

Why Transgender Rights Matter for Social Work

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Peter Sobota [00:00:11] From the University at Buffalo School of Social Work, welcome to the inSocialWork Podcast. I'm Peter Sobota, it's good to have you along everybody. Over the past several years, political battles over transgender rights have moved from the margins of American public life to the center of national politics. State legislatures have introduced hundreds of bills addressing transgender youth, sports participation, medical care, and school policies. And at the same time... The political rhetoric around gender identity has become increasingly intense and polarized. Many folks argue that this escalation is not an accident. Some suggest that after the Supreme Court's 2015 decision in the Obergefell v. Hodges legalized same-sex marriage nationwide, transgender rights became the new focal point for the American culture wars. Others say... The conflict reflects deeper anxieties about gender, social change, and the pace of cultural transformation. Today we're joined by Sam Ames, an LGBTQ attorney and advocate who has written and spoken extensively about how transgender people, particularly transgender youth, have become central figures and casualties in the current political debates. In this conversation we'll for what's driving the current wave of legislation and rhetoric, the impact on transgender communities, and what this current moment reveals about the state of polarization, democracy, and social change in the United States, and why this is an issue for social work. Sam Ames, Esquire, JDMTS, is a civil rights attorney, author, and national LGBTQ rights advocate. Hi, Sam, and welcome to inSocialWork.

Sam Ames [00:02:06] Thank you so much for having me. It's great to be here.

Peter Sobota [00:02:08] Oh no, thank you, especially on short notice. So Sam, today is March 19th, 2026. And I recently watched the president's State of the Union address where at one point the president acknowledged and then requested that a teenager from Virginia rise up in the... In the Congress. He went on to say that she was socially transitioned at her school without her parents' permission. She was alleged to have become distraught. She began acting out and she ran away and then trafficked by people ready to exploit her. And then at the same time, pretty much, in Kansas, the legislature there was passing and implementing anti-transgender, transgender legislation that invalidated the driver's licenses and the birth certificates of trans people. And before we started recording, you told me about the new information that is asked on our passport applications. So, Sam, if someone just dropped onto planet Earth and hadn't been here for a while and looked over the American landscape and our politics right now, they actually might conclude that transgender people are one of the central political issues in our country. How did we get to the spot?

Sam Ames [00:04:02] That's a great question that I think has a lot of people scratching their heads right now, mostly trans people. For a little bit of context, transgender people make up somewhere around 1% of the population, give or take depending on the study. Last year, the ACLU documented more than 600 state bills targeting this tiny percent of the population. We've got one case currently before the Supreme Court. Called B.P.J., which is dealing with transgender sports. And in the state where this comes from, the attorneys actually had to admit, there are no young people trying to play sports. The person at issue in the case has actually decided no longer to. There was actually a real question of standing because they weren't sure that this impacted anybody. So the impact it has obviously is emotional, is on mental and physical health. But the population at issue here is actually very small. And if it's all right, I would love to actually just talk a little bit about this girl at the state of the union a couple of weeks ago. Because it is exactly what we have come to expect. It is so few facts, so few statistics, one really, really sensationalist example that is trotted out over and over in the place of facts and statistics in order to garner fear where truth should be. What happened... A couple weeks ago is that this girl was pointed out in the State of the Union speech. It was in order to underscore the president's campaign against transgender people. He pointed to this teenager who had detransitioned after some horrific sex-based harassment at school and then broadcast these horrible things that had happened to her on live television with pretty significant artistic license. I'm not gonna use her name, she's a teenager, but I am gonna use she her pronouns because we respect how people identify and that is what she currently uses. And I wanna share just enough about the allegations in that court decision. Her mother has been bringing an unsuccessful case against the school. And what it really underscores for me is how many adults failed her. This young person was a freshman in high school, she told a counselor that she identified as a boy, that counselor told her she could use the boys restroom if that was what felt right. And then the first day that she did, a couple of her classmates began harassing her so severely that within a couple a weeks, the police had to be called. These students threatened to rape her until she liked boys, they said they would kill her or her family, they groped her, they shoved her up against the hallways. And what isn't actually clear is whether any of those students were ever punished. But the blame was really cast on her. The first police officer who came, she told what happened. And he said she couldn't go around accusing boys of rape without being sued for defamation. It was that same night that she... told her parents she had been identifying as a boy. That is the night she ran away from home. She ended up in a really dangerous situation. Months later, she thankfully emerged from that situation, and she'd since de-transitioned. And the adults around her seemed to be using this excuse that these students harassed her because she was transgender as true. The cause of harassment was not her gender identity. The cause harassment was the students who harassed her, but the president got up and tried very hard to say, I can I can end violence against transgender youth by ending the existence of transgender youth, completely conflated it and in doing so really took the exact perspective that these students who harassed her had. So this girl winding up on stage at the State of the Union is exactly what we keep seeing. We keep seeing advocates and politicians ignoring the data on this that is very clear most of the time and instead trotting out the same couple of people over and over to tell really scary stories that strike at the heart of what all of us want, which is protecting vulnerable people, particularly young people.

Peter Sobota [00:08:13] Yeah, well thank you for elaborating on that because I think that example, in a nutshell, addresses a lot of the things that I'm gonna end up asking you about. And you've kind of set a stage really, really well about that. And I, so, you know, I've read... Your positions and your writings and you argue that the legal turning point was the 2015, I'm not sure I'm going to say this correctly, is it Obergefell? Obergefel. You're doing

great. Yeah, well, close enough for jazz. Okay. Obergefell versus Hodge's Supreme Court decision that legalize same-sex marriage. And, of course, a lot of us are going to remember when that was the thing that was used to divide us and to exploit people. And after marriage equality was decided... Yeah. In ways.

