

#JD4PJI: The downfall of the Pacific Justice Institute and the sweet victory of trans youth

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Abstract

The one thing that you have to realize is that everything the Pacific Justice Institute (PJI) did to a trans kid in Colorado was about PJI's desire to stop a law in California that codified equality standards for trans children. Law makers in California proposed legislation that would help ensure that California's trans children would [...]

Article

The one thing that you have to realize is that everything the Pacific Justice Institute (PJI) did to a trans kid in Colorado was about PJI's desire to stop a law in California that codified equality standards for trans children. Law makers in California proposed legislation that would help ensure that California's trans children would be able to have a school experience free from institutionalized oppression. PJI hated this idea and decided that were going to fight it every step of the way. PJI's first strategy was to obtusely mock and belittle trans children, apparently believing that it would somehow cause the California Legislature to kill trans protections for these kids:



Figure 1. BZXEWmnCYAAOMnT

That strategy was a total failure. In August 2013, California Gov. Jerry Brown signed into law a bill

(AB 1266) that basically said that schools must treat transgender students as being equal to cisgender students.

Once the law was passed, PJI's only hope for stripping equality protections from trans children was through a ballot initiative. PJI teamed up with a handful of other anti-trans groups in an effort to coordinate their anti-AB1266 ballot initiative. However, PJI needed a new anti-trans strategy and so they began a nationwide hunt for a trans kid they could hold up as being the face of the supposed evils of AB 1266:



Figure 2. One of PJI's ant-AB 1266 'ambulance chaser' ads

It wasn't enough to merely mock trans children or scare people with hypothetical situations. PJI's success hinged on its ability to point to a real-life nightmare scenario wherein they could prove that trans children posed a threat to cis children. PJI found their anti-AB 1266 boogeyman in the guise of Jane Doe, a Florence, Colorado high school student:



Figure 3. Before PJI: Jane Doe (front row, middle) with school friends.

In early October 2013, PJI took to the media to promote their evidence-based case against trans equality in schools:

“This is a nightmare scenario for the teenage girls--some of them freshmen--and their parents at this school,” noted PJI staff attorney Matthew McReynolds, who sent the letter to Principal Brian Schipper and Superintendent Rhonda Vendetti. “This is exactly the kind of horror story we have been warning would accompany the push for radical transgender rights in schools, and it is the type of situation that LGBT activists have been insisting would not happen.” - October 10, 2013, PJI Press Release

PJI asserted that Jane Doe was a boy who was sexually harassing cisgirls in the restroom. The story PJI fed the media was that nothing could be done to stop Jane Doe from skulking about the restroom awaiting a new victim because Colorado had AB 1266-like rules that protected trans children.

PJI’s media campaign was international in scope. PJI encountered a media environment that was a more than willing accomplice in their smear campaign against Jane Doe. Everyone from the UK’s The Daily Mail to Fox News began falling over themselves to repeat PJI’s story without conducting any fact-checking. PJI and their media partners claimed that Jane Doe represented the very “nightmare scenario” PJI had foretold should AB 1266 remain California law. PJI’s international smear campaign against Jane Doe prompted numerous PJI-sympathizers to assert that Jane should be beaten and

killed.

Enter, the TransAdvocate

Since nobody seemed to care about fact-checking the story, I called the school Superintendent, Rhonda Vendetti:

We do have a transgender student at the high school, and she has been using the women's restrooms. There has not been a situation. All the students of these parents who say they feel uncomfortable just about the fact that the student is allowed to go into the restrooms at the high school, into the stalls - they don't believe that that's appropriate, so that's where it stems from. There has not been an incident of harassment, or anything that would cause any additional concern. - Superintendent, Rhonda Vendetti

The Daily Mail removed their story after the above recording gained widespread attention. However, Fox News continued to support PJI:

Girls 'Harassed' In School Bathroom By Transgender Student Told His Rights Trump Their Privacy

Figure 4. Fox News Headline, 10/15/2013, still live as of today

HRC joined GLAAD in condemning the false reports while Trans Exclusionary Radical Feminists (TERFs) began promoting PJI's lies:

The Pacific Justice Institute claims that a male student [REDACTED] who claims to be transgender has allegedly harassed female students in the girls room at [Florence High School](#).

The story became more twisted when trans activists like [Cristan Williams](#) went on overdrive to state that the PJI lied. Williams is well known for making information up in attempts to smear anyone who disagrees with him.

Figure 5. TERF site, Gender Identity Watch, currently under investigation by the Southern Poverty Law Center for its role in a hate movement, attempting to undermine the facts of the case.

TERF opinion leader, Cathy Brennan took to social media to asserts that my debunking of PJI's claims against Jane Doe was "bullshit." She also admitted that she was reaching out to PJI:



Cathy Brennan @PegasusBug

14 Oct

.@gwenner I think this is a bullshit story. I called the PJI this morning and will update if I hear anything.

