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Greg Abbott News

While Border Patrol Seizes Record Amounts Of Fentanyl, Gov. Abbott Attacks Biden For ‘Doing Nothing’

By Jeremy Wallace
Houston Chronicle

The Biden administration has seized record amounts of a synthetic opioid called fentanyl at the U.S.-Mexico border, made fighting opioids a major piece of the State of the Union address last week and issued new executive orders targeting the criminals trafficking the drugs.

Still, Gov. Greg Abbott is blasting the administration at nearly every campaign speech for not doing more.

On Thursday, Abbott, a Republican running for a third term in office, spoke to a conservative group in Washington, D.C., and later to law enforcement on the Texas border and accused Biden of ignoring the problem.

“I don’t know if the Biden administration even cares about it,” Abbott said in Weslaco near the Mexico border. “The president of the United States is doing nothing about it.”

Abbott says Texas law enforcement deserves the credit, after seizing more than 1,300 pounds of fentanyl in the last year.

“Texas is having to step up and do the federal government’s job,” he said at the forum hosted by the Heritage Foundation.

Fentanyl is a synthetic opioid originally developed to help cancer patients. It can be nearly 100 times more potent than morphine, which has led to abuse. Sellers often add fentanyl to heroin to make it more potent or hawk it as heroin to people who don’t know what they are buying.

More than 100,000 people die annually from drug overdoses, and opioids are a factor in 7 out of every 10 of those deaths, according to the National Center for Drug Abuse Statistics.

Biden has been bringing up the opioid crisis often in his speeches, as well. On Thursday in Washington, he talked about fentanyl and earlier this week in Fort Worth the president assured

a crowd of veterans that battling opioids is a central part of his “Unity Agenda” outlined in his State of the Union address.

Biden is also touting the Border Patrol’s work in stopping the flow of illegal drugs coming through ports of entry.

“At our border, we’ve installed new technology, like cutting-edge scanners, to better detect drug smuggling,” Biden said in his address to the nation.

According to the White House, Customs and Border Protection has been seizing more than 800 pounds of fentanyl along the U.S.-Mexico border per month — double what it was stopping in 2020 as the Trump administration ended, and four times as much as it blocked in 2019.

The Biden administration has also touted new prevention and education programs, and its efforts to get more medications like naloxone into communities to treat overdoses before emergency personnel arrive.

Still, Abbott is making clear the flow of fentanyl is a major campaign piece. During his primary election night victory party in Corpus Christi, Abbott made fentanyl seizures and deaths a part of his speech.

And when Democratic opponent Beto O’Rourke was holding a campaign event in Austin last month, Abbott’s campaign team distributed empty fentanyl pill bottles to people with the words: “Beto Biden Open Border Crisis” and it included a number of fentanyl deaths in 2021. “Caution: Open borders have increased the amount of fentanyl deaths.”

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Texas Legislature

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Sex Trafficking Accusations At Texas Foster Care Facility Prompt Legislative Hearings

By Edward McKinley

Houston Chronicle

State legislative leaders called Friday for investigative hearings into a foster care facility where employees are accused of exploiting sex trafficking victims, while the facility’s operators say the claims are being misrepresented.

Lt. Gov. Patrick announced Friday afternoon the formation of a special committee that will “pull no punches with agency leadership” and consider changes in its oversight at the Department of Family and Protective Services.

“The work to reform DFPS has been ongoing for some time, but after this story, the Texas Senate could not wait any longer to address the serious issues at the agency,” Patrick said.

The Rangers investigation was ordered by Gov. Greg Abbott on Thursday night following an emergency court hearing called by a U.S. District judge presiding over a decade-long class-action lawsuit alleging mistreatment of children in state care.

At the hearing, state officials said there were allegations of sex trafficking of girls from The Refuge DMST, in Bastrop County, that began with a January 24 report that a former staff member had sold nude pictures of two of the girls, then used the money to provide them with drugs and alcohol.

Seven more allegations came in over the following six weeks, according to a report from court-appointed monitors, yet the last girl at the facility was not removed until Wednesday, six weeks later.

DFPS Commissioner Jaime Masters told the judge Thursday night that she was not made aware of the situation until then. “There is no excuse for why I didn’t know, which is why several people are losing their jobs,” she said.

The leaders of the nonprofit say they are aware of two incidents, one involving the illicit pictures and another involving a girl who fled the premises with help from three staffers. They insisted Friday that they properly handled the allegations at every step, and denied that a director delayed reporting the abuse allegations, as state officials claim.

Paul Yetter, lead attorney representing the foster care children in the lawsuit against Texas, said sex trafficking within the Texas foster care system is “not a new development.”

“This is a terrible example, but only one example, of what children face every day in the foster care system in our state,” he said. “And it needs to be fixed and it will never be fixed until the top leadership gets serious about actually making changes.”

Refuge CEO responds

The Bastrop facility was closed under an emergency order issued by the Texas Health and Human Services Commission on Friday.

The order says that the state began three investigations against The Refuge from Jan. 26 to Feb. 25, and the licensing arm of the state government found “controlling persons of the operation” are accused of abuse, neglect and exploitation of the children. The state is investigating numerous employees, including administrative staff, the order says.

Brooke Crowder, founder and CEO of The Refuge, told reporters Friday that the staffer involved in the sale of the photos was quickly fired. A lawyer for DFPS said Thursday at the hearing that the girls remained at the Refuge because the alleged abuser was no longer around.

But state investigators said that as time passed, more allegations came forward and other employees appeared to be involved.

