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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO**

**PAM POE**, *by and through her parents  
and next friends, Penny and Peter Poe;*  
**PENNY POE; PETER POE, et al.**,

v.

*Plaintiffs,*

**RAÚL LABRADOR**, *in his official  
capacity as Attorney General of Idaho,*  
*et al.*,

*Defendants.*

Case No. 1:23-cv-00269-CWD

**DECLARATION OF PENNY POE  
IN SUPPORT OF PLAINTIFFS'  
MOTION FOR A  
PRELIMINARY INJUNCTION**

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**DECLARATION OF PENNY POE IN SUPPORT OF  
PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION**

I, Penny Poe, hereby declare as follow:

1. I offer this Declaration in support of Plaintiffs' Motion for a Preliminary Injunction.

I have personal knowledge of the facts set forth herein, and could and would testify competently to these facts if called as a witness. I am a Plaintiff in this Action, and call myself "Penny Poe." I am the parent and next friend of my minor child, Pam Poe, who is also a Plaintiff. My husband, "Peter Poe," is the father of Pam Poe and is also a Plaintiff.

2. My husband and I reside in Meridian, Idaho, with our daughter Pam and her sibling.

We have an adult daughter who also lives in Idaho. We are all lifelong Idahoans. We have lived in Meridian for the last fifteen years and before that, we resided in Boise.

3. I work as a data coordinator for an Idaho agency. My husband is employed in the operations division of a warehouse.

4. Our daughter, Pam Poe, is fifteen years old.

5. Pam is a girl.

6. Pam is transgender.

7. Pam first told me that she was transgender in August 2021. My husband and I were hosting family one evening at our home. I received a text from Pam telling me that she was nonbinary, that her name was now "Pam," and the pronouns she would like to use. I realized it was a big moment for her and that she likely had a lot of fear. I can admit that in the moment I felt overwhelmed when I first read the text. Having so many family members over and not being able to go and comfort Pam in the moment made it harder. I texted her back and told her that I loved her and that we would talk more in the morning. I eventually told my husband late in the evening about what Pam had texted me.

8. The next morning, after much of my family had left, I went to Pam's room. I sat next to her on the floor, gave her a big hug, and just told her repeatedly how much I loved her. I asked her who else she had told, who does not know, and who she wanted to avoid knowing at that time.

9. As parents, there was not a question in our minds about supporting our daughter, but when she first told me, I did not know anything about being nonbinary or transgender, or what it would look like to support her. I just knew I wanted the best for her, and I wanted her to be happy and healthy. It took me some time to learn through self-education. I also learned a lot from Pam and her healthcare providers, as we have embarked on this journey.

10. Although I sensed that telling me was a huge relief for Pam, I saw her struggling with her mental health in late 2021. She was depressed and anxious, but most concerning was that Pam was having thoughts of self-harm and was actually engaging in self-harm. I believe that this behavior was being driven by the overwhelming emotions that she had been and was continuing to deal with, including what we later learned was gender dysphoria. It scared us a lot, as a family. I never want to lose my daughter.

11. We quickly got her into weekly counseling, so that she would have a professional to talk to and another person to receive support from. Despite the counseling, Pam continued to have severe mental health issues and thoughts of self-harm, and she was engaging in self-injurious behavior. Thankfully, around the last week in February 2022, Pam was brave enough to come to me and tell me how severe her symptoms were and she said that she needed more support. As a family we decided that Pam would benefit from inpatient residential treatment. That way we would know she was safe, in the care of trained professionals around the clock, and she could get the care we all agreed she needed.

12. Pam spent one week at the inpatient residential treatment facility. She was diagnosed with gender dysphoria, depression, and anxiety by one of her treating providers at the facility.

13. My husband and I immediately started seeking out providers who had experience in treating gender dysphoria. It took longer than we would have liked because of waiting lists, but Pam was finally able to start seeing a doctor who specialized in treating gender dysphoria about two months later, around May 2022.

14. During the first visit, my husband and I were both there with Pam. We learned a lot during that appointment. Pam's doctor went through a long questionnaire with Pam. In evaluating Pam and discussing treatment options for gender dysphoria, he considered that she was already seeing a mental health professional, had already been diagnosed with gender dysphoria, and that we had received a referral for treatment following her time in inpatient residential treatment. He also drew blood to perform lab work to establish where Pam was in terms of her puberty. The doctor discussed the risks of puberty blocking medication, the expected results from treatment, and potential effects on Pam's fertility if she were to later receive estrogen therapy.

