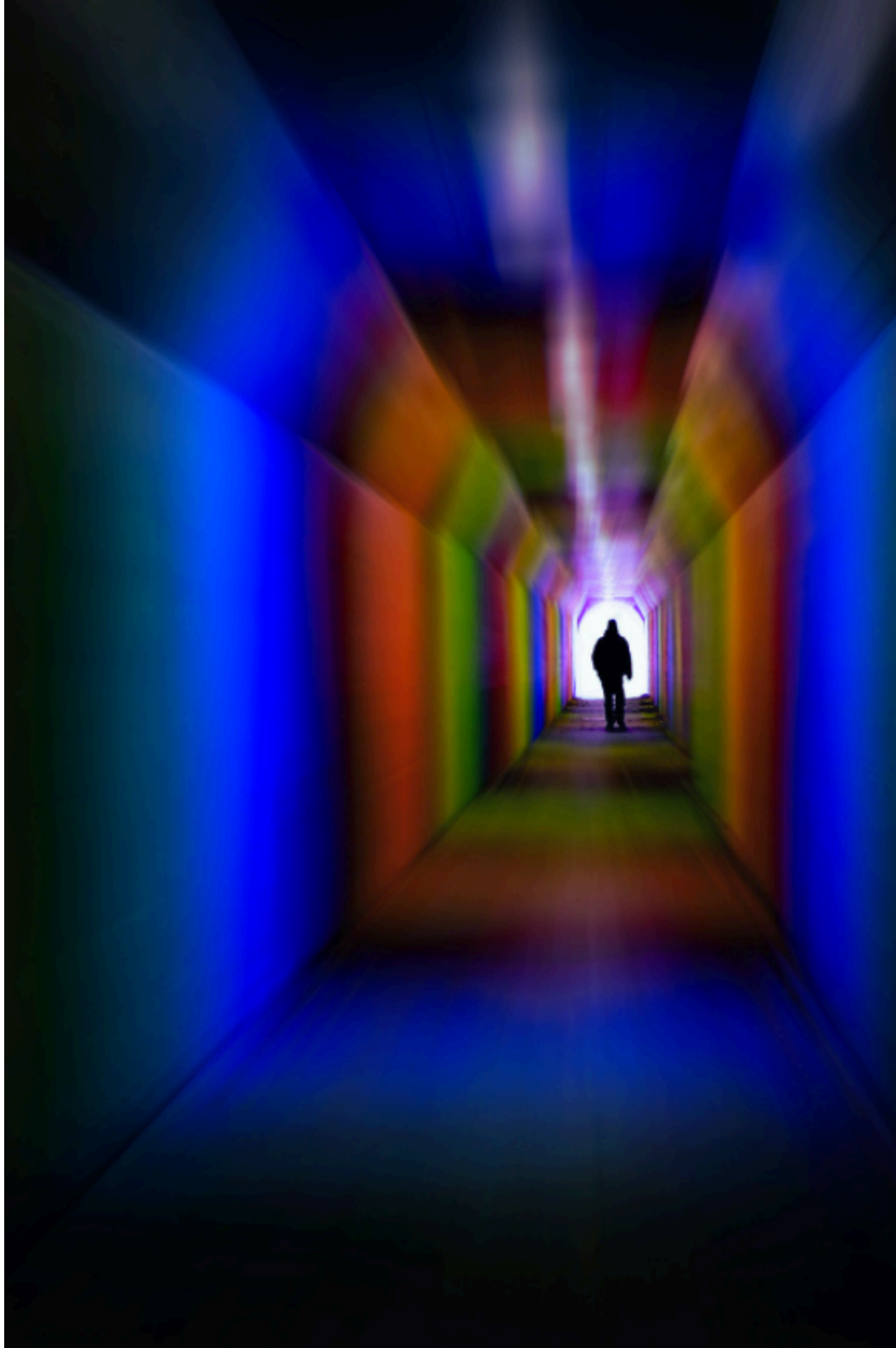


Photo: Lane Erickson / Adobe

CORRECTIONS

HB 1027 proposes a new section in chapter 72.09 of the Revised Codes of Washington (RCW). The bill would prohibit the Department of Corrections (DOC) from housing persons convicted of a sex offense with incarcerated persons of a different assigned sex at birth if the person committed a sex offense against someone with a different assigned sex at birth (Jacobsen et al. 2025(a)). An identical bill, HB 1233, failed in the 2024 legislative session (Jacobsen et al. 2023 (c)).