The full scope of the sex trafficking accusations at the Refuge is unclear. Representatives of the state said in court Thursday that there was one arrest connected with the case, but Crowder said Friday that was inaccurate, and that a Refuge employee was arrested earlier this year for lying to law enforcement after one of the girls — a witness in an upcoming federal trial — fled the facility with the help of three staffers.

That employee was arrested on charges related to deceiving investigators, Crowder said, and the other two staffers have been fired.

That situation was not related to sex trafficking or sexual abuse, Crowder said.

“They're two different events. In the rush to get this out to the public, and to the press, we all have been mashing together separate investigations,” said Steven Phenix, communications director for the Refuge, who declined to disclose the names of the employees involved.

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State News

Texas Judge Halts Child Abuse Investigations Into Transgender Youth

By Lauren McGaughy

Dallas Morning News

A Texas district court judge on Friday temporarily halted all child abuse investigations into gender-affirming care for trans minors after a daylong hearing that pitted the mother of a transgender teenager against the state’s lawyers.

District Court Judge Amy Clark Meachum read the temporary injunction from the bench late in the afternoon. She said it blocks the state’s new directive defining certain gender-affirming medical care as child abuse, and halts any such investigations until after a trial in the case set to begin in July.

Just before 9 p.m., however, Texas Attorney General Ken Paxton tweeted that he had filed an appeal that put the judge’s injunction on hold. Paxton said his appeal would allow “much-needed investigations [to] proceed as they should.”

Lawyers for the plaintiffs said late Friday that the immediate effects of the appeal on the injunction are unclear.

Identified in court by a pseudonym, Jane Doe is a state employee who says she was put on leave and investigated because her 16-year-old transgender daughter is undergoing medical treatment. She and Megan Mooney, a Houston psychologist, sued after Gov. Greg Abbott directed the Department of Family and Protective Services to open abuse probes into transgender youth receiving certain treatments.

After the hearing, their lawyer told The Dallas Morning News his clients and all Texas families with transgender children can “breathe a sigh of relief.”

“The judge’s decision reflects the recognition that the governor and department circumvented the legislative process and started a rule that terrorized families who love, support and seek the best care for transgender children,” said Paul Castillo, senior counsel with Lambda Legal, which along with the ACLU of Texas, is representing the plaintiffs.

Lawyers for the plaintiffs argued Abbott acted outside of his authority when he ordered the child protective services agency to investigate all reports of transgender minors accessing certain gender-affirming medical treatments. The directive came on the heels of a nonbinding opinion from Paxton that said such treatments, including puberty blockers and hormone

therapy, were “child abuse” under state law.

Meachum agreed with the plaintiffs, adding they are likely to succeed at trial in arguing Abbott violated separation of powers and did an end run around state legislators by trying to unilaterally write state law.

This lawsuit is the first legal test for the state’s decision to investigate certain medical treatments for transgender minors, including puberty blockers and hormone therapy, as abuse.

Since Abbott’s order last month, nine investigations have been opened. The state’s largest children’s hospital has paused some gender-affirming therapies. Several families with transgender children have indicated they will move out of the state, and doctors, teachers and CPS workers have expressed concern and confusion over how to implement the order.

The state’s lawyer on Friday argued Doe and Mooney have not suffered consequences enough to challenge the order.

“All Jane Doe has been subject to is one meeting with an investigator” from the Department of Family and Protective Services, Assistant Attorney General Courtney Corbello said. Plaintiffs are “merely fearful” of harm “at this point.”

‘Vast overreach’

On Friday, Doe testified that she wished she’d never had to go before a judge to discuss the personal matters of her child’s health care. Her remarks were not broadcast online but reporters were allowed to listen to them in court.

Doe declined to answer many of the state’s questions based on her lawyers’ advice. She was asked about her daughter’s care, whether it had been altered and how she described it in text messages with her supervisor. Her lawyers expressed concerns that the state was using the hearing as a way to suss out details for their investigation into Doe’s family.

Corbello at one point broke one of the Doe family members’ anonymity in open court, which drew the ire of the judge, who warned the attorney about “another trick like that.” As Doe cried in the witness stand, Corbello repeatedly said she mistakenly uttered the name.

As a mental health professional, Mooney worried that continuing to refer minors for medical treatment could result in her losing her license.

“When our ethics and our laws are in conflict we take every effort to remedy that conflict. That is in part why I am here today,” she testified.

All of the major state and national medical groups support age appropriate, individualized gender-affirming care to treat gender dysphoria in minors, which is the feeling of discomfort or distress that can occur in people who identify as a gender that is different from the gender or sex assigned at birth.

For children who have not reached puberty, mental health care is the primary form of treatment for gender dysphoria. Medical interventions like puberty blockers, which are reversible, and hormones should be explored only for youth who have experienced the onset of puberty and after undergoing mental health evaluation, according to best practices.

Surgery is not recommended until a patient has reached the legal age of maturity to give consent for medical procedures and has lived continuously for at least a year in the gender role consistent with their gender identity. In Texas, this consent starts at 18.

Plaintiffs' attorneys called two doctors as expert witnesses, both of whom said gender-affirming care is safe and sometimes medically necessary. Both said that, like many medical interventions, they are not without risks.

Corbello noted that testosterone, which can be used in treatments for transgender males, is a controlled substance and the state's child abuse laws prohibit allowing any minor access to controlled substances. After reading a list of effects of feminizing and masculinizing hormones on minors, Corbello also asked Dr. Armand Antommara about the risks.

"There are risks that are outweighed by the potential benefits of the treatment," Antommara, a professor of pediatrics and ethics director at Cincinnati Children's, responded.

Earlier in the day, a child protective services employee who recently resigned over Abbott's order gave detailed testimony about how the state is implementing it. Randa Mulanax, an investigations supervisor, said employees who usually have discretion on whether to open abuse investigations were told they had to do so if the report involved allegations a minor was receiving gender-affirming medical care.

