

Judge says 10-year-old girl can rejoin softball team in blow to transgender sports ban

A federal judge has ordered that Indianapolis Public Schools must allow a 10-year-old girl at the heart of a legal challenge against a state ban targeting transgender athletes to rejoin her softball team.

U.S. District Judge for the Southern District of Indiana Jane Magnus-Stinson issued the preliminary injunction Tuesday in response to a lawsuit against IPS filed by the girl in federal court in May.

More: [ACLU sues over transgender sports ban](#)

The lawsuit claimed a new Indiana law banning transgender students from participating in all-female school sports amounts to discrimination under federal law guaranteeing equal access to education and educational programs. The law took effect July 1.

A spokesperson for IPS told IndyStar it will comply with the court's order.

"We will continue to support our students, including our transgender students, with the same care and attention we've demonstrated prior to the passage of (the law) and the filing of the current lawsuit," the spokesperson said in a statement.

The plaintiff, who filed the lawsuit under her initials A.M., began identifying as a girl before she was four years old, according to Magnus-Stinson's order. Her birth-assigned sex was male, Magnus-

Stinson wrote, but in 2021 a state court changed the gender marker on her birth certificate to female.

The judge's order only applies to the case of the 10-year-old.

In a Tuesday statement the ACLU of Indiana's legal director Ken Falk said the legal organization was "pleased" by the decision. They filed the lawsuit on behalf of A.M.

"When misinformation about biology and gender is used to bar transgender girls from school sports it amounts to the same form of sex discrimination that has long been prohibited under Title IX, a law that protects all students – including trans people – on the basis of sex," Falk said.

The law was passed by both chambers in the state legislature earlier this year. Rep. Michelle Davis, R-Whiteland, wrote the bill that became the law. On the Statehouse floor she said it was written to "maintain fair competition in girls' sports now and in the future."

Advocates for the LGBTQ community criticized the law, saying it would further marginalize an already-vulnerable population of children who want to fit in and play sports with their friends.

Gov. Eric Holcomb vetoed the bill in March. He said it attempted to target a problem that doesn't exist in Indiana.

"It implies that the goals of consistency and fairness in competitive female sports are not currently being met," Holcomb wrote in a letter explaining his veto. "After thorough review, I find no evidence to support either claim even if I support the overall goal."

More: [Despite Indiana governor's veto of banning transgender girls in school sports, it will be law](#)

Both the state House and Senate overrode Holcomb's veto in May, clearing the way for the law to take effect earlier this month.

Magnus-Stinson [wrote Tuesday](#) that she was granting the preliminary injunction because A.M. "has a likelihood of succeeding on the merits of her claim" that the state law violates her civil rights guaranteed under federal law. She also said there wasn't evidence the public would experience harm if she issued an injunction.

A.M.'s lawsuit challenging the law is ongoing.

IndyStar reporter Arika Herron contributed.

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