Sam Ames [00:09:28] I'll broke it loose.

Peter Sobota [00:09:29] Yeah, that's that, you know, some of us were actually kind of happy about. Hey, yeah. But, but the culture war simply moved to a new divisive issue. And yeah, and I'm going to make the wild assumption, Sam, that you don't believe that that happened organically.

Sam Ames [00:09:52] I shockingly do not. You are right. What happened in recent history, at least, is that we made the mistake of winning a marriage equality. Let me be clear. I'm saying that flippantly. I absolutely think that it was important. We did. I even got to do a little bit of work on that case as a very young lawyer. But after 2016, when they decided Obergefell v. Hodges, conservative lost this really powerful tool. They had figured this out somewhere in the 70s around the same time that they were really tooling around with abortion rights. It was during Anita Bryant's crusade to fire teachers based on sexual orientation. They figured out that LGBTQ issues were great for getting conservative voters to the polls during election years. Thank you very much. So they rode that for a long time. Those issues really seemed to surge every two to four years, and there was a reason for that. When, in 2016, they lost marriage as their primary issue, and the Supreme Court's ruling was fairly definitive on this, there wasn't a lot of wiggle room, they needed a replacement for that, and they got all these think tanks together in the same room to figure out what that next thing was gonna be so they could start experimenting in the states, which is what they often do. They use a couple of states as laboratories and then we see this massive explosion, which is we're seeing right now. And in the words of Terry Schilling, who's the president of the American Principles Project, one of those think tanks, they threw everything against the wall. They threw a bunch of spaghetti against the walls, they saw what stuck and what stuck was us. It was particularly sports and healthcare. At first, they thought it was bathrooms. They went into North Carolina. They tried that. North Carolina said, not in our state. A bunch of incredible folks, artists, musicians, sports teams said, we're not doing this here if this is what it's going to be, and really pushed back economically and it worked. And for a second, they retreated a bit and came back because they had kept throwing these noodles against the wall and listen. I am a big fan of citing sources when I say that there is like a coordinated national strategy designed by a cabal of right-wing think tanks in league with elected officials at the highest level of government to use like spooky stories about trans people to scare Americans. I want you to ask me to show my work on that, I do. And I'll say that quote from Terry Schilling that we threw everything against the wall quote. Comes from a really incredible investigation by the New York Times in 2023, which is hardly an outlet that is known for being friendly to trans people. This is not something that is hidden. This is something that these leaders talk about as a victory. They designed a strategy that doesn't have a lot to do with us, but does work.

Peter Sobota [00:12:33] Yeah. And it's what, I mean, I don't even know. This is just a comment. It's particularly revolting when, when people become, you know, the tools of a, of a political movement. So you've talked about this, but I'm going to actually ask you to just do a slightly deeper dive here if you can. So from your point of view, what exactly makes, of all people, transgender folks, especially younger trans folks, such an effective, I mean, we got to admit that, right? An effective political symbol.

Sam Ames [00:13:17] Yeah, they have been incredibly, incredibly successful at using us as symbols. I think, again, this, at least in our, what we're gonna call our modern history right now, dates back to the 70s. I mentioned Anita Bryant before. Anita Bryant was a beauty queen and also orange juice salesperson who went on a campaign to ban gay people from teaching in schools. As a rule of thumb, beware anyone who says they're coming to save your children. That's just a principle that I live by. And that was what Anita Bryant was doing, right? She, I think, actually was a true believer in this, right. She really thought that there was the correlation that has popped up over and over in history, particularly during politically tumultuous times, that LGBTQ people have some kind of dangerous effect on young people. Sometimes they try to link it to pedophilia, which is something that has not only never been proven, the opposite has been proven.

Peter Sobota [00:14:16] Yeah, that's a familiar trope, yeah.

Sam Ames [00:14:18] Yep, yep. Yeah, we actually, to quickly say something about that, we're here.

Peter Sobota [00:14:25] By the way, I'm sorry, Sam, we also know who the true experts on pedophilia are now, too, by the way. So I just thought I'll throw.

Sam Ames [00:14:31] Whoa ho ho ho! Oh boy. We hear this a lot, this argument about conflating LGBTQ people with groomers, which is horrific for me. I spent most of my life working at the intersections of LGBTQ mental health and civil rights. And what you see when you work in those spaces is an enormous number of kids who have survived abuse. And when we talk about groomers first of all, they're trying to conflate groomers with adults who are supportive of LGBTQ youth. And one of the. Number one things that is true about grooming in a in the child abuse world is that there is an attempt to narrow the scope of people who had a young person can rely on to one to include secrecy around it to not allow them to trust anybody else to create a dependent relationship the important thing about supporting LGBTQ youth is reminding them that there are adults everywhere who support them and to try to tell who they are and what is really going on with them to as many people as will safely listen And the second thing is that there was this great letter that came out a couple of years ago from a number of advocates in the child abuse world, talking about the danger of conflating the word grooming with something political, because the importance of young people having clear language to describe what is happening to them, particularly when something dangerous is happening them is enormous. Conflating that definitions of those words with something politically is so dangerous. What it does is it takes. Some of the most useful tools we have, where in isolation, a young person might not be able to know how to name what's going on with them. And we say, this is a thing that you can say out loud if it is happening to you, to someone who is a trusted adult, and they can take action. So when we confuse that word, when we confused that kind of language, it is risking the child abuse we are trying to protect young people from. This is where we get into teachers, where we're getting to healthcare workers, and we're seeing so many of these policies introduced being in the education realm for a reason, I think. I think that actually, I wanna give some grace here, I think trying to protect our most vulnerable is the best human instinct we have, right? It's also, it's a very animal instinct. We protect our young, we protect our young. And also we protect those, not just. Who belong to us, but others. Glennon Doyle says, there is no such thing as other people's children, right? Tapping into those kinds of instincts often means tapping into fear. And that is what we are seeing drive so much of the narrative around this. The what if this, what if that, we will take the most extreme examples, point to that and say that is what