Mulanax also said she was told not to text or email about any of these cases, which she saw as "unethical."

"I have always felt like at the end of the day the department has the children's best interests at heart," said Mulanax. "I no longer feel this way with this order."

The state did not call any witnesses.

Just up the road

In his closing remarks, Castillo said his clients would suffer "imminent and irreparable injury" if the court did not take action.

"The governor has no authority to define what constitutes child abuse under Texas law," Castillo said.

Corbello argued the plaintiffs' lawyers did not present any witnesses to speak to how Abbott exceeded his authority. She also said this type of legal action could not be taken against the state, which she argued has immunity, and again said Doe and Mooney could not show they would suffer real consequences.

"Fear is not evidence of imminent harm," she said.

Meachum disagreed. Her temporary injunction blocked the state from taking any action against the plaintiffs based on Paxton's opinion or Abbott's order and prohibits the state from undertaking any new child abuse investigations based solely on the fact that a minor was receiving gender-affirming care.

Meanwhile, the council of the Department of Family and Protective Services held its first public hearing since Abbott's order. More than 100 people showed up to speak, with most reading letters from parents or transgender Texans who did not want to risk investigation by showing up in person.

Karli Kucko, a counselor based in Austin, pledged to rely on science, not politics.

"I will never alter my ethical and evidence-based practices — which overwhelmingly support gender-affirming care — to be a political pawn," she said.

Tyler Sheldon, legislative director with the union that represents CPS caseworkers, pointed to ongoing problems with the foster care system in Texas and said the state's attention could be better spent elsewhere. On Thursday, a federal judge overseeing a lawsuit against the state said employees at a facility meant to care for foster children who are victims of sex trafficking were actually trafficking those same children.

"There are so many things that the governor and DFPS should be focused on without targeting trans kids and their families to score political points," he said.

Much of the public testimony, which stretched on for hours, came from unnamed parents and transgender youth themselves.

"I don't want to move," an 8-year-old transgender child said via letter, which was read by a woman who attended the hearing. "I love my mom and dad more than anyone but my brother. They're doing everything they can to keep me safe."

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Judge Temporarily Blocks Texas Investigations Into Families Of Trans Kids

By Eleanor Klibanoff and Sneha Dey

Texas Tribune

A state judge ruled Friday that providing gender-affirming care is not a reason for the state to investigate a family for child abuse, and halted all such investigations.

The statewide injunction from District Judge Amy Clark Meachum will remain in effect until "this court, and potentially the Court of Appeals, and the Supreme Court of Texas" hear the case, she said.

Meachum said there is a "substantial likelihood" that lawyers for the American Civil Liberties Union and Lambda Legal will prevail in getting Gov. Greg Abbott's directive for such investigations permanently overturned, calling his actions "beyond the scope of his duty and unconstitutional."

This ruling came after a day of arguments about the Feb. 22. directive, in which Abbott told the Department of Family and Protective Services to open child abuse investigations into parents who provide gender-affirming care to their transgender children. Abbott specifically addressed puberty blockers, which are completely reversible, and surgeries that are rarely performed on minors.

Since the directive, the state has opened nine investigations into families who provide this medical care to their children. The injunction stops the state from investigating anyone for child abuse based solely on the allegation that they provided gender-affirming medical treatment. It also stops anyone from being prosecuted for child abuse for providing gender-affirming care and lifts the mandatory reporting requirements laid out in the directive.

Meachum ruled that Abbott's directive had the effect of a new law or agency rule "despite no new legislation, regulation or even stated agency policy," which improperly encroached on the legislative arm of the government.

A DFPS supervisor who was called to testify at the Friday court hearing said that the child abuse investigations into families of transgender children are being held to a different standard than other cases.

Investigators can't discuss cases with colleagues via text or email, and they are required to investigate the cases, even if there's no evidence of abuse, said Randa Mulanax, an investigative supervisor with DFPS.

Mulanax has decided to resign as a result of this directive after six years with the agency.

"I've always felt that, at the end of the day, the department had children's best interest at heart," she said. "I no longer feel that way."

Abbott's move to have families of transgender children investigated for abuse — made one week before the state's March 1 primary election — followed a nonbinding legal opinion from Attorney General Ken Paxton.

The ACLU and Lambda Legal filed a lawsuit against the state on behalf of the parents of a transgender child who were investigated by child welfare workers after the mother, a state employee, asked questions about the new directive.

Meachum granted a temporary restraining order last week, which halted that particular case, but there are currently nine families under investigation for providing gender-affirming care, according to DFPS.

Lawyers for the ACLU and Lambda argued in court Friday that Meachum should grant a statewide injunction on all of these investigations until the legitimacy of this directive can be argued in trial.

"The defendant's directives and actions are traumatizing," said ACLU of Texas attorney Brian Klosterboer. He added that the actions are "killing the ability of transgender youth to continue to get necessary care, and forcing physicians and mandatory reporters ... to decide between civil and criminal penalties ... and doing what's right for the health of their patients."

A lawyer for the state argued that simply opening a child abuse investigation into a family is not necessarily evidence of harm to that family, and that it would be overreach for "the judicial branch to infringe on the executive branch's ability to perform such a critical task as ensuring the welfare of the state's children."

Mulanax said employees have been told not to communicate with colleagues about these cases

via email or text message, which she described as unusual and “unethical.”

She said investigators have been told they cannot mark these cases as “priority none,” a designation staff members use when they believe a report does not merit investigation, and must alert department leadership and the general counsel when they’re working on one of these cases.