HB 1027's sponsor summarizes the bill, saying it "would prevent a biological male who has been convicted of a crime against a female from being housed with biological females" ("Legislative Update From Rep. Cyndy Jacobsen as the 2025 Session Approaches" 2025). In 2023, the co-sponsor of the identical previous bill HB 1233 discussed the intent of HB 1233 on a talk radio show, stating, "I can tell you the background is that I had heard a Dori Monson Show in 2021, talking about how there had allegedly been some transgender inmates who were in the gen pop of the women's prisons, and that a woman who was developmental disabled had been raped and some crimes had occurred. And so, I wanted to write a bill, which I did, and the bill was very simple. Go ahead, and if someone's been convicted of a sex offense against women, that they cannot be housed in the general population of women. That's it. That's all the bill says. It doesn't reference anyone transgender, anything." Later in the show segment, the host voiced concerns that men will lie and state to be transgender so they can be housed in a women's prison, and the co-sponsor agreed, "[...] that is a concern" (Rantz 2023).

Washington DOC segregates incarcerated persons by gender, which may differ from a person's assigned sex at birth. DOC's current housing policies and procedures referencing transgender, nonbinary, and intersex persons follow the US Department of Justice's Prison and Jail Standards, developed in 2012 following a ruling on the Prison Rape Elimination Act of 2003 (State of Washington Department of Corrections 2023(a); State of Washington Department of Corrections 2023(b); Prison Rape Elimination Act National Standards 2012). The policies require DOC to evaluate a person's housing needs and requests on a case-by-case basis, addressing both the individual's safety needs and the overall safety of the facility.

Studies show that incarcerated transgender persons face higher rates of victimization in jail and prison settings because of their gender identities, particularly if corrections departments house them according to their assigned sex at birth instead of their gender identity (Baćak et al. 2018; Beck et al. 2013; Brömdal et al. 2019; Just Detention International, 2018). Corrections departments across the US have moved transgender residents to protective custody settings to ensure their safety.¹⁵ Corrections departments in the US and other countries have housed persons convicted of sex offenses in separate special housing units to safeguard them from violence they experience from other incarcerated persons due to the nature of the crimes they committed (Faccio, Mazzucato, and Iudici 2020; McNaughton Nicholls and Webster 2018; Wuyts et al. 2023).



Photo: Alex / Adobe

EDUCATION

SB 5123 would add the following categories to Washington school non-discrimination policy RCW 28A.642.010: ethnicity, gender identity, homelessness, and neurodivergence. The bill would amend the language, differentiating gender identity and gender expression from sexual orientation, and would further define the existing and proposed new categories. The bill creates a section stating how creating an inclusive environment can help reduce the suicidality and mental health challenges LGBTQ+ students face when school administration and staff do not protect them from discrimination and harassment (Nobles et al. 2025). Another bill, SB 5181, would amend laws regarding parents' rights in education, including a parent's right "to receive assurance their child's public school will not discriminate against their child[...]" to align RCW 28A.605.005 with other existing education laws (Wilson et al. 2025(c)).

SB 5180 addresses the language in multiple RCWs and the model gender-inclusive schools policy and procedure, stating that Washington schools inconsistently applied these policies because of the ambiguities (Wilson et al. 2025(b); Washington State School Director's Association 2019; Washington State School Director's Association 2022). The bill would require schools to develop policies and procedures prohibiting school staff and contractors from disclosing students' sexual orientations, gender identities, or gender expressions to anyone without the student's permission, and protecting students' rights related to their chosen names and pronouns and their ability to participate in activities and use facilities corresponding to their gender identities and expressions (Wilson et al. 2025(b)). Additionally, SB 5179 would establish a formal complaint process for students, parents, and community members if students are harmed by a Washington public school's failure to follow nondiscrimination, health, and safety laws (Wilson et al., 2025(a)).