Details

Figure 6. Asserts the debunking of PJI's claim against Jane Doe is "bullshit" & admits to contacting PJI

After contacting PJI, Gender Identity Watch acted as PJI's mouthpiece and promoted the narrative PJI supplied them:



Gender Identity Watch · 435 like this
12 minutes ago · 🌸



Pacific Justice Institute response to @transadvocate

"We've seen similar claims. It is our position that the intrusion of a biological male into a restroom for teenage girls is inherently intimidating and harassing. We have received additional reports of particular incidents of harassment, and we are working to corroborate those reports. In our letter, we specifically asked the school to notify us immediately if they disputed any of the factual allegations. To date, they have not done so. The core of this story—that the school is elevating the rights of one self-proclaimed transgender student while minimizing the privacy rights of all the biologically female students, has not been seriously controverted. We encourage journalists to continue their important work of investigating the details of this story independently and not simply accepting the statements of either side, and certainly not pulling their stories simply because activists demand this story be silenced."

Figure 7. Promotes the narrative PJI provided Brennan on her social networks.

However, Jane Doe's schoolmates began to push back against PJI's narrative of hate:

[PJI is] so pathetic. My mom asked me about this whole thing when she saw it on the news, and I told her. She even said they were being dramatic. - Florence High School cisgender female student

Meanwhile, PJI published a gloating fundraising letter in which they attempted to discredit my debunking of PJI's lies:

PJI urged school officials to immediately identify any factual allegations they considered to be disputed. School officials have yet to respond to this invitation, but Superintendent Rhonda Vendetti instead gave an interview to a transgender activist in which she was defensive of the school's actions and dismissive of some of the allegations. This interview was seized upon by advocates, who claimed it somehow proved the story to be a fabrication. Under intense pressure, several news sites took down or retracted their stories rather than investigating further. Not so fast, say PJI attorneys.

"Transgender activists are in full damage control mode because they know how explosive and damaging to their cause this story is," noted Brad Dacus, president of Pacific Justice Institute. "The central issue in this case--a high school's decision to give a biological teenage boy full access to teenage girls' bathrooms is both disturbing and not seriously disputed. It is very revealing that the Superintendent is seeking sympathy from transgender activists instead of addressing the serious concerns raised in

our letter.”

Keep in mind that the debunking was completely unexpected by PJI and their partners. PJI had begun their media campaign just as the Florence School district went into a week-long break. They expected to have, at the very least, a full week of peddling their lies to a willing media machine before the school could have a chance to formulate a comprehensive response. Had the narrative carpet not been pulled out from under PJI’s feet, I might be writing a very different story today.

Days later PJI’s partner, the Salt & Light Council went on the news to claim that trans children were scurrying up and over bathroom stalls so they could watch people use the restroom. Having not yet learned their lesson, news outlets once again began promoting the unsupported claim without fact-checking it.

Gottlieb said claims that the accommodating transgender students will lead to rampant abuse is fear mongering.

"There are other school districts like Los Angeles Unified that have had similar policies that have been very successful," said Gottlieb.

In response, Reese pointed out a recent case in which a Los Angeles-area high school student complained to her school that a transgender boy harassed her and peeked at girls over the stalls.

The girl's family hired an attorney, but has yet to file a lawsuit.

Meanwhile, leaders of the petition drive say they have already collected 500,000 signatures. If they get the number they need, they will go to court to block the law from taking effect in January.

Figure 8. ABC Ch. 10 News

Gottlieb said claims that the accommodating transgender students will lead to rampant abuse is fear mongering. “There are other school districts like Los Angeles Unified that have had similar policies that have been very successful,” said Gottlieb. In response, Reese pointed out a recent case in which a Los Angeles-area high school student complained to her school that a transgender boy harassed her and peeked at girls over the stalls. The girl’s family hired an attorney but has yet to file a lawsuit.

I called the Los Angeles Unified School District and fact-checked the story:

Los Angeles Unified School District: Office of communications

Cristan: I’m calling to verify some information that I saw on the channel 10 news.

LAUSD: I’m sorry, what information are you trying to verify?

Cristan: Sure, sure, on channel 10 news it says that, at least on their website, that an LA high school student complained because a transgender kid was in the restroom peeking over stalls. And so that’s on the news and I just wanted to fact check that claim. Have you actually received complaints of transgender children climbing over stalls to look at other people as they’re in the stalls?

LAUSD: I will have to check that for you. I believe that was fabricated, but give me one second. I need

to verify. Hold on for a second.

Cristan: Okay.

LAUSD: Because it's been a few days since we got that report. So hold on for me.