A lawyer for the state asked Mulanax if any transgender children had been removed from their homes or been taken off of medication prescribed by a doctor. Mulanax said the cases had not been resolved and to her knowledge, no one had been removed or taken off of medication.

A psychologist who treats children with gender dysphoria testified to the court about the “outright panic” that her patients and health care providers have been feeling since this directive went into effect.

Megan Mooney is a plaintiff in the lawsuit. She testified about the conflict this directive has created for herself and other professionals whom the state considers mandatory reporters of child abuse.

A requirement to report her clients for receiving “medically necessary and professionally upheld standards of care” would be devastating to her clients and her business, Mooney said.

She said she doesn’t believe she is in violation of any laws, since Paxton’s opinion was nonbinding, but the governor’s directive has sowed confusion and anxiety, as well as created an ethical conflict.

Assistant Attorney General Courtney Corbello asked whether Mooney’s personal ethical disagreement with a policy means that she doesn’t have to follow it.

“My ethical code from the American Psychological Association suggests that when our ethics and our laws are in conflict, we take every effort to remedy that,” Mooney said. “That is in part why I am here today.”

Corbello walked Mooney through the World Professional Association for Transgender Health standards for providing care for minors with gender dysphoria — assessing the child, providing family counseling and psychotherapy to children, treating any co-existing mental health concerns and providing fully reversible physical interventions, among other steps.

Mooney agreed with these steps, though she said sometimes they happen simultaneously.

At a Department of Family and Protective Services meeting on Friday, Heather Crawford said children will die because DFPS complied with Abbott’s order. Her own child, who is transgender, attempted suicide when she did not at first affirm their gender identity. She read a note at the meeting that her child had written before the attempt.

"This note was written in blue, glitter pen. They were 12 years old. This is what happens when trans children are not giving the affirming care that is their God-given right," Crawford said. "If DFPS fails to comply with your moral and legal obligation to protect all of the children of Texas, the department and each person working in the or for the department will be complicit in every single one of those deaths."

Since the guidance was announced, crisis counselors at the Trevor Project reported young trans and nonbinary Texans are having suicidal thoughts as they fear losing access to medical care and being separated from their families, said Sam Ames, the director of advocacy and government affairs at organization, which works to prevent suicides in the LGBTQ community.

More than 80 other people spoke during public comment at the DFPS meeting, and many read written testimony from trans children and their families who were terrified to attend themselves. Sarah Orman, an advocate for children in the foster care system with Court Appointed Special Advocates, read testimony on behalf of an 8-year-old transgender girl. "Before the Texas Legislature in 2021, I never really spent much time thinking about how different I am that other kids. My friends who know I'm trans don't care. They love me just the same," the girl wrote. "It wasn't until last year that I've worried about not being treated the same as others. And just last week, I found out what a lawyer is and who CPS is. My mom had to explain that so people might come to talk to me and ask me a bunch of questions that might hurt to hear."

Late Friday, Paxton said on Twitter that his office would be appealing Meachum's ruling. "I'm appealing. I'll win this fight to protect our Texas children," Paxton tweeted.

Meanwhile, Lambda Legal attorney Currey Cook said his organization was "thrilled" by Meachum's decision.

"It's been such a harrowing past week for everyone living under the threat of being persecuted just for supporting your kids," he said. "What the governor did put in stark relief the steps that some government officials are willing to take for political gain."

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Texas' Child Welfare Agency Ordered To Investigate Trans Kids' Families Has Been In Crisis For Years

By Eleanor Klibanoff and Reese Oxner

Texas Tribune

Every day, when the caseworkers at Texas Department of Family and Protective Services come to work, they're confronted with the worst this world has to offer — an ever-mounting pile of cases of sexual abuse, physical abuse and neglect of vulnerable children.

What keeps them going, one investigative supervisor said, is the hope they're making a difference in children's lives.

"You're filled with a lot of passionate anger that this is what has happened to this child," she said. "But you know that what you're doing, at the end of the day, [will] help."

That's been her guiding principle for the four years she's worked at DFPS. But since Gov. Greg Abbott directed the agency last month to investigate parents who provide gender-affirming medical care to their transgender children, her faith in the mission has been shaken.

"In these new cases, I can't see that hope," she said. "I just cannot see what I'm going to do to

improve their life. All I can see is I'm going to disrupt, disrespect and just cause nothing but pain to that child.”

Late Friday, a state judge temporarily halted the investigations until a trial can be held in July, calling Abbott's actions “beyond the scope of his duty and unconstitutional.” The supervisor, who spoke to The Texas Tribune on the condition of anonymity for fear of professional repercussions, said her regional office had already received two reports prompted by Abbott's directive, both from medical professionals, and very little guidance into how caseworkers are supposed to handle them beyond the content of the governor's directive to the DFPS commissioner.

“It's really challenging ... to get a case that not anyone in leadership can 100% answer your questions on,” she said. “And then even worse on a worker because they're going to be the face of the situation.”

She feels that they were letting kids down — both the transgender children targeted by the new directive and the vulnerable kids caseworkers are supposed to be looking out for.

Even before Abbott's directive, Texas was struggling to properly handle cases of child abuse, neglect and removal. In 2015, a federal judge ruled that Texas was violating the constitutional rights of foster children to be free from an unreasonable risk of harm, and that children “often age out of care more damaged than when they entered.”

The same judge recently said the situation has gone from “bad to worse” as the state fails to deliver on promised reforms.

Texas' foster care system doesn't have enough caseworkers or beds for the kids it has taken custody of, with particular gaps in care for older teens, children with mental health issues and LGBTQ kids.

In a separate court hearing Thursday, a federal judge revealed that sex trafficking victims were abused again while in the care of a Texas-licensed foster care facility.

