

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

RYAN KARNOSKI, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, et al.,

Defendants.

Case No. 2:17-cv-01297-MJP

**DECLARATION OF TERECE LEWIS
IN SUPPORT OF PLAINTIFFS'
MOTION FOR PRELIMINARY
INJUNCTION**

NOTE ON MOTION CALENDAR:
October 6, 2017

ORAL ARGUMENT REQUESTED

I, Terece Lewis, declare as follows:

1. My name is Terece Lewis. I am a plaintiff in the above-captioned action. I have actual knowledge of the matters stated in this declaration.

2. I am a 33-year-old woman, and I live in Bremerton, Washington with my wife and son.

3. I am a Petty Officer First Class in the U.S. Navy and am currently stationed at Naval Base Kitsap in Bremerton, Washington on board the U.S.S. John C. Stennis.

4. I have served in the U.S. Navy for approximately fourteen years.

5. I have always been dedicated to the mission of the United States Navy—to maintain, train, and equip America's combat-ready naval forces capable of winning wars, deterring aggression, and maintaining freedom of the seas. During my fourteen years of naval service, I have defended oil platforms in the Arabian Gulf, boarded vessels and seized tons of

1 cocaine in route to the United States from South America, protected shipping lanes off the coast
2 of Africa from Somali pirates, and defended freedom of navigation in the South China Sea.

3 6. Over the past fourteen years, I have served in a variety of roles within the Navy. I
4 have worked as a mechanic, as both an Engineman and Machinist's Mate. I currently serve in the
5 latter role, which involves marine mechanics work and the maintenance and repair of auxiliary
6 systems. I have worked on the flight deck of an aircraft carrier ensuring mail and critical parts
7 get to their proper destination. I have been the public affairs officer for a major shore command.
8 I have been a career counselor advising Sailors of their career options. I have stood watch as
9 naval security forces ensure the safety and security of valuable government assets.

10 7. I have continued to serve because of my commitment to my country and to my
11 family. In addition, my son was born with multiple medical complications that now require
12 constant care from physical therapists and medical staff, which has been covered by TRICARE,
13 the military's health care program. My choice to reenlist, near the close of my previous term of
14 service, ensured that my son has the proper medical care and physical therapy necessary to
15 prosper. I am currently the sole provider for my household.

16 8. I am transgender. I was assigned the sex of male at birth. However, I have known
17 for many years, since approximately early 2013, that I am female.

18 9. I began to come to terms with my gender identity approximately three years ago. I
19 thereafter started to see a mental health professional who diagnosed me with gender dysphoria.

20 10. When the ban on open service by transgender service members was lifted in June
21 2016, I decided to remain in the Navy and transition, which was the best course of action for
22 both me and my family. In late 2016, I began taking the steps necessary with my chain of
23 command to lay the groundwork for my transition.

24 11. I began living openly as a woman in late 2016.

25 12. I am taking medical steps to bring my body into conformity with my female
26 gender identity. In consultation with my physician, I began hormone therapy on July 25, 2017,
27 one day before President Trump released the transgender military ban by tweet, which has given
28 me a much more typically feminine appearance.

1 13. I have taken legal steps to transition. I legally changed my first name to Terece,
2 which is reflected on my driver's license, social security card, and all other personal records.

3 14. I have worked with my chain of command throughout my transition. I have found
4 a tremendous amount of support from both them and my enlisted peers and they have become a
5 crucial part of my personal support network during my transition.

6 15. The fact that I am is transgender has not prevented me from doing my job in the
7 military. I perform a valuable service for the Navy that strengthens military readiness.
8 Conversely, my exclusion from the military on the basis of my transgender status would weaken
9 military readiness.

10 16. I was blindsided by President Trump's announcement that he intended to ban
11 transgender people like me from serving in the military.

12 17. Particularly in light of the steps that the military had taken to lift the ban against
13 open service, I feel as though I was lured out with the promise that I would have a safe
14 environment in which to transition, while continuing to carry out my duties and responsibilities
15 in the Navy. Now, with no warning, I am facing a new regime that says I have no place in the
16 military, the institution for which I have sacrificed and served for the entirety of my adult life.

17 18. I am distressed and appalled by the aspersions cast by White House officials
18 about my ability to serve in the military. I lived in silence for a several years and it was very
19 upsetting to have to sit on the sidelines and listen to people in power and in the media talk about
20 transgender people as if we are unfit to serve even though we are able and willing to put our lives
21 on the line for our country.

22 19. The White House memorandum implementing the ban solidified my fear that I am
23 being presumptively deemed ineligible to serve based solely on my transgender status. It has
24 caused me to feel like my future and my ability to provide for my family is now on quicksand.
25 The fear of being unable to provide for my child and care for his medical needs eats away at me
26 constantly. Due to my son's medical conditions, he has several appointments throughout the
27 week; nearly every day. No parent should feel as helpless as I have felt in protecting and
28 providing for my child.

1 providing for my child.

2 20. Still, I continue to perform my duties with honor, doing everything that is
3 expected of me.

4 21. I feel a profound sense of rejection and betrayal. I face the loss of everything I
5 have worked so hard to achieve—the loss of my career, a critical part of my moral support
6 network, the ability to support my family, and the health insurance on which my family
7 depends—not based on my service or aptitude, but rather based on prejudice, ignorance, lies, and
8 politics.

9 22. Being able to serve openly as a transgender woman has makes me a stronger asset
10 for the military. I am able to function as a productive, healthy member of the military, without
11 the distress that would otherwise accompany untreated gender dysphoria, and I am able to forge
12 stronger relationships with others in my unit, without having to pretend to live as someone who I
13 am not.

14 23. If permitted to do so, I would re-enlist in the military at the end of my obligated
15 service date. Indeed, I would, if I could, serve honorably in the military until the age of
16 retirement.

17 24. I have engaged in speech and conduct disclosing my transgender status and
18 expressing my gender identity, including by coming out to my chain of command and my fellow
19 service members, taking steps to transition, and living openly as a woman in civilian life. I want
20 to continue to be able engage in speech and conduct disclosing my transgender status and
21 expressing my gender identity.

22 25. All that I desire is to live openly as the woman I am and to be treated with respect
23 and dignity by the military.

24
25 I declare under the penalty of perjury that the foregoing is true and correct.

26
27 DATED: September 13, 2017

28

Terece Lewis

CERTIFICATE OF SERVICE

The undersigned certifies under penalty of perjury under the laws of the United States of America and the laws of the State of Washington that on September 14, 2017, I caused true and correct copies of the foregoing documents to be served by the method(s) listed below on the following interested parties:

By Hand Delivery:

US Attorney's Office
700 Stewart St., Suite 5220
Seattle, WA 98101-1271

By Registered or Certified Mail:

Attorney General of the United States
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Department of Defense
1400 Defense Pentagon
Washington, DC 20301-1400

Secretary of Defense James N. Mattis
1000 Defense Pentagon
Washington, DC 20301-1000

President Donald J. Trump
1600 Pennsylvania Ave. NW
Washington, DC 20500

I hereby certify under the penalty of perjury that the foregoing is true and correct. Executed on September 14, 2017 at Seattle, Washington.

s/Rachel Horvitz

Rachel Horvitz, *Paralegal*