Cristan: Sure.

[On Hold]

LAUSD: I apologize for the wait. They did get the complaint and it turned out that it was fabricated by one of the parents who oppose transgender students in schools. So it was an unfortunate situation, to have to put the students through, but it was fabricated.

In quick succession, PJI and its partners had tried to push not one, but two fabrications to the media in an effort to promote their anti-AB 1266 narrative. Unfortunately for PJI, as soon as these stories began to gain some traction, they were almost immediately debunked.

I then interviewed Jane Doe's mother. Jane Doe's mother made a tear-filled plea to PJI and their partners to stop targeting her daughter:

(See below interview with PJI for transcript)

The town of Florence, Colorado came to Jane Doe's defense. "I'm horrified over how they've treated one of our own. We want them to stop disrupting the school with their bullying. We want them to take their hate and go back home," said Sally Moondancer, mother of a daughter who attends Florence High School. The owner of a local business, 3rd Dimension Signs was more pointed in her condemnation of PJI:

I really find it very sad that any group that says it supposed to be 'Defending Religious Freedom, Parental Rights, and other Civil Liberties' is out preaching such hate and bigotry, in the name of equality. Before they start casting judgment on others they should really take a long hard look in the mirror and see who the real monster is here... Keep your hate and bigotry out of our community it's not welcome here.



Figure 9. Supportive school parents from the Florence, Colorado community.

Meanwhile, PJI's staff attorney, Matthew McReynolds did an interview wherein he claimed that Jane Doe's presence was "inherently harassing" and "intimidating:"

First of all, it's our position that a teenage boy's presence into the bathroom for teenage girls is inherently harassing. It's inherently violative of their privacy rights. It's also intimidating when you have a boy like this, who is not a freshman, going in there with younger freshman girls. They feel violated. They feel intimidated, and that's been expressed to us."

In response, I interviewed Matthew McReynolds and asked him a number of hardball question. He lied numerous times and when I played him audio of Jane Doe's mother's plea to stop attacking her daughter, McReynolds' response was to misgender Jane Doe and blame her for all the hate PJI had focused upon her:

Cristan: I've collected a number of questions and issues from the community that they wanted to have your address. The first one comes from Florence, Colorado and here it is...

Jane Doe's Mom (audio recording): They can't... how do you say... They have to learn to love all God's creations and to believe that they have so much hatred in them... and to be this way [begins to sob] is hard. Because, because my daughter is a precious life just like, just like anybody else, I know how precious everybody's kids are to them and they have to understand that it's been a lot of hurt, that there could be so much hatred directed at my daughter, who, she's just trying to be a normal teenager and go on with life.

Cristan: So, that's Jane Doe's mother and specifically she has a statement that she wanted me to read

to you: “What you’re doing isn’t right. You say that you’re a God-loving people but you’ve targeted my daughter - a kid - like this. You shouldn’t do this to any kid. You should be ashamed. You’re wrong for what you’ve done to my daughter.” What do you have to say to Jane’s mother.

McReynolds: Well, a couple of things. First of all, all of us identify with the raw emotion we hear in her voice and her instinct to for her son who’s now her daughter and all the many, many issues that accompany that. At the same time, we have to go back to the reality that nobody went out looking for Jane Doe to launch this. We didn’t come from California to Colorado looking for this situation...

[alert type=”warning”]Fact Check: That’s a lie. Refer to PJI’s ‘ambulance chaser’ advertisement featured at the beginning of this article.

... because, he decided that he wanted to walk into the girl’s bathrooms and girls locker rooms and interact with them there, that caused some serious discomfort on our client’s part as it would on the part of most teenage girls in that situation and so, as much emotion as is there and as much desire is there to protect that child, you know, we have to balance that with the privacy interests and the constitutional privacy rights of all the other students and that is what has not been done to date.

Meanwhile, Jane Doe was put on suicide watch.

We at the TransAdvocate organized a letter-writing and fundraising campaign for Jane Doe. Letters, cards, and postcards poured in from across the globe wishing Jane Doe well and encouraging her to keep fighting:



Figure 10. People being awesome!

We also managed to raise \$3,692 to help offset the cost of Jane Doe's medical care:



Figure 11. GoFundMe Results

PJI created a fundraising video for their anti-AB 1266 campaign that again falsely promoted the

notion that Jane Doe was not only male, but a dangerous predator. At this point, PJI's anti-1266 ballot initiative was in full swing. They needed to collect 504,760 VALID signatures in order to stop AB 1266 from taking effect. If they could do that, they could then put equality for trans children up to a popular vote in California. PJI-backed signature gatherers were deployed throughout California and the TransAdvocate began documenting numerous instances where PJI-backed signature gatherers were caught lying and even engaging in intimidation.