It's this overtaxed agency that Abbott has directed to become the face of his highly politicized new order, with potentially far-reaching consequences for parents, kids and the child welfare system itself.

The supervisor said she's considering leaving the agency — which is already understaffed and suffering from high turnover rates — in the wake of the new policy. And she said she's not alone.

“If you know it's wrong, it's wrong,” she said. “And, if you know, you can't support it.”

LGBTQ children in a troubled agency

Last month, Texas Attorney General Ken Paxton issued an opinion that equated certain gender-affirming medical care with child abuse. He specifically targeted puberty blockers, which are completely reversible, and surgeries that are rarely performed on children.

“LGBTQ+ youth in foster care tend to experience more bullying, more physical violence, more sexual violence. We're not doing these kids any favors by bringing them into a system

where they might continue to experience trauma.”

— Kate Murphy, Texans Care for Children

Paxton’s opinion is a nonbinding interpretation of state law, but just a few days later, citing the opinion, Abbott directed DFPS to open “a prompt and thorough investigation of any reported instances of these abusive procedures.”

DFPS confirmed Thursday that the agency had launched nine investigations into parents of transgender teens since the directive went into effect.

Advocates who have been working for years to improve Texas’ troubled child welfare agency are shocked that the state would even consider bringing more kids into a system that is ill equipped to take care of the children it’s already responsible for.

“We have a crisis of children without placement,” said Kate Murphy, senior policy associate at the nonprofit advocacy group Texans Care for Children. “We don’t want to be driving more kids into a system where we don’t have enough safe, appropriate homes for the children in foster care.”

The Department of Family and Protective Services is in the midst of a yearslong overhaul after a federal judge found kids often left the state’s care “more damaged than when they entered.”

U.S. District Judge Janis Jack of Corpus Christi ruled in 2015 that Texas routinely violated the constitutional rights of kids in the foster care system and issued a slew of reforms the state was required to implement.

The state has twice been held in contempt of court for not complying with the ruling in a timely manner.

In response to problems identified by the ruling, Texas increased inspections of foster care facilities and subsequently shut down many of them for not meeting standards. That shrunk the number of available beds for kids in foster care and created a surge in the number of children without placement. Last summer, Texas had more than 400 children staying in unlicensed and unregulated spaces, including motels and offices, most of them for more than a week at a time.

In a January report, a court-appointed panel of experts found that older kids and kids facing mental health issues were most likely to lack access to consistent, safe placements within the state’s foster care system.

Judge Aurora Martinez Jones, a district court judge who oversees child welfare cases, said she sees an overrepresentation of LGBTQ youth who end up without a placement coming through her Travis County courtroom.

“That’s not something that’s being tracked, and quite honestly, I don’t know that it’s safe to track that information right now,” she said, referring to the politically hostile climate toward LGBTQ people in Texas right now. “But I worry about making sure that we are taking as best care of our LGBTQ children as possible.”

LGBTQ children enter foster care at a much higher rate than their heterosexual peers, and within the system, they face much greater challenges.

“LGBTQ+ youth in foster care tend to experience more bullying, more physical violence, more sexual violence,” Murphy said. “We’re not doing these kids any favors by bringing them into a system where they might continue to experience trauma.”

And many of these issues intersect: Transgender children, whether or not they’re in the foster care system, are also particularly susceptible to mental health issues.

More than half of transgender and nonbinary youth seriously considered suicide in the past year, according to a 2021 national survey by the Trevor Project, an organization aiming to prevent suicide in LGBTQ youth.

But studies show that transgender teens who have access to gender-affirming health care see a marked decline in mental distress and suicidal ideation.

Gender-affirming care can often just mean social transition — allowing a child to express themselves as their gender, rather than the sex they were assigned to at birth. Some teenagers are given puberty blockers, which are completely reversible; hormone treatment; or, in extremely rare cases, surgeries.

Researchers at the University of Washington recently found that transgender teens were 60% less likely to be depressed and 73% less likely to have thought about self-harm or suicide after one year of using puberty blockers, compared with those who didn’t start the medications.

The DFPS investigative supervisor in Houston said she is haunted by the high rates of suicide among transgender children who don’t have access to these medical treatments.

“What’s gonna happen if I [were] to tell this parent to remove this medication? And what if what I did caused so much damage that they dropped into this statistic? I’m not going to be OK with that,” she said.

Lasting consequences of a child welfare investigation

The DFPS supervisor said things have grown tense inside the typically friendly office she works in. Some employees, like her, were outraged by Abbott’s directive. Others are supportive, based on personal religious beliefs or a mindset that they should follow the rules.

She feels like she’s letting her employees down by sending them to perform these investigations that she herself does not support, and worries about the consequences for the families that are getting caught in this net.

Most families that DFPS investigates do not end up having their children removed from their custody or placed in foster care, which requires a judicial order. But these investigations can still have far-reaching consequences for parents and children.

Child welfare investigations can be — and are often designed to be — invasive. Amber Briggie, the mother of a transgender boy who once invited Paxton for dinner and is now being investigated under Abbott’s directive, described in a statement the experience of having a case worker interview the family and inspect the home.

“We showed her all the food in our cabinets, the kids’ artwork on the walls, the toys, books,

and games in the family room,” she said. “We did not allow her in the kids’ bedrooms. She had violated our home by entering it. We didn’t want her violating their sacred spaces, too.”

Once an investigation is opened, there are three typical outcomes: The investigator can determine they have “reason to believe” that abuse or neglect occurred, they are “unable to determine” what happened or the case is “ruled out.”