15. I will never forget the huge smile on Pam's face after we left that first appointment. She looked the happiest I had seen her in over a year. While it was still very early in the process, I had such a huge sense of relief. I knew we were on the right track. I was happy that we knew why Pam was experiencing the feelings she was, and that we had a doctor who could provide the treatment and support that she needed.

16. Pam's doctor prescribed puberty blockers and she began taking them in June 2022. Pam was 14 years old at the time. The change in Pam was almost overnight. Her mental health

improved significantly just knowing that the changes that were happening to her body, which had been causing her such severe distress, were no longer going to happen or progress.

17. For the next year, Pam was a different person. She started feeling more confident and happier without having to experience the distress that male puberty caused for her. We told more and more people that her name was now Pam and that she used female pronouns. She was herself, happy, and thriving. She saw her doctor regularly for check-ins and lab work, to monitor the effectiveness and dosage of the puberty blockers, and to make sure she was happy and otherwise healthy. When Pam started high school in August 2022, she went to school as Pam because it was important for her to start these next four years living authentically. Everything at school has been great for Pam regarding her being transgender. She was treated as the girl that she is from day one.

18. In April 2023, when Pam was 15 years old, we raised with her doctor the possibility of beginning estrogen therapy as the next step in treatment for her gender dysphoria. Again, after careful consideration, evaluation by her doctor, discussion with her doctor of the potential risks and benefits of estrogen therapy and fertility preservation, and talks as a family, Pam, her father and I, along with her doctor, agreed that estrogen therapy was an appropriate medical treatment for her gender dysphoria. We signed the informed consent paperwork and her doctor prescribed her estrogen therapy. She has now been on estrogen therapy since April 2023

19. Pam's mental health has continued to improve with treatment, as she continues to develop into the person she knows herself to be. As parents, my husband and I could honestly not be happier. We have our child back and she is flourishing. She is a wonderful, talented, and beautiful young woman, who we are so proud of.

20. Like any person these days who watches or reads the news, we started seeing the legislation banning gender-affirming medical care popping up all over the country. I do not think we ever thought it would come to Idaho. When the H.B. 71 legislation was introduced in the Idaho legislature, we were terrified. After everything that we had been through with Pam, including the fear of losing our daughter before we were able to get her the care that she needed, we just could not believe that Pam was now at risk of being taken off her medication. It was inconceivable that we, as her parents, and in consultation with her doctor, had no say in the decision.

21. Around the time H.B. 71 was being debated, my husband and I noticed that Pam's mental health seemed to be negatively impacted. When the legislation passed, Pam was visibly devastated. As were we. Gender-affirming medical care saved our daughter. Now, we live every day knowing that in a few short months, Pam may no longer be able to receive the care she needs anywhere in Idaho, our home.

22. The stress and fear have impacted our entire family. We are lifelong Idahoans. We never imagined a time when we would leave Idaho, and especially not during the middle of Pam's high school years. This is where our home is, our community, our lives, our family, our friends, our jobs, our children's schools, and their friends. We do not want to uproot our lives, but Pam's health, safety, and ability to access the healthcare she needs is and has to be a top priority. We are terrified of the potential consequences on Pam's health if her medical care is banned, because we do not even have to guess what will happen to her mental health and to her body, because we have been through it. The thought of my child going back to feeling like she does not want to live or wants to hurt herself is just something I cannot even think about.

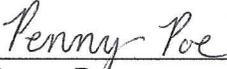
23. My husband and I would never put her through that because we would be forcing her to live as someone she is not and placing her in danger because of the effects on her mental

health. We have explored the possibility of regularly traveling to another state for care, and the time, logistics, and costs would be very difficult for our family. If we had to move, it would mean giving up our jobs, our home, our financial security, disrupting our two youngest children's educations and lives, and leaving everything we have ever known behind. Both of these options would result in significant hardship on everyone in our family, but these are our only options if H.B. 71 goes into effect.

24. H.B. 71 will be devastating for our family. We ask the Court please not to let H.B. 71 take effect.

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Idaho, on this 18<sup>th</sup> day of July, 2023.

  
\_\_\_\_\_  
Penny Poe