SB 5136 would prohibit Washington K-12 school administration, staff, and contractors from using any name or derivative other than a student's given name or using any pronoun that differs from the student's assigned sex at birth without the written permission of the student's parent(s) or legal guardian(s) (McCune et al. 2025). An identical bill, SB 6026, failed in the 2024 legislative session (Padden et al. 2024).

The Center for Disease Control's 2023 Youth Risk Behavior Survey gathered responses from public and private school 9th-12th grade students throughout the US and found that 3.3% of students are transgender and another 2.2% are questioning their genders. Compared with 8.5% of cisgender male students, 25.3% of transgender students and 26.4% of students questioning their gender identities skipped school because they felt unsafe. An estimated 40% of transgender students experienced bullying at school. Meanwhile, 72% of transgender students and 69% of questioning students expressed persistent feelings of sadness or hopelessness, which point to depressive symptoms. Twenty-six percent of transgender and questioning students attempted suicide in the past year, compared to 5% of cisgender male and 11% of cisgender female students (Suarez et al. 2023).

The survey identified further challenges for transgender and questioning students, including people misgendering them, using names other than their chosen names, barring them from accessing school and athletic activities and school facilities that aligned with their gender identities and expressions, and prohibiting them from expressing themselves (Suarez et al. 2023). Research shows students who feel positively connected to their school communities experience better health outcomes into adulthood, and that connectedness is a protective factor for marginalized youth (Steiner et al. 2019; Wilkins et al. 2023). According to the 2022 Trans Survey, responses from transgender youth aged 16-17 show that only 44% of respondents' immediate families were 'supportive' or 'very supportive' of their genders – low numbers in comparison to older age groups (James et al. 2024). Based on this information, requiring parental or guardian permission to respect students' identities could result in disparate treatment of gender-expansive students.

HEALTH CARE

HB 1038 would prohibit medical providers from administering puberty blockers, hormone replacement therapy, and surgical procedures that sterilize or construct genital tissue to people under 18, with exceptions for intersex persons and those tapering off hormonal treatment (Jacobsen et al. 2025(b)). No current commentary exists in support of HB 1038. However, the bill sponsor made a statement about the reasons behind HB 2241, an identical bill that failed in the 2024 legislative session (Jacobsen and Christian 2024), stating, “We need to carefully consider the irreversible ‘treatments’ we allow for minors. Children are not allowed to purchase cigarettes, get a tattoo, or sign legal contracts. So, should we really allow ‘gender affirming care’ for minors, which can include puberty blockers and even surgery, particularly without parental notification? We need to take a deeper look at the long-term effects of gender affirming care” (Livingston 2024). Under state law, people 13 and older can request and receive outpatient care without parental consent (Wash. Rev. Code § 71.34.530). Most surgeries are not considered outpatient treatment.

A federal military spending bill H.R.5009 became Public Law 118-159 on 12/23/2024. The law prohibits Tricare (medical insurance for military members, veterans, and their families) from covering gender dysphoria treatment for minors that could result in sterilization (Joyce 2023; Mayo Clinic Staff 2023). An article on Military.com calls H.R.5009 a “must-pass” bill because, as a general military spending package, it also included necessary bonuses and special pay for service members that would have expired 12/31/2024, bringing financial burden to military families (Kheel 2024).

Researchers and professional medical associations encourage medical professionals to weigh potential adverse side effects of gender-affirming care against the risks of poor mental health for patients if they do not receive gender-affirming treatment, and to have open conversations with patients and their parents or guardians about both risks and benefits (Advocates For Trans Equality, n.d.).