If there is “reason to believe” the allegation, the parent is placed on the state’s child abuse registry, which prevents them from working with children and vulnerable populations.

“They make a finding that there’s reason to believe that you abused your child, and they can keep you from getting all kinds of professional licenses or employment,” said retired state District Judge Mike Schneider. “You can’t teach school. You can’t work in a Sunday school. You can’t work in a day care facility, all kinds of stuff.”

Even if a judge dismisses DFPS’ allegation of abuse, the parent will remain on the registry unless they appeal directly to DFPS. If that appeal is not granted, they can also appeal to the State Office of Administrative Hearings, an administrative law court operated through the executive branch.

Currently, it takes 1,644 days — or four and a half years — to get a DFPS appeal heard by that administrative court, according to a state report from November. And parents who receive the “reason to believe” designation remain on the child abuse registry that entire time.

“I don’t think most [parents] realize that they’re in a lot more potential jeopardy than they could ever even imagine,” said Schneider, who is suing the state in federal court on behalf of a Beaumont-area woman who has been on the registry for more than a year, even after a judge determined there was no merit to the child abuse allegation.

Schneider is also representing families with transgender children who are preparing for potential investigations.

“I told my clients, I’m really not trying to scare you,” he added, “but I just want you to know that there’s this shadow system that exists that’s maintained by the same branch of the government that Ken Paxton and Greg Abbott are in.”

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Political Pressure Led To Shutdown Of Texas’ Largest Gender-Affirming Care Program

By Orion Rummeler

The 19th

Leaders of a now-defunct health clinic — known for years as the largest program of its kind for transgender youth in Texas — came under pressure to restrict gender-affirming care from the governor’s office and a state House investigative committee, according to recordings of internal meetings among hospital leadership and staff obtained by The 19th.

Hospital administrators and doctors at GENDER Education and Care, Interdisciplinary Support (GENECIS), a state-run medical institution, struggled to reconcile halting care with the knowledge that doing so could severely jeopardize the mental health of their patients, the

recordings reflect.

GENECIS, which was jointly run by the University of Texas Southwestern Medical Center and Children's Medical Center Dallas, quietly closed to new patients in November, with all references removed from the Children's Health website. The 19th obtained nearly five hours of meetings among UT Southwestern leadership and staff, as well as staff and leadership at Children's Medical Center and GENECIS employees, that took place during 2021 and 2022.

The shuttering of GENECIS is part of Texas officials' efforts to restrict health care and full access to services for trans youth. Gov. Greg Abbott called three special sessions of the Texas legislature that prioritized anti-trans legislation, pledged to take action against gender-affirming care for trans youth, and has backed the state attorney general's interpretation that giving puberty suppressing drugs and hormone therapy to trans youth is child abuse. These moves have put multiple parents seeking care for their trans children under investigation by the state. On a March 2 call with reporters, Abbott's campaign reportedly described the push to investigate parents of trans kids as a winning issue.

In an emailed statement, a UT Southwestern spokesperson said that hospital leadership was not contacted by the governor himself about GENECIS and its services. When asked if leadership was contacted by the governor's office, the spokesperson said that inquiries into actions by the governor's office should be directed there. The governor's office and Children's Medical Center Dallas did not respond to requests for comment.

Texas Attorney General Ken Paxton's nonbinding opinion about gender-affirming care was issued in response to state Rep. Matt Krause, chair of the Texas House General Investigating Committee, who asked the attorney general last August whether puberty-suppressing drugs and hormone therapy count as child abuse. Krause had also written a letter dated June 30 to the GENECIS clinic, obtained by The 19th, saying that he had begun an inquiry into their work as part of an investigation into gender-affirming care in Texas. Krause did not respond to requests for comment.

The hospital leadership and staff at GENECIS began to discuss the political pressure on the clinic as early as July, according to the recordings, as the Texas investigative committee looked into their work and the governor's office probed for more information.

Meetings among hospital leadership and staff beginning last summer portray disarray and distress. They worried that halting care could lead to suicides and poor mental health among trans youth in a state with few options.

"How can we minimize the risk of suicidality in patients who could otherwise have come into GENECIS? I think that's a very high priority," Dr. Perrin White, director of pediatric endocrinology at UTSW, said at a November meeting.

"We're taking away the life-saving medical care for the new patients," one GENECIS employee said in response. "If we're mitigating suicidality, let's be clear, it's because in large part, we're taking away medical care."

The GENECIS team was instructed by UT Southwestern leadership in November to stop prescribing hormone treatment and puberty blockers to new patients, several days after the website suddenly came down on November 12. Existing patients were allowed to continue all

treatment, but new patients would only be able to access psychiatric evaluation and counseling, and be evaluated for gender dysphoria.

Physicians and staff debated how to maintain some semblance of care for trans youth under their new normal. Several GENECIS staff members raised concerns that the program was not designed to offer psychological care alone — and that the ultimate point of evaluating patients' mental health is to determine whether they can receive hormone treatment or puberty blockers, considered life-saving care by families of trans kids and many of the physicians who work with them.

Access to hormone therapy and puberty-suppressing drugs, widely recommended by medical authorities, is linked to lower rates of suicidal ideation and improved mental health among trans youth. Kids who received one year of hormone therapy through GENECIS reported small to moderate improvements in symptoms of depression, per research by leaders of the program published in the American Academy of Pediatrics in March 2020.

Evan Singleton, 19, who lives outside Dallas, told The 19th that he believes the gender-affirming care he received through GENECIS — puberty blockers and hormone treatment — saved his life.

“I feel scared and sorry for these kids that can't get the help that they need,” he said. For him, starting puberty blockers soon after he turned 10 was a relief. His mother, Mela, added that finding a way to halt her son's puberty afforded her time to learn the best course of action for her child's future, while halting the extreme emotional distress caused by his puberty.