Signature Gatherer: Registered voter?

TransAdvocate Auditor: Yeah

SG: You hear about the co-ed bathrooms?

TAA: Mm, what?

SG: Governor Brown passed a bill where it's okay for boys and girls to go into restrooms together because of -- 'transgender' children? Right now we're having problems in the bathroom already. I work for the school district. And we're...

TAA: What kind of problems have you had in the bathrooms?

SG: Uhm, first of all, kids. They're just kids, y'know, they experiment, they, uh, [unintelligible], things like that, but, uhm, something, we've had a couple of rapes, we've had molestations...

TAA: You've had rapes? Where?

SG: Oh, yeah!

TAA: What school do you work at?

SG: Oh, we're in Oakland...

TAA: You're in Oakland...

SG: Yeah, we're in Oakland, uhm, but it happens at - various- schools, it's not just Oakland schools, you just don't hear about that stuff. Uhm, and then, basically, uh- older kids- as- as they get older, right now, boys - teenage boys heard about this and they're going into girls' bathrooms saying they're gay, and they're trying to take pictures of girls...

I reached out to the Oakland Unified School District to fact check this signature gatherer's assertions. Unsurprisingly, the PJI-backed signature gatherer was lying:

Troy Flint

12:10 PM (27 minutes ago)

to Jacqueline, Troy, me, susanpiper

Hello Cristan,

Thanks for bringing this to our attention. Contrary to the allegations contained in your email, we have not received reports of sexual assault or sexual harassment perpetrated by transgender students. Nor does OUSD support efforts to marginalize this population. Quite the opposite, OUSD has been a leader in advocating for equitable treatment where gender and sexual orientation are concerned.

Our Board adopted a policy (see attached) largely similar to AB1266 before it became state law and we remain committed to fairness and equity on this issue, a stance that has been documented in numerous media outlets. We unequivocally condemn the idea that transgender students should be discriminated against or otherwise disenfranchised because of minority status. Please let me know if you have further questions regarding this matter.

- troy

Troy Flint

Director of Communications | Communications Department

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Figure 12. Troy Flint, Director of Communications, Oakland Unified School District

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PJI and their supporters turned in 619,233 raw signature and proceeded to declare victory, claiming that merely turning in raw, unverified signatures was enough to put the law on hold. Their proclamation was largely ignored and contradicted in the media. In January when the Secretary of State began a full validation of the raw signatures, PJI again asserted that the bill was on hold and again their claim was largely ignored while school after school announced that they were taking measures to ensure that trans children would not face institutionalized discrimination.

Then came the announcement PJI had dreaded. On Monday, February 24 the California Secretary of State announced that the effort to repeal AB 1266 had failed. In response, PJI again asserted they had managed to put the law on hold claiming, "Until the fate of AB 1266 is resolved, the Co-ed Bathroom Bill is not in effect." PJI vowed to not only inspect every bogus signature, they asserted that they would file suit against the law. Again, PJI's burlings were largely ignored in the media.

For PJI, It Gets Worse

Back in November 2013, the TransAdvocate announced that PJI's day of judgment was at hand. We called the actions we were taking "Judgement Day for PJI."



Figure 13. JD4PJI

Part of Judgement Day for PJI was a social media education campaign called #JD4PJI. We encouraged the citizens of the internet to raise awareness of what PJI was hoping to do to trans kids in California and to Jane Doe in particular. We also asked people to change their social media icons to a purple “Not on my watch” avatar.

In support of this education campaign, we also protested in front of the SoCal office of PJI. We again implored PJI to stop bullying and harassing Jane Doe and even asked Michael Pepper, Senior Counsel at PJI to come out and explain to the trans youth in our group why they were “inherently harassing.” PJI refused to send anyone out to speak with us.



Figure 14. #JD4PJI, PJI's headquarters in back

While it took several months, it seems that Judgement Day for PJI is truly here. The Southern Poverty Law Center (SPLC) just classified PJI as an official hate group. I called the head of the SPLC's investigative arm, Mark Potok and spoke with him about what led them to classify PJI as a hate group:

This is really what caused us to take a hard look at them last year was the wild exaggerations about California schools and the claim that a trans kid was supposedly harassing other kids, the one you found out to be baloney. We look at groups that demonize minorities in our society in a way that makes them targets for real hatred and often violence and that's what we've seen here. - Mark Potok, SPLC

For those of you who helped raise awareness about what PJI was doing, I thank you. Your voice was heard! I have to say that there is something particularly sweet in knowing that PJI put its vast monetary and media resources into targeting trans kids and found itself beat in a way that it will never fully recover from. Being labeled an official hate group by the SPLC is a red stain that can never be removed. Gone is PJI's ability to be taken seriously outside their own hate-filled in-group.

Suggested citation

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