happens everywhere. When really the extreme examples that are coming up over and over and over again in legislative hearings, on podcasts, not this one. Are they're scary stories. They are extremely rare occurrences, if at all. Some of them are just outright lies. You know, we talk about, for example, early on some of these bills, which have expanded significantly since in the health care realm, were bans on specifically surgery for youth under 18. They have expanded to include a lot more than surgery and a lot more than youth under 18, but that is how they started. And even then. Right. That sounds like a scary thing when you say, uh, but, but they're going to, without their parents consent, uh, uh, surgically alter an eight year old. Let me be extremely clear. That doesn't happen. I agree. Nobody should be doing that. Uh, I don't think any serious person doesn't agree with that. That's not a thing that happens is also what's true. Right. In order to access healthcare, a parent has to consent. And even when a parent consents, it can take years and years. And the increase. Incredibly, incredibly rare instance in which a young person has surgery. It is almost always a 16 or above, and it is almost always a transmasculine individual getting top surgery. Something that actually happens more often for cisgender young males than for transgender who have excess tissue, we allow young people to get these exact same surgeries, incidentally, for other reasons with absolutely no legislation about it. So what's true is that the really scary surgery stories don't happen. A couple of years ago, Harvard did a study on how often surgery on youth under 18 had happened. And it was 2.1 per 100,000. The number of gender-affirming surgeries on youth under 18 had been zero. It's just not a thing. It doesn't happen. What they're taking is one kind of rare example of a situation where a doctor and parents have decided that this is the rare situation where something really specific is appropriate. And they have opened it up to all kinds of conjecture. And that conjectures is where their political salience lives, right? It's where people can make up things in their heads that are actually not true at all, but do create the kind of fear that makes this a really politically effective tool.

Peter Sobota [00:19:48] Yeah, man, there's a lot there. I think, you know. You know, part of one reaction I have is that I'm pretty convinced that a lot of the political types that are driving these debates, they don't really care about the policy details at all. I think what they really enjoy is generating the conflict and the fear that I think you're discussing. I think that's right.

Sam Ames [00:20:18] Yeah, I don't think actually I mean, I'm not so self centered enough as to think that Donald Trump cares about me at all. I do think to think that he cares about creating chaos, because chaos is the are the terms under which he does best. And, and we seem to be really, really good for that. You know, I a couple of years, the president was talking about a couple years ago, the President was talking about how they were transgender women in his, in his. What Miss World pageants? I don't remember what the pageant was. Yeah, shockingly not a pageant person um but uh But it's clear that he he says whatever gets gets people riled and this is a thing that gets people riled now and they're so primed for it and the other side has been so effective and strategic about their messaging that you Just say the word transgender and and it's explosive and he thrives in an environment like that That is where he performs best in the polls, is when there is chaos and fear. And so he is sowing that on the backs, not of us, but of kids, right? Of the youngest people who are dealing with these issues, who are trying very hard to figure it out and who are seeing their leaders over and over say that they are sick, that they're demons, that they destroyers of society, that they a threat somehow. Really, the only thing that they are a threat to is if you were to tell their truth about them, the political. Performance of a select group of lawmakers.

Peter Sobota [00:21:46] Yeah, so if I could, I want to see if I can just follow up and drill down a little bit on a couple of things that you've already addressed. There appears to be a very, very large, as you described, amount of what I would call moral hand-wringing and panic around gender identity. Thank you. So does that concept help explain what's going on here?

Sam Ames [00:22:24] I think it does. And I also, again, I want to give some grace here. There are two groups of people I'm talking about. There is a very small number of lawmakers and political strategists who have figured out this is a salient issue, and there is the large, large portion of the population who they have successfully manipulated. When people come to me and ask really, frankly, legitimate questions about some of these issues, questions that I wish they would ask me, rather than Reddit. Okay. Um. Oh. What I hear in their voices is two things. I hear genuine concern about wanting to make sure people are safe, particularly youth, and I hear words that were written for them, words that I know they didn't, that didn't originate in their head, words that originated in the strategy book of a political operative. And what's really difficult is to know how many good people, based on their best instincts, being manipulated here. I think that the really scary thing, the thing that's leading to a lot of this moral hand-wragging is this idea, this complete myth that any of this is new. Every panicky letter to the editor, every like, but it's happening so fast that any of this new. And I want to be so clear that it's not. Trans people have been around as long as people have. When we're talking about transgender healthcare, we're not talking about the first people to transition. We're talking about people who are transitioning more safely than we have through much of human history, but we go back to, you know, Hippocrates to like 400 BC and him writing about rituals of these ancient priests and healers who engaged in rituals of gender transition. They might've even used potions and feminizing drugs. We go back like 1951. It was Christine Jorgensen. That's who we talk about a lot as one of the first people to get the sort of modern medical gender-affirming surgeries. But there were Roman emperors in the third century, Elagibus, who he had a partner who we would now, I think, describe as a trans woman. And he offered this comically large reward to any physician who could come forward with a viable technique that would make her feel like she was able to live authentically in her body. This is not new. We have been doing this for as long as we have been here. The only thing that is new about gender-affirming healthcare is that we have safe and scientifically tested versions of it that doctors can practice within accepted standards of medicine and have procedures of accountability around them. We sort of seem to forget that and think that so much of this is cutting-edge science and research. It's not, even the modern version goes back to the 1930s, but even if it, like, we have always been here. There is not an epidemic of trans kids right now any more than there was an epidemic of left-handed kids after we stopped tying people's arms behind their back at school. When you give people language and permission to be who they are, they naturally become more honest about who they are. We haven't changed the conversation about us just suddenly gotten much louder and in some ways that's really dangerous and in some ways it's giving people language that they have never

Peter Sobota [00:25:51] Absolutely. Yeah, I want to ask you about that in a minute. But I want before we go into because I do want to talk with you about the impact that this national conversation and state of the union kind of stuff has on folks. But I do I want ask you or at least your thoughts on one more thing here. Do you think this whole kind of transgender debate or focus? In the end is really about transgender people, or do you think it's kind of a stand-in for something much deeper? You've hinted at this a little bit, but I wanted to ask you explicitly.

