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NEWS FOR IMMEDIATE RELEASE

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Attorney General Josh Kaul Stands with Transgender Military Members in Challenge to President Trump's Discriminatory Executive Order *Wisconsin among 20 States Filing Amicus Brief in Federal Court*

MADISON, Wis. – Attorney General Josh Kaul today joined a coalition of 20 state attorneys general in filing a “friend of the court,” or [amicus brief](#), to support a lawsuit aiming to block the implementation of President Trump’s executive order banning transgender people from serving in the military. The brief argues that the executive order is unconstitutional, harms national security, and discriminates against transgender people honorably serving in our nation’s military, including the National Guard in every state.

“The brave Americans who serve in the United States Armed Forces deserve our gratitude and respect,” said Attorney General Josh Kaul. “Singling out transgender service members for exclusion is wrong, and it promotes division rather than the best interests of the military. This unconstitutional policy should be struck down.”

The amicus brief filed by Attorney General Kaul and the coalition of states supports a request for a preliminary injunction filed by a group of current and prospective transgender service members. The plaintiffs filed suit in the United States District Court for the District of Columbia. The Court set the date for a hearing on February 18, 2025.

The coalition argues that President Trump’s executive order purporting to ban transgender people from serving in the military violates the Fifth Amendment to the Constitution. It would also weaken our military, harm state emergency and disaster preparedness, deprive the military of experienced and qualified soldiers during an

extremely challenging time for recruitment, and engage in discrimination in violation of state laws protecting transgender individuals' right to participate fully in society. Transgender people have served in the military for years. A 2014 study found that approximately 150,000 veterans, active-duty servicemembers, and members of the National Guard or Reserves identified as transgender. In fact, transgender individuals are about twice as likely to have served in the military as cisgender individuals. But the executive order would require the military to discharge transgender members and turn away potential recruits solely because they identify as transgender. After the first, longstanding ban was lifted in 2016, and again when the Trump Administration's first attempt to ban transgender service was reversed in 2021, some transgender National Guard members came out to their superiors and peers with no negative impact on the Guard's functions.

The military has already concluded—twice—following comprehensive reviews that allowing transgender individuals to serve consistent with their gender identity is in the nation's best interest. Reinstating the ban simply cannot be justified by reference to costs, unit cohesion, or overall readiness.

Joining Attorney General Kaul in filing today's amicus brief are the attorneys general of California, Colorado, Connecticut, Delaware, Hawaii, Illinois, Maine, Maryland, Massachusetts, Michigan, Minnesota, Nevada, New Jersey, New York, North Carolina, Oregon, Rhode Island, Vermont, and Washington.

The amicus brief is available to read [here](#).