Another recurring concern discussed among staff was the potential for the clinic, or even individual physicians, to face lawsuits after denying hormone treatment to trans kids while prescribing that same treatment to cisgender kids with precocious puberty.

Although UT Southwestern will not provide puberty blockers and hormone treatment to new patients if they are diagnosed with gender dysphoria, the hospital does provide hormone therapy to patients with precocious puberty, spokesperson Rian Russell said in a statement, pointing to FDA approval as a reason for the discrepancy.

UT Southwestern is tied to Texas officials. The medical center relies on state funding that is approved through the governor's office. Texas' governor also appoints members for the governing body for the University of Texas System, pending approval by the state Senate.

Dr. John Warner, the executive vice president of health system affairs at UT Southwestern, referred to that unique pressure faced by UT Southwestern as a state agency in the recorded meetings. A senior leadership official with the Children's Medical Center also shared that sentiment in a meeting earlier this year. Both men, in addition to White, spoke about pressure and questioning into the GENECIS program by the governor's office.

Prior to July, the governor's office had requested information about the clinic with “an expectation that something different would occur,” Warner later told his colleagues in November.

“We weren't sure what that was going to mean,” he continued in the recorded meeting. “We thought that might mean that portrayed something that would come via this legislative session,

so again, we're fortunate in that it did not, because it gives us a little room to work," Warner said.

Through the meetings, details of how the governor's office purportedly reached out to the hospital or what the governor's office said were not clear.

The 19th independently identified Warner from introductions made for him during a recorded meeting as well as public videos of him speaking professionally. White was also identified independently by The 19th from public videos of him discussing his work. White offered to respond through official channels at UT Southwestern, but the medical center's press office had not responded as of publication time. Warner did not respond to requests for comment.

"I think people will come after it until it's gone," Warner said at the November meeting. During the previous legislative session, the clinic had come under significant pressure from state legislators, plus scrutiny from the governor's office, he said.

Although Abbott's third special legislative session did not result in the worst-case scenario outlined by Warner — GENECIS being "eliminated entirely" through legislative amendment — he explained to colleagues that he still did not believe the clinic would be allowed to continue without some modifications.

The pressure from Krause, who headed the investigative committee looking into GENECIS, was a precursor of what would come in 2022. In his June 30 letter, Krause had asked the clinic to provide details about their services, including what age groups the clinic treats, what other practitioners the clinic makes referrals to, and for copies of consent forms required of patients. All of these questions were discussed by UT Southwestern leadership and staff in a meeting that summer, with hospital leaders voicing particular concerns about whether the clinic could continue to provide gender-affirming care while beholden to the state.

Over the course of three special sessions from July to October last year, Republicans in Texas introduced nearly 50 bills that proposed to restrict access to gender-affirming care or school sports for trans youth, in addition to a few other bills focused on birth certificates — in total, triple the number of anti-trans bills of any other state in 2021. One restricting trans youth's sports participation passed.

Then the GENECIS website disappeared.

During meetings in November, attorneys representing UT Southwestern had assured hospital leadership that halting gender-affirming care for new trans patients would not make them liable if faced with a lawsuit.

But physicians and staff with GENECIS still expressed discomfort about what they were being asked to do — and what it would mean for the trans youth they treat.

GENECIS is an early example of a trend unfolding across Texas in the wake of Paxton's nonbinding opinion: clinics shuttering gender-affirming care for minors in response to state pressure.

Texas Children's Hospital, a nonprofit hospital in Houston, announced last week it will cease gender-affirming care in response to Abbott's call to investigate families to avoid "potential

criminal legal ramifications” for health care staff and families seeking care, spokesperson Natasha Barrett emailed in a statement.

One parent of a trans child living in Texas, who asked to remain anonymous due to fear of being reported to the state and investigated, told The 19th that the Legacy Community Health in Houston stopped prescribing hormone treatment or puberty blockers for trans minors on Monday, March 1. They could not get access to their son’s testosterone prescription for three days until the clinic resumed prescriptions on Wednesday.

The parent said they weren’t told why the clinic started providing prescriptions again, and that they did not receive any written communication when their son’s prescription was first denied. Legacy Community Health clinic did not respond to requests for comment.

Last week, as the Biden administration admonished Texas for its push to investigate the parents of trans youth, the Department of Health and Human Services encouraged health care providers who believe that they have been unlawfully restricted from providing gender-affirming care to patients based on their gender identity to file a complaint with the agency’s office of civil rights.

“We are evaluating the tools at our disposal to protect trans and gender diverse youth in Texas,” HHS Secretary Xavier Becerra said in a statement.

Charis Sharp, a 21-year-old psychology student living in Hawaii, told The 19th that care she received through GENECIS — puberty blockers when she was 12, and then hormone treatment — were a critical lifeline at a time when she was suicidal due to gender dysphoria and discrimination she faced from her peers.

“The fact that they’re no longer allowed to accept new patients, this can have disastrous impacts on these children's mental health, and I know it because that was me,” she said.

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State-Licensed Shelter Where Sex Trafficking Victims Were Reportedly Abused Ordered To Close

By Reese Oxner

Texas Tribune

Texas ordered a shelter for female foster kids who have been victims of sex trafficking to immediately shut down Friday, a day after a court revealed that staff members were trafficking the children in their care.

The Texas Health and Human Services Commission issued an emergency suspension of The Refuge’s license to care for children and told shelter officials to close the facility immediately. The Refuge, in Bastrop, had been contracted by the state to care for victims of sexual assault between the ages of 11 and 17.