Sam Ames [00:26:36] Yes, I think it's a stand-in. Shocking, no one. I think is a stand in in some ways, in two ways. In some ways for a feeling like the world is moving really quickly right now. And it feels out of control. And it feel like there's so little we control. And here is an example of something that a political narrative has been created suggesting that it is new and fast and out of control and it feels like something we can control. And I think that's a really natural human instinct. And that somehow makes us feel better. It somehow makes us feel better, right? Yeah, it's like when the whole world feels really, really overwhelming. I'm a big crossword puzzle doer. And what I do is I do a crossword because it's something I can control. It's something that feels like within the realm of very little I can't control. There's a line in Frozen 2. I'm gonna use two weird examples here and one of them's gonna be Frozen 2, Which I think is an absolute masterpiece of a movie

Peter Sobota [00:27:35] Well, you know what, please put in a lot of detail. I have nuts.

Sam Ames [00:27:39] Oh, okay. Okay. Well, then I'm not going to offer spoilers, but this won't because you absolutely have to watch this movie. Alright, I'll do it. I promise. It's an extraordinary piece of both art and theology, frankly. It's exquisite. There's a moment where there's a character who's also a snowman named Olaf, and he is in this sequel really growing up a lot and really mirroring the growing up of the kids who have seen the first version and are now back for the sequel and are starting to see the world is a little more complex than it was. And a big scary thing has just happened and everybody has been displaced from their homes. And there is a shot of Olaf with a bunch of kids doing something small. I think they're like tying little pieces of sticks together. And he's like, we call this controlling what you can in the face of chaos. I'm like, this is such a good lesson for kids that when everything feels overwhelming, there are healthy ways of channeling that into what is the next step? What's the next right thing? Which is actually also aligned from that movie. What is the next thing I can do that I have control over and there is that that is a human impulse and can be a good one and in this case has been used for a kind of evil where the thing that we can control in the face of all of this chaos being the scapegoating of a population it's an easy way to take that human instinct and pervert it for for political ends and that is the other part of this that I think is is a stand-in for something deeper is That's it. I'm gonna use another funny movie example here. This is a weird thing that has happened where I'm using two weird movie examples for this, but I'm going to, and this movie is The Avengers, which I think you maybe haven't also seen this movie, but that's okay.

Peter Sobota [00:29:15] Don't have to. Yeah, I'm embarrassed. You know, I don't know.

Sam Ames [00:29:20] There's an excellent scene where a character named Loki has attempted to take the whole world hostage essentially and is in this group of people and is having them bow down to him. Take a knee, take a knee. And there is this one older man with with an Eastern European accent with a cane who stands and he says, bow to me. And the man says, I've known men like you, I'll never bow to a man like you. And Loki says, there has never been a man. Like me and this man says there will always be men like you. And I think that is what we are seeing right now. We are seeing someone for whom there will be always be man like this. We get rid of this leader, there will also be somebody else. The point isn't getting rid of the leaders, the point is strengthening our community and our society enough so that those leaders can't get a toehold. And right now, we are see that toehold be a couple of social issues. One of them is immigration, Boss is seeing. Muslim Americans and Swana folks really targeted, particularly right now in the wake of this war, of two wars really. We're seeing it with transgender people and particularly transgender youth. We are giving these toe holds. I really believe that these

prejudices that racism, that sexism are the cracks in democracy through which authoritarianism seeps in. And we are seeing those right now. And it is incumbent on us as a human community to eliminate those cracks, to plug those cracks to do as much as we can to make our community whole because when we are whole it is harder to exert the kind of authoritarian control that we see over and over from men like this.

Peter Sobota [00:31:08] Um, that was just really well said, Sam. I don't know for whatever my opinion is. Thanks pulling out the Avengers here. That's what I'm here for. I don't know. I got my movie references and everything. Cause that, that just fit pretty well. Uh, all right. Let's, let's switch gears slightly here. Um, and we, we've kind of been talking around this, but let's, let's talk for a little bit about more about the impact. Of this rhetoric and activity on trans people who, like you said, have been around forever. When these kind of debates unfold in legislatures and in the news and social media and in the state of the union, it sounds ubiquitous, inescapable. What does that actually mean? For transgender people, just trying to get through the day, living their life day to day, like everybody.