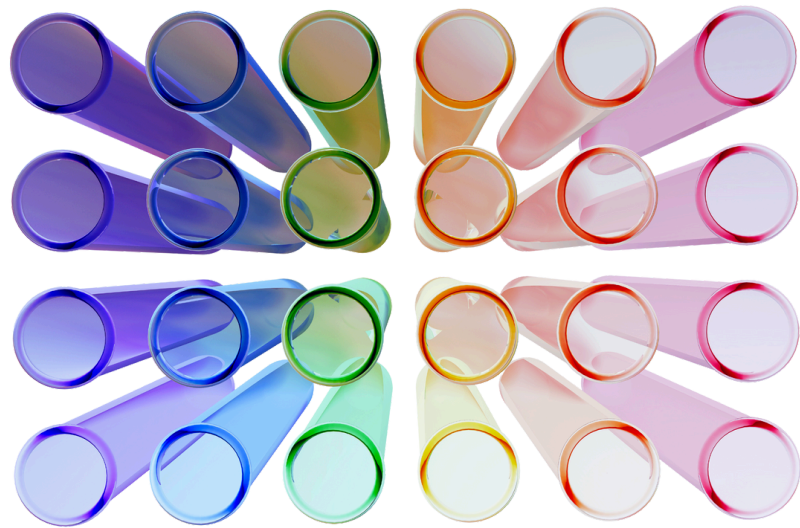
Medical associations and researchers recommend that medical professionals regularly monitor patients’ health before and during hormonal treatment and take precautions to prevent harmful side effects (Bachrach and Gordon 2021; Guss and Gordon 2022; Hembree et al. 2017; Rafferty 2018).

Although there is incomplete data on hormonal treatments’ effects on patients’ long-term physical health (Ludvigsson et al. 2023; Magiakou et al. 2010), research points to better mental health outcomes, including reduced suicidality, for both youth and adult patients who receive timely gender-affirming care (Conron, O’Neill, and Vasquez 2021). Other researchers warn that legislation restricting access to gender-affirming care for transgender and nonbinary youth may lead to poor mental health outcomes (Turban et al. 2020).



Photo: Nadzeya / Adobe

HB 1129 and its companion, SB 5121, would require group health insurance plans to cover testing and treatment for infertility in Washington state (Stonier et al. 2025, Frame et al. 2025). While this expansion of coverage would benefit anyone with health insurance, the language of both bills state “insurance coverage reduces disparities in access to care for racial and ethnic minorities as well as for LGBTQ persons.” Insurance coverage reduces or eliminates people’s out-of-pocket costs for necessary health services, which most helps communities that experience disproportionate levels of poverty due to marginalization. Another bill, HB 1072, would empower Washington Department of Health to regulate health care business transactions to preserve equitable access to protected health services, including reproductive healthcare, gender-affirming care, and end-of-life care (Walen et al. 2025)



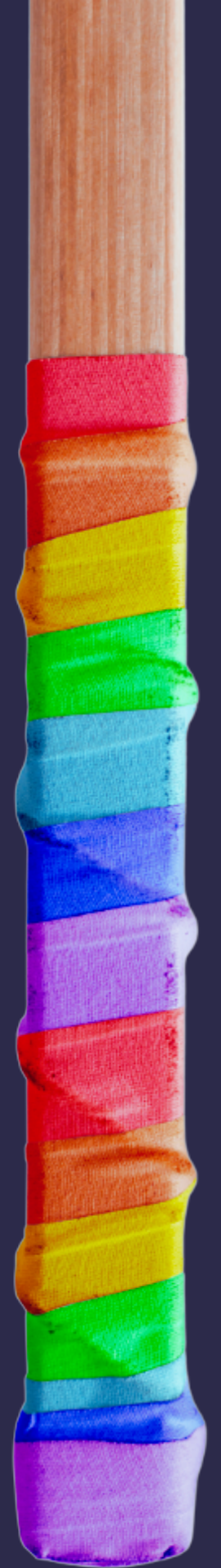
SPORTS

A slew of federal and state legislation addresses gender segregation in school sports. In Washington State, SB 5012 proposes further segregating athletic teams composed primarily of students in grades 7 and above by creating five categories based on how students’ genders do or do not align with their chromosomes. The bill would allow people to bring lawsuits against school districts for violation of the proposed law, while prohibiting government entities, licensing or accrediting organizations, or athletic associations from filing lawsuits against school districts for maintaining segregated teams according to the proposed law (Fortunato et al. 2025). An identical bill, SB 6116, failed in the 2024 legislative session (Fortunato and McCune 2024).

