

# SOUTHEAST LAW INSTITUTE™

1200 Corporate Drive, Suite 107  
Highway 280 - Meadow Brook Corporate Park  
Birmingham, Alabama 35242

Telephone: (205) 408-8893

Facsimile: (205) 408-8894

E-mail: [AEJ@SoutheastLawInstitute.org](mailto:AEJ@SoutheastLawInstitute.org)

[www.southeastlawinstitute.org](http://www.southeastlawinstitute.org)

October 2023

«FIRST» «LAST»  
«COMPANY»  
«STREET»  
«CITY», «ST» «ZIP»

Dear «SAL»:

An amazing phenomenon is the advancement of the transgender agenda in our culture. We opined in 2015 when the *Obergefell* case legalized same sex marriage, that more sexual perversion would follow. That is exactly what has happened. With the apparent relaxing of legal standards in the country, men who march under the transgender blue and pink banner, have appeared in public libraries, public schools, and other venues where children are present, dressed provocatively as women. They put on sexually oriented shows.

The constitutional “harmful to minors” standard has for many years protected minors from sexually oriented activities and materials that would appeal to their prurient interest. This is a constitutional test to be gauged by moral standards in the particular community. Remember “blinder racks” in convenience stores so minors could not see the cover of Playboy.

Federal courts are finding laws that prohibit this activity to violate the First Amendment Rights of expression of the exhibitionists. These constitutional standards have existed for decades. It appears that not only drag queens but judges all believe these activities are accepted by normal people in the community. We would not accept strippers performing for our children. Why is this any different?

Believe it or not, one of the main supporters of these activities is the American Library Association. That is nothing new. We found out in 1989 with the passage of the Alabama Anti-Obscenity Enforcement Act that the little old ladies with their hair in buns are vicious protectors of obscenity. We have been called upon to provide legal advice in several library situations. Also, we expect to see legislation advance next year to address this new grievance.

Related to these issues is that of minor gender change procedures. We report this month on a VCAP development.

Yours very truly,

A. Eric Johnston

AEJ/pkh

*The Southeast Law Institute, Inc.™ is a 501(c)(3) organization providing legal counsel on constitutional and public policy issues.*