Sam Ames [00:32:19] It makes that life a lot more dangerous, it's true. It makes us more likely to be targeted in the places that we've already been targeted. It makes it really scary to go out and not plan for where public bathrooms can be. And we see a lot of particularly young people show up with an increasing number of UTIs. Uh, and, um, and serious kidney dysfunction because they are not drinking water in an attempt to not have to use a bathroom because it is so scary to do so, right? We talk about, um- we like to talk a lot about trans women in, uh, women's bathrooms. I think that's right. Trans women are, um are disproportionately targeted in these debates, particularly trans woman of color. And we also do seem to forget that your listeners can't see me right now, but you can see me. And I've got a beard, I'm pretty fuzzy, got a low voice. Believe me when I say that these laws that require people to use the bathroom of their birth sex. Ink, don't forget ink. Ink, and some tattoos, yes. Those laws have me in a women's room. And believe me when say, nobody wants me there, least of all me. Um, but, but. But you can't discriminate halfway. The impact really on youth is the most concerning. In 2023, the Trevor Project did a survey, they do an annual survey of LGBTQ youth. And in that survey, 86% of transgender youth reported that they have been watching these debates over their right to exist and that just the debates, not the fallout, not any of the laws, not those impacts, but just the debate alone are having a negative impact on their mental health. And then we do, we do see the very real world consequences. The next year in 2024, the Washington Post, also not currently a paper known for a wildly progressive slant, particularly- Less and less every day. Yup. Since the opinion pages became about, what is it? Free markets and personal freedoms. When I tell you there was an op-ed last week about how Caramel Mocha. Complicated coffee orders are ruining society. I wish I were overstating that and I wish it were satire, but I'm not and it's not. Free markets and personal freedom. Anyway the Washington Post did an investigative piece in 2024, um They found in this investigative piece that in states with laws targeting LGBTQ people in schools hate crimes quadruple. Yeah, it's the gas on the fire. It's gas on a fire. These laws are one thing. And also we have to remember that young people are watching their own lives being debated and also non-LGBTQ young people are watching they're leaders taking cues from them on how to behave in public, on how our leaders used to be our heroes. These are the people we're supposed to be able to look up to. They are looking to them and they are emulating their behavior and enacting it in their own community, which is their school community. And what that looks like in practice It's hate crimes that should tell us something about how we're talking about this.

Peter Sobota [00:35:33] You've talked about, let me go back, the physical health, like the UTIs. I mean, I don't think people think that way unless you walk in those shoes, right? And so, I mean you alluded to the mental health stuff. It's, you know, people kind of across the political spectrum kind of are willing to cop to the fact that we have amongst young people in the country, we have a mental health crisis going on, and then to pour on to that. Um, the, the transcend the transgender issue. I mean, it seems exponential, and so, I mean I want to ask you later about what people like social workers can do or health care professionals to do about all the things we're talking about, but I'm going to save that for a minute. I'm always, I find myself saying this in a fair amount of podcasts. This is a sad commentary where it's It just seems, I'm glad it's there, but it just seems like a sad commentary that one of the best places to get accurate information about the human experience and about what's going on are certain shows on HBO and on Comedy Central. You know, when people like John Oliver and John Stewart are the people who are the most accurate folks, I'm not sure what that says about us. I mean, I saw, one of the best takedowns I saw of some of these was was done by John Stewart interviewing, I believe an official, I can't remember where she was from, but it was absolutely brilliant. So, from your point of view, What do you believe? What do you believe policy makers and really subsequently the broader public most consistently misunderstand about gender affirming care? Yeah, maybe that's not the greatest question, but. Oh, it's a great question.

Sam Ames [00:37:55] Great question. Um, you know, first of all, with great gratitude to folks like John Stewart and John Oliver, they absolutely from my world, which at some points is theology, they embody the sacred fool archetypes. They are here to tell truth in a way that no one else can. So I actually think that it's a great thing that we can find that truth and that artists are still in some ways the stewards of it these days. Um, I think that there are so many myths around this healthcare, that it's almost hard to start saying things that are true about it without saying what's not true. And I feel like so often we hear these myths and the number one thing I wish we could just say is, that's not truth, can we stop and explore that? But it's immediately followed by 12 more.

Peter Sobota [00:38:46] It's overwhelming. You have to admit they're relentless.

Sam Ames [00:38:51] They're relentless. They are so, so effective, so effective. I think one of the big ones out there is this question of speed. It is one of those things that again, it makes people feel out of control, really, really primed for over broad policy interventions. This idea that we are, we are taking a little boy who plays with dolls and immediately putting him through 12 surgeries and every kind of hormone. I want to be so clear that like, when I transitioned, I was a full adult and it still took me years to be able to get access to the Heineck Healthcare I needed. The average time between a young person coming out as transgender and being able to get even an appointment with a gender specialist is one to two years. If they are finally able to in that room, and if they are, if a physician diagnoses them with gender dysphoria. Which is really strict criteria, the criteria for writing even a single prescription is the most stringent in the field of medicine. Often so much time elapses between that and the time they are able to get it that permanent changes have already taken place. And I think that that is, if I'm gonna say one thing that I wish were understood differently, I think we get very scared about young people making irreversible decisions before they're mature enough to make them. I actually think that all serious people share that concern. That is why we hear so much support for this so-called wait and see approach. We're not going to do any interventions until the young person is older and past 18 and we know for sure that all of this is what they want rather than believing what they say and going on the journey with them. The problem with wait-and-see approach is that is that puberty is irreversible too. I think that we forget that sometime.

Forcing someone to go through the wrong puberty is itself a permanent decision. If what we really want is to prevent irreversible changes, the first thing on our list would be something that literally blocks change. And the good news is we have that thing. That magic bullet exists. Puberty blockers, these medications that good ethical doctors have been using safely in both cisgender and transgender adolescents for decades, literally decades, without all of this hand-wringing, are among the interventions prohibited by nearly every single ban on gender

Peter Sobota [00:41:22] But isn't, I'm sorry for interrupting, Sam, but isn't there also a SCOTUS case wrote last year? Yeah, there sure was. I think the case was in Tennessee, maybe.

Sam Ames [00:41:33] It was a US v. Skrmetti. And yes, it was about a state law that prohibited gender affirming care for youth under 18, including puberty blockers.

Peter Sobota [00:41:44] And hormone therapy, right? And hormone there.