All of the children housed in the shelter had already been removed as of Wednesday.

Nine staff members are accused of subjecting seven children staying at The Refuge to sexual and physical abuse, neglectful supervision and medical neglect, according to discussions held

during an emergency court hearing Thursday called by U.S. District Judge Janis Jack.

According to a letter from the Texas Department of Family and Protective Services filed Thursday notifying the court about the incident, a shelter employee reported to state authorities that a former staff member sold nude photos of two children in the facility's care, using the proceeds to purchase illegal drugs and alcohol that were then supplied to the children.

That staff member was fired, but eight other employees also accused of harming the girls remained at the facility. The children also remained in the shelter for over a month after the abuse was first reported before they were removed.

The accusations against those eight employees and their employment status are unknown. The identities of the nine suspects have not yet been made public.

The judge blasted Texas foster care officials for not removing the children immediately when the allegations of abuse were first reported and for not notifying the court right away, calling it yet another failure of the system. She pointed to the numerous bombshell reports that have been released by court-appointed monitors throughout the last decade detailing abuse within the Texas foster care system, neglect and even the deaths of children.

Dozens of facilities licensed by the state have closed down or been forced to close down because investigators found they were subjecting children to dangerous and damaging environments. Officials and advocates have lamented placement woes that led to children being put in unlicensed facilities; many have had to sleep in hotels and Child Protective Services offices.

Lawmakers, state officials and child advocates condemned The Refuge after the court hearing.

In a statement Thursday evening, Gov. Greg Abbott said the Texas Rangers will investigate, arrest and pursue charges against any suspects related to the Refuge allegations. Texas Attorney General Ken Paxton said in a statement that his human trafficking task force will collaborate with the Texas Rangers in the investigation.

Both Abbott and Paxton have recently targeted transgender children and their families, with the governor directing the Texas Department of Family and Protective Services to investigate parents who provide gender-affirming medical care to their transgender children as child abuse. Many LGBTQ and child advocates have criticized his decision to task the overstretched agency with those investigations, especially in light of how troubled the Texas foster care system is.

On its website, The Refuge describes itself as a faith-based organization and claims to have cared for 70 girls since opening in August 2018.

“The Refuge for DMST [Domestic Minor Sex Trafficking] was founded on the core belief that each girl is created by God for a special purpose in this world,” a section of the nonprofit organization’s website reads. “As a faith-based organization, we believe every girl can create a new life for herself if she is encircled with the support and love necessary to begin the healing process.”

The organization released a statement on its website Thursday saying that it has been collaborating with DFPS and that it fired the employee accused of coercing the victims to sell nude photos as soon as leadership found out. The statement does not address the other eight staff members who are accused of also causing harm to the girls.

“Our hearts are broken and we are outraged by the actions of former employees whose intent was to harm, not help. While we are limited in what we can say in order to protect the confidentiality of the girls, I know that the truth will prevail,” The Refuge founder Brooke Crowder said in a statement. “We are looking forward to a positive resolution from these investigations, and we are confident that we will be providing child survivors of sex trafficking with excellent care for years to come.”

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Business/Economy

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Texas Job Gains Slowed In January As Omicron Swept Through The State

By Paul O'Donnell

Dallas Morning News

Texas employers' hiring pace slowed in January as the omicron wave worked its way through the region.

The state added 29,000 nonfarm jobs in January — the lowest monthly total since April 2021 when 15,000 jobs were added, according to data released Friday by the Texas Workforce Commission. Since then, monthly job growth has been in the 40,000 to 90,000 range as Texas emerges from the pandemic.

Nearly half of those added jobs came in Dallas-Plano-Irving, where 13,800 new positions were created to lead all Texas metros, according to research firm Beacon Economics.

The omicron effect could be short-lived, though. TWC is scheduled to report March 25 on February's jobs picture. Cases of the highly contagious COVID-19 variant peaked locally in the last week of January.

“January job growth remained robust as COVID-19 cases retreated in the second half of the month,” said Christopher Slijk, an associate economist at the Federal Reserve Bank of Dallas. “Employment growth held steady or picked up across most service sector industries, while goods-producing sectors — disproportionately affected by supply-chain disruptions ... — saw more constrained job growth.”

The state also eclipsed a one-month-old employment record with 13,084,400 Texans holding jobs in January. The unemployment rate remained unchanged from December's revised rate of 4.8%.

Since January 2021, Texas employers have added 687,500 positions, and job gains have been reported in 20 of the last 21 months.

“While we can't predict the future, job activity and hiring efforts by Texas employers continue

to grow,” TWC Chairman Bryan Daniel said in a statement.

In January, the trade, transportation and utilities sector led the way with 12,000 added jobs. Leisure and hospitality, which includes the still recovering restaurant and hotel industries, added 5,700 positions.

The Amarillo and Austin-Round Rock metropolitan areas recorded January’s lowest unemployment rate at 3.3%. In Dallas-Fort Worth, the not-seasonally-adjusted jobless rate was 4.1% — up slightly from December. Nationally in January, unemployment stood at 4.4%.

Nonfarm employment growth last year in Texas has been revised up from 5.6% to 5.7% — or 8,600 more jobs added in the state than TWC originally estimated. During the year, 40,040 more Texans joined the labor force than originally estimated.

“While 2021 was about recovery, 2022 will be about expansion,” said Taner Osman, research manager at Beacon Economics. “The annual revisions confirm that the Texas labor market has replaced every job lost during the pandemic, and with the omicron variant mostly behind us and consumers healthy, 2022 is poised to be a strong year for the state’s labor market.”

The Dallas Fed forecasts job growth of 2.9% this year, suggesting the state will end 2022 with an additional 382,000 jobs.

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