

# 2025 Lobby Days

## AB 579 Framework for Understanding Implementation

- Under existing law, Child Protective Services is required to open an investigation whenever an allegation of child abuse/neglect is made, for whatever reason
- This would apply if one of those reasons is potential harm to the child due to the parent/s refusal to acknowledge the child's gender identity; this is not a new protection, it is simply one of a myriad of circumstances that might cause a child harm
- There is significant evidence that children in homes where their self-identity is not acknowledged suffer mentally at various levels from parents' failure to acknowledge, up to and including suicide
- When the allegation is made, CPS, after a full investigation *including an interview of the child*, will decide if they need to make a recommendation to the court for removal
- The child's desire to *not* be removed from the home would be one of many factors CPS would consider
- If CPS makes a recommendation for removal, the parent/s has/have a right to contest the decision in court; the final determination will be up to a judge
- **This law** would state categorically that refusal to acknowledge the child's desire to transition **is NOT**, by law, a form of child abuse/neglect, and therefore cannot even be considered by CPS for investigation, and thus never reach a judge for determination as to whether a specific child, in a specific case, under their specific circumstances, is in harm's way.
- Similarly, in custody disputes 1 parent may allege child abuse/neglect against the other parent. Again, refusal to acknowledge a child's self-identity may be one of many forms of child abuse/neglect alleged, this is not a new or unique protection.
- **This law** would state that failure to acknowledge can **NEVER** be considered a form of abuse/neglect, and therefore can not be considered in a custody dispute.

AAUW believes that these decisions are best left up to the courts, and that it would be wrong to have enshrined in CA law that failure to acknowledge is, as a matter of law, not potentially harmful to trans kids.