Sam Ames [00:41:47] And thank you for differentiating between those two. I'm not gonna get too into the weeds here, but I do wanna say they're really often conflated. And when we talk about puberty blockers, we really often hear pretty misleading overcharacterizations of side effects. Puberty blockers have no impact on fertility. What sometimes can in ways that we don't fully know yet is hormones, but they're different things, right? That was really, really present in the oral arguments of Skrmetti that again, I won't go too deeply into. But what I will say is that the court last year said it is permissible under the constitution for a state to pass laws restricting healthcare for youth under 18 who are transgender. We are about to see another case that BPJ case and Hecox, the sports cases, this term that are being argued under the same parts of the constitution. And the good news about the last case, for us at least, is that the court didn't go too deep into the analysis under the 14th Amendment of how closely they look at these laws. Historically, there has been sort of three levels of scrutiny with equal protection cases, depending on how anxious we are, how nervous we are how like mistrusting we are of a reason that a state would pass a law differentiating between people. So for example, If a state passes a law differentiating between people based on race, we are really, really skeptical of that. That gets the highest level of scrutiny. It's called heightened scrutiny. If a State passes a lot based on sex, we're still kind of pretty nervous about that. We realize that there are some instances where you could have a reason for that, but we're pretty nervous. That gets intermediate scrutiny, which is sort of in the middle. And then if things don't fit into those two categories, they fit into this big grab bag called rational basis review, which basically means that if the state had even a colorable argument for passing a law, it can stand. What Skrmetti did was say that they weren't gonna decide where LGBTQ people fit in there, which the court has been sidestepping that question for many decades now. And right now we're fine with them continuing to do so. We do not want this court being the one that decides that question. Instead, the court said that they're differentiating based on a medical treatment rather than a kind of person, which is what we're seeing trickle down now. And we have another case coming up, BPJ and Hecox, where the court could have another opportunity to rule on where we fit in that analysis. And what we are hoping is that they don't rule on that part. I think it's very likely that we are going to lose that case. And I think that there is such a thing as losing well. And my hope is that this will be a narrow ruling. That says that states can maybe pass laws that restrict trans youth from playing sports, which is obviously wrong, but they do it on a basis that does not require them to get too deep into that analysis. I'm sorry if that went way too into the wee.

Peter Sobota [00:44:53] No, no, no. Not at all, actually. And that, has that case been argued yet? Yes.

Sam Ames [00:45:00] Yeah, it has been argued. So we're waiting. We've got a couple of these cases. Yeah. We've we've got a couple cases before the Supreme Court right now. We've also got one which might be more relevant to your listener base on conversion therapy. Um, well, Chalice be Salazar.

Peter Sobota [00:45:13] Thinking about, yeah.

Sam Ames [00:45:13] Yeah. That's the case that I actually started my career in conversion therapy work. I launched something called the Born Perfect campaign, my first job as a lawyer to end conversion therapy, and it involves drafting and passing all over the country these laws saying, if you are a licensed mental health professional, you cannot practice conversion therapy on youth under 18. Because we know that it can be particularly damaging. And I think that those laws, one of those laws that we wrote back then is now up for review at the Supreme Court. I, for what it's worth, also think we're likely going to lose this. And I also think that this is a great example of how the law and society are different things, of how law is one tool. And I'm a lawyer. Law is my bread and butter in so many ways. And also. It can be easy for lawyers to conflate a legal win with success and a legal loss with failure. And it's just not, the law is a tool. It's one tool we have. Mental health care, another tool we have the point is to keep as many of us alive, safe, and supported as possible. And we use whatever tools we have when we started Born Perfect back in around 2013, 2014. If you back then Googled conversion therapy, you would get a list of conversion therapists. It was something that people either weren't talking about at all, or were actively defending. It's not like now. Now, conversion therapy is a thing that most people hear that and they know what it is, and they know that it is dangerous. 10 years ago, you Googled that and you got a list to practitioners. Today, I invite you, if you are listening right now, you have my permission to split your attention and go Google this, because what you'll get. Is a series of articles about how this is pseudoscience. You'll get a series of statements from major medical and mental health organizations, every single one of which in the United States has come out against these practices in the last 10 years. You'll find a collection of resources for survivors that is incredibly, incredibly useful and can be a lifeline, particularly for young people who now has more and more. Access to the internet than they did in those days and if they are able to have language again this language for what is happening to them and know that it isn't supported it isn't okay there is nothing wrong with them that is the win right it's the young person in rural Tennessee whose community is small and whose family for reasons that probably have more to do with loving them than hating them yeah says I don't want you to have a harder life, we're gonna try to change you. That person now has access to that first page of search results, and that first page of source results doesn't include a single one about them being this being a good idea, a safe idea, or something that is warranted because who they are is who they were supposed to be.

Peter Sobota [00:48:23] Yeah. Um, well, I kind of like that. That's a hopeful point of view. Um and I think, um, unfortunately, and feel free to set me straight, um I'm going to, um I just read, it was this week, I think today's Thursday, so it had to be earlier in the week, um there was a an article in the New York Times that the, I think, who is the guy who runs, is it Oz?

Sam Ames [00:48:58] Dr. Oz, Mehmet Oz, yeah.

Peter Sobota [00:48:59] Yeah, yeah, yeah. He brought together, apparently to listen, that's the hopeful part, to listen. You probably know what I'm gonna say. To medical professionals in the gender-affirming care arena. And to their credit, I think, for me, You know, the AMA and a lot of the other American Board of Pediatrics, they were all pretty much kind of supportive. But there was an interesting break in that coalition at this meeting that Dr. Oz had, and it was the plastic surgeons that has now kind of pulled a thread in that abolition. It doesn't smell super hopeful. That was a terrible metaphor. But I...

Sam Ames [00:50:01] There are things that smell hopeful, cookies and biscuits.