SB 5097 would require that Washington Interscholastic Athletics Association (WIAA) and other non-profit entities adopt rules excluding individuals from girls’ competitive athletics if their endocrine characteristics (hormones) give them an unfair advantage. The proposed rules would not require sex verification or create a dispute process but would require age-appropriate hormone sampling to determine if individuals have an unfair advantage. The bill specifies that the exclusion of any individual from athletic competition due to endocrine characters would not be considered discrimination (Warnick et al. 2025).

H.R.28 passed the U.S. House of Representatives on 01/14/2025 and was introduced in the Senate on 01/15/2025 (Steube 2025). A related bill, S.9, has been introduced in the Senate with similar language (Tuberville 2025). These bills would amend Title IX to ban persons assigned male at birth from participating in athletic activities or programs designated for women and girls. The bills further define sex based “solely on a person’s reproductive biology and genetics at birth” (Steube 2025(a); Tuberville 2025).

Similarly, H.Res.47 and S.Res.22 call upon the National Collegiate Athletics Association to revoke its transgender athlete eligibility policy and prohibit persons assigned male at birth from competing on teams designated for women and girls. The resolutions urge all US-based sports-governing entities to follow suit (Steube 2025(b); Blackburn 2025(b)). S.Res.21 would designate October 10th, 2025 as “American Girls in Sports Day” (Blackburn 2025(a)). Its language echoes H.R.28, H.Res.47, and S.Res.22, stating persons assigned male at birth have displaced women and girls from sports achievements and opportunities and asserting that “there are fundamental biological differences between men and women that put women at a competitive disadvantage in sports and jeopardize their safety during competition” (Steube 2025(a); Steube 2025(b); Blackburn 2025(a); Blackburn 2025(b)).



Recent news articles provide quotes from both supporters and dissenters of H.R.28 (Quilantan 2025; Foran and Talbot 2025). Several legislators voiced concerns that transgender women and girls who seek to join athletic programs and teams designated for women and girls are displacing cisgender women and girls because of biological physical advantages over cisgender women and girls they believe are inherent. These legislators share fears that because of these advantages, transgender women and girls compromise the safety of cisgender women and girls and deprive cisgender women and girls of opportunities to participate in athletics and garner recognition for their achievements (Quilantan 2025; Foran and Talbot 2025). As of 01/20/2025, there was no available commentary on SB 5012 or SB 5097, which take approaches similar to H.R.28.

Mounting research questions the necessity of any gender segregation in multiple sports and athletic activities, both for youth and adults (Knutson and McAndrew 2016; Konieczny 2020; Leong and Bartlett 2017; Leong 2018; Messner 2021; Müller 2016; Voyles 2019). Performance data shows inconsistent results when competitors have different ages, endocrine characteristics, chromosomes, and body composition (such as weight, center of gravity, flexibility, and agility). Endocrine characteristics and body composition greatly vary both within and between sexes. Although researchers agree that authorities should consider gender segregation on a case-by-case basis according to the physical demands of the activity, they also emphasize that performance capabilities of persons of a given sex range widely and that performance differences between sexes are less pronounced in youth. Additional research suggests that women's and girls' athletic programs suffer more from social biases against girls' and women's abilities, leading to disparate funding and lower support from communities (Hextrum, Knoester, and Tompsett 2024).

Several federal courts and legal experts have concluded that Title IX protects transgender students from discrimination based on gender identity. If these pieces of legislation become law, the laws could result in disparate treatment of and impact to transgender, nonbinary, and intersex athletes, which Title IX defines as forms of discrimination (Skinner-Thompson and Turner 2014). The editor's note in the Title IX Cover Addendum post-Bostock states, "[...] Title IX prohibits discrimination based on sex stereotyping and gender nonconformity" and goes on to clarify that "[...] discrimination based on anatomical or physiological sex characteristics (such as genitals, gonads, chromosomes, and hormone function) is inherently sex-based" (United States Department of Justice 2015).

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