

Attorneys for Transgender Student-Athletes Respond to Supreme Court Ruling in *BPJ* and *Hecox*

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CONTACT

Legal Voice, media@legalvoice.org

WASHINGTON - This morning, the Supreme Court of the United States issued its ruling in two cases — [*West Virginia v. B.P.J.*](#) and *Little v. Hecox* — brought to the Supreme Court by states defending categorical bans on transgender women and girls participating on women’s and girls’ sports teams. The Supreme Court upheld Idaho and West Virginia’s sports bans, holding that these laws do not violate either Title IX or the Equal Protection Clause.

“This is a heartbreaking ruling for our clients and transgender girls like them who’ve asked for nothing more than the same opportunities afforded to their peers.” said **Joshua Block, Senior Counsel for the ACLU’s LGBTQ & HIV Rights Project**. “The reality is that the equality of transgender women and girls takes nothing away from, and in fact promotes, the equality of all women and girls. We will continue to advance the fundamental principle that all young people deserve equal opportunity to thrive and succeed.”

“This ruling is deeply harmful for transgender women and girls who only asked for the ability to participate in sports with their peers,” said **Sasha Buchert, Senior Attorney and Director of the Non-Binary and Transgender Rights Project, Lambda Legal**. “Countless studies have demonstrated the myriad benefits that come with participation in team sports. Now, one population, transgender youth and collegians, are targeted for specific and baseless discrimination. We will not be deterred and will continue to fight back to secure the equal participation that all youth, including transgender youth, deserve.”

“It is profoundly unfair to deny a young person the benefits of teamwork and dedication because of who they are,” said **Kelly O’Neill, Legal Voice’s Idaho attorney**. “We should be removing barriers for girls and women in sports, not creating new ones.”

The two cases argue that the bans violate the rights of two transgender female student-athletes under the Equal Protection Clause of the Fourteenth Amendment of the U.S. Constitution. In addition, *West Virginia v. B.P.J.* argues that the ban violates Title IX, the federal law prohibiting sex discrimination in educational programs. Federal courts have blocked enforcement of these bans in both lawsuits.

Since 2020, 27 states have banned transgender youth from playing school sports. Many of these bans allow for [invasive forms](#) of [sex testing](#) that put all female student-athletes at risk and embolden intrusive challenges to student-athletes' sex.

In Florida, a 15-year-old junior varsity volleyball player was the [subject of a police investigation](#) after an anonymous accusation, prompting local officials to draft a 500-page report investigating her medical history, body weight, and anatomy. In Utah, a teenage basketball player was accused of being transgender by a member of the state board of education, [leading to threats of violence against her and her family](#), and [a teenager in Maine](#) faced a similar attack from a state senator. In May, President Donald Trump similarly targeted [a 16-year-old transgender girl](#) for participating in a high school track meet. Under an Arizona ban, a cisgender male student was [prohibited from participating on the boys' team](#) at his high school because of a clerical error that listed him as female on his original birth certificate.

Many [women athletes](#) have spoken out against bullying and discrimination against transgender student-athletes, including Billie Jean King, Megan Rapinoe, Dawn Staley, Sue Bird, and Brianna Turner, as well as leading organizations fighting for gender equality in athletics, including the Women's Sports Foundation, the Women's National Basketball Player's Association, and the National Women's Law Center.

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Legal Voice is a nonprofit that fights for gender justice through impact litigation, policy advocacy, education, and coalition building. Founded in Seattle in 1978, it now has staff in Washington, Idaho, and Montana. legalvoice.org