Peter Sobota [00:50:04] True. Okay, fair enough. So, you know, obviously that's me kind of being me on this kind of issue, but I'm going to ask you to look ahead a little bit. Do you think the intensity of this particular political conflict will increase? Will it kind of plateau out or eventually go away? You've already spoken about history earlier in this

Sam Ames [00:50:41] You can tell me moving back into that, yeah.

Peter Sobota [00:50:44] Yeah. So, but I wanted to just, you know, given what we've just said, I'm really curious what you're thinking.

Sam Ames [00:50:54] First of all, yes, you are right. We have, in fact, had two medical organizations at the same time indicated that they are beginning to buckle under immense pressure to buckle. And they have been for many, many years standing by the science saying this is what the research does. We know it. And yeah, the plastic surgeons and the American Medical Association have both started to show cracks in that. On this myth that the science is inconclusive. Right, yes, exactly, yeah, you nailed it. Let me be really clear, the data on most medical procedures is of low and medium quality. If we demanded the data be of highest quality on every medical procedures, we wouldn't have knee surgeries anymore, we would have very little.

Peter Sobota [00:51:39] And not terribly big on being replicated either, if we're going to do some criticism.

Sam Ames [00:51:45] And by the way, if you want better studies, fund them. Fund them. Well played. But your question is whether this is going to get worse or better. And I am sorry that you cannot prevent me from zooming out on history. And the reason is that it's going to go worse. What I think is that it's gonna get worse. I also think we're going to win. And then I think we are going to lose again. And then I think we're going to win again, because we know about human history is that it is not linear. This is the fight of our lives. It is not the fight all lives. This is one that we have been given in our generation. And we are given in every generation. Every generation has their battles. This is ours. This mine. And my hope is that we are able to fight it with enough strategy, effectiveness, and integrity that the next time around our descendants can look to this one, can look at the mistakes that we made in this battle, can look the ways in which we lost it and do it better. We know in this people are gonna die. We knew that as soon as the last election happened. I can remember my partner at the time turned to me and said, people are going to die. And it's our job to make sure that it's as few people as possible and it's painless as possible. And that next time around... We don't get to this point as quickly or as acutely, because yeah, I think it's going to get worse for a while. I don't think that we have reached the low of how brutal they can be. They have not yet run out of things to do to us, and we are seeing several statements come out from organizations whose historic role in this world has been to identify genocide and the road markers along the way saying We're seeing road

markers, we're seeing road markers here, and it seems to be getting worse. And I don't think that we are likely to end up at genocide, but I do think it is likely to get worse. And then I think it's likely that we will win. I think that it's like that we'll get better. And then because of the nature of human history, it'll get worse again. I think they will come after us again. We're easy scapegoats, and also if they don't, there will always be a scape goat, and it is also incumbent upon us the next time this happens, to make sure that it doesn't matter who the scape goat is. The point is scapegoats are a symptom of weakness and we do not let weakness fall upon the most vulnerable. We protect them, we shield them. Our weapon is a shield, right? And that is what we are going to continue showing up with, particularly when it comes to youth, particularly when comes to this battle and hopefully in the next one, they will learn from what we did right and what we wrong and fight it better.

Peter Sobota [00:54:36] Yeah. Yeah, very clear-eyed, Sam, obviously. And that just kind of leads us into, you know, kind of my favorite John Oliver segment where he kind of lays out some of these issues or an issue and then says, all right, there it is. So what can we do? So that's my next question. You've alluded to that just a minute ago. What do we do, Sam?

Sam Ames [00:55:12] You know, to a lot of people, I go deep into, not deep, but like deeper probably than they want me to into administrative law and say these comment periods that are really important. And when the Department of Health and Human Services, where I used to work, and Department of Education, where I use to work as well, issue these big proposed rules and say there's a public comment period, go comment on those. A, it mucks up the works. It takes forever to read through those comments and they're legally required to do so. And it also sets up. A record for the court, but that's actually not, I think, what your listener base is most interested in. Not that anybody except for me.

Peter Sobota [00:55:44] Well, I'd like them to

Sam Ames [00:55:44] if I had imagined one, but go on. Great. Please be interested in that. Comment. Follow these.

Peter Sobota [00:55:49] I think they should.

Sam Ames [00:55:51] I agree. But I think that from the perspective of social workers, and let me be clear that I'm not a social worker, but I did work in a hospital for a year. I worked on an inpatient psychiatric unit as a chaplain in San Francisco, and I saw the power of social work there. I've also worked in the Department of Education Office for Civil Rights where so often the lifeline for these students is the social worker or the school counselor who in the school. And what we know is that, again, Trevor Project research shows us that having just one supportive adult for a young LGBTQ person can decrease their suicide risk by as much as 40%. That is enormous, 40% is enormous. We are losing the people who are able to do that. We are seeing more and more bills that tie the tans of teachers with forced outing bills that require them to. After a student comes out to them turn around and inform their legal guardian whether it's safe or not. We're seeing more and more push for that in the medical context as well with doctors. Social workers are so often a lifeline. Be that safe one adult is one of the most powerful things you can do. Please also then you know show up to hearings when your state decides to consider another bill. Talk about how this is impacting the folks you are working with, particularly the young people. Have conversations with your friends about it because we know that where people's minds get changed is not in talking points, that it is one-on-one conversations with people they trust

and social workers are trusted. Really educate yourself about this. So much of this is know where the myths are because they're everywhere and be able to say, yeah, that's a really actually legitimate question you have. I have a good answer to that actually, if you're willing to take more than two minutes and talk it through. But really the most important thing you do, the how we care for one another and keep each other alive because that is what we are here on earth to do I think. Be that one safe adult for someone.

