

The Honorable Marsha J. Pechman

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**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 ASHLEY
BROADWAY IN SUPPORT OF
PLAINTIFFS’ MOTION FOR
PRELIMINARY INJUNCTION**

NOTE ON MOTION CALENDAR:
October 6, 2017
ORAL ARGUMENT REQUESTED

I, Ashley Broadway, declare as follows:

1. I have actual knowledge of the matters stated in this declaration.
2. The American Military Partner Association (“AMPA”) is a 501(c)(3) non-profit organization based in Washington, D.C. With more than 50,000 members and supporters across the country and around the world, AMPA is the nation’s largest organization of lesbian, gay, bisexual, and transgender (“LGBT”) military families and their allies. AMPA’s mission is to connect, support, honor, and serve the partners, spouses, families, and allies of America’s LGBT service members and veterans.
3. I serve as the President of AMPA. I am married to a service member, and we are raising two beautiful children. My spouse, Heather, and I spent the first fourteen years of our relationship under the threat of a 1993 statute commonly referred to as “Don’t Ask, Don’t Tell”

1 (“DADT”), which allowed for the discharge of lesbian, gay, and bisexual service members based
2 solely on their sexual orientation. Living in the shadows of that policy, and experiencing first-
3 hand the toll that the threat of discharge can take on families, made me passionate about
4 furthering AMPA’s mission first as a founding board member, and currently, as its President.
5 AMPA’s goal is to make sure that not one more service member, spouse, or child has to live in
6 fear of having the service member’s career ended, their family life turned upside down, or their
7 financial security stripped because of who that service member is, rather than what kind of
8 soldier they are.

9 4. AMPA began in 2009 as a “Campaign for Military Partners” by Servicemembers
10 United, an organization focused on repealing DADT. When DADT was repealed in 2011,
11 Servicemembers United wound down its affairs and AMPA was formed; AMPA incorporated in
12 2012. The partners of active duty service members founded AMPA to connect the families of
13 LGBT service members and veterans, support them through the challenges of military-related
14 and post-military life, and advocate on their behalf. AMPA provides assistance and education to
15 veterans and their spouses in accessing the benefits earned through military service. It also
16 advocates for policy changes to improve the lives of LGBT service members, veterans, and their
17 families.

18 5. AMPA’s members include transgender individuals currently serving in the United
19 States military, including for example, U.S. Army Chief Warrant Officer Lindsey Muller, U.S.
20 Army Staff Sergeant Cathrine Schmid, U.S. Navy Petty Officer Second Class Phillip Stephens,
21 and U.S. Navy Petty Officer Second Class Megan Winters, who also are plaintiffs in the present
22 lawsuit. AMPA’s members also include transgender individuals who wish to access into the
23 military, including for example Ryan Karnoski, who is also a plaintiff in the present lawsuit.
24 AMPA sues on behalf of its individual transgender members who are directly affected by the ban
25 on open service by transgender men and women in the military.

26 6. After President Trump tweeted on July 26, 2017 that the government would not
27 allow transgender individuals to serve in the military “in any capacity,” we were flooded with
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1 inquiries from panicked service members and their families, whose professional and personal
2 lives were being upended.

3 7. Many transgender service members have arranged their personal, professional,
4 and family lives around the desire to serve their country. Some families rely solely or primarily
5 on the transgender service member as the family breadwinner, while the other spouse devotes all
6 of his or her energy to raising their family. Many of those families also rely on the military for
7 health care coverage for the spouse and children, some of whom may have serious medical
8 conditions and an urgent need for secure access to health coverage.

9 8. Raising a family while serving in the military already requires great sacrifice.
10 Some service members must spend significant time away from their family, and some families
11 have had to cope with frequent moves to follow the service member's career. Laying those
12 sacrifices to waste by arbitrarily discharging transgender service members feels particularly cruel
13 to us, because our work is a constant reminder that it is not just the service member who loses
14 under this discriminatory ban, but their spouse and children too. The career trajectory of a
15 service member before that discharge can never be fully restored after the fact; nor can the
16 family stability that was lost when the service member loses the career in which the entire family
17 has invested.

18 9. If not enjoined, the ban on open service by transgender men and women will have
19 other harmful effects such as destabilizing family finances by shunting the costs of medical care
20 onto the family of the discharged service member. Where other families can securely rely on the
21 service member's military employment for health coverage, the families of transgender service
22 members will have to manage with fewer resources for their household and children. That harm
23 is compounded by the President's directive that, absent limited exceptions, transgender service
24 members be denied transition-related surgery. Whereas other families could take this coverage
25 for granted, transgender service members and their families will either have to do without
26 medically necessary care, or make do without the family resources that now must be diverted to
27 medical bills.

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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*