Peter Sobota [00:57:58] Yeah, you just reminded me, I live in near, I live near a small town. And so just take small town America with it. And my kids went to the public school in the town. And we are, you know, Buffalo is not necessarily Manhattan. I think there are about 200,000, less than 200,00 people now in Buffalo. And that's about 30 miles away. Um, but. About 10 years ago, a custodian passed away unexpectedly, accidentally at the high school. And what was, well, first of all, I was terribly sad, but number two, what was really amazing is that the outpouring from the students was not only inspirational, but it just kind of confirms everything you just said and what the evidence has been saying about resilience and seeing people for many, many years. Students came and wrote and talked about how this custodian, not the social worker, not the principal, not teacher, not school psychologist, not a school board, not superintendent, But the custodian was the one person who noticed a different look on their face that morning, who said hi to them. And that's all these kids needed. Just that one person, who saw that no matter what. And, and the person had very little power in that kind of hierarchy. But he did the human thing, right? No code of ethics, no professional responsibilities. He just saw every single day. And it was great. The only good thing about his passing was that the young people in our community taught us what's important.

Sam Ames [01:00:14] So often do.

Peter Sobota [01:00:17] We need, we're running up against our clock here, but I wanted to, in the, what can we do part, and I know you're not a social worker, but I am. So I can say that our values, yeah, on our values are mission. Our person in environment perspective, that is a hallmark of how we, the lens that we view things in our profession is a very good fit with everything you just said for the past hour. And so last month on our podcast, Sam, our guest was a person from Vermont law, by the way, Dr. Stephen Pimpare. And he discussed social work under authoritarianism. And he talked about what's a growing critique inside social work profession, scholarship, and basically argues that we have largely failed to respond effectively to rising authoritarianism, excuse me, in the United States. So to students, social work students, academics, practitioners, you've already talked about the role for social workers. Anything else you'd like to say to them, especially given the riot act that Dr. Pimpare read us last month?

Sam Ames [01:01:50] I mean, I'm excited to read the Riot Act for sure. And I doubt I will say it...

Peter Sobota [01:01:54] Well, he did it in a nice way.

Sam Ames [01:01:57] I am not an expert in authoritarianism, except that we are all rapidly becoming so, right?

Peter Sobota [01:02:02] Well, yeah.

Sam Ames [01:02:04] But what I do know about social workers that is that within the mental health sort of like universe, there is a.. a tendency at least among folks like me who

frequently work with social workers to rely on them to be the ones that are able to zoom out on how these issues that they are seeing right in front of them replicate issues that they are seeing, right? I really do believe that that Sexism, racism, prejudice are the cracks in democracy through which authoritarianism creeps in and that social workers are in a position to see the way that that has played out through history and identify it happening now. So I think that that is important, but I also think that it is important even outside of that sort of mental health ecosystem... that we are retaining a relationship with what makes us human right now. And forgive me, I am in California. This might get a little California, but I also... <laughter> but you're social workers, it's gonna be fine! Before I was a lawyer, I was actually a stage manager in theaters, in a Shakespeare theater. Um, and I grew up, uh, uh in arts education. Um, my safe person was our, our high school theater teacher. Um, uh Julie Andesal, um, every, every English and theater teachers are the patron saint of queer kids. We know this. And also I genuinely, as much as I, as much as I spend my days talking about politics, um and, and policy. I, I think that if there is one thing that we should be doing with the next generation, it is fighting for arts education because it is the thing that keeps us in touch with the parts of us that make us most human. And I think that what we are seeing right now in our national politics is fear run rampant of people who are scared of the things that make them most human, are scared of weakness, vulnerability, are scared death, are trying everything they can, are flailing try to prevent themselves from being small and forgotten, which is... which is... which is so human. It's the most human things about us that we will one day die and fade. And this, when we try to make ourselves big and more than human, this is what happens. I think that there is a role for social workers in that you are intimately in touch with the most human parts of us. I think the arts education is so critical because art is is the steward of our souls, right? That is how we are able to continue expressing and changing the human parts of us. And social workers know those human parts. They know what makes us not only human, but uniquely beautiful in this world of life on earth. There is something beautiful about how... vulnerable we are, how animal we are... how we are both unique and not. And what I hope is that these lawmakers who are passing these bills who are going after trans youth at some point have a conversation with a trans kid, right? What's very clear to me is that very few people who are yelling about trans kids have had a conversation in the trans kid. And social workers live and die by conversation. So my hope for social workers is that you can keep reminding us what makes us human and how to have a human conversation.

Peter Sobota [01:06:01] That's a great place to leave it. And if I could, I would just add that you're gonna keep reminding us as well.

Sam Ames [01:06:11] I'll try to listen to my social worker friends.

Peter Sobota [01:06:14] Do the best you can. Sam Ames, a total pleasure. I do want to give you the last word if you want it. You don't have to take it if you don't want it, but this is the part where I'd love to give you the word if want to take.

Sam Ames [01:06:31] I think my last word is probably going to be one of gratitude. We are so inclined right now to dig our heels in and retreat to our safe corners. And there are some for whom that safety is very, very important and life-saving. And we all go in and out of the degree to which we are that person. And in those moments where we are able to have conversations like this, the nuance, the.. This was 65 minutes long as your producer is reminding us right now. Maybe we'll get cut down, but it is leaving room for complexity that brings out the best in us, I think, and also brings out truth. So thank you for giving a platform to that and for being able and willing to think critically and with courage.

Peter Sobota [01:07:25] Our pleasure, Sam. Thanks again.

Sam Ames [01:07:28] Thank you so much

Peter Sobota [01:07:31] Thanks again to Sam for joining us. The affirming team at the inSocialWork Podcast are Steve Sturman, our tech and web guru, Ryan Trofe, our GA production assistant and guest coordinator. Say hi, Ryan. (**Ryan:** Hello!) And I'm Peter Sobota. We'll see you next month, everybody.