

Investigating parents of transgender youth has agency on 'brink of collapse,' staff warns

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Texas CPS staff warn in a new court filing that investigating gender-affirming care is leading to resignations and internal turmoil.



Protesters gather at the University of Texas Southwestern Medical Center following the dismantling of the Genecis program, which in November decided to no longer provide certain gender-affirming medical treatments to new transgender adolescent patients, on Thursday, March 31, 2022, in Dallas. On Monday, Aug. 29, 2022, several current and former Texas Child Protective Services employees said targeting gender-affirming care as child abuse had brought their agency to the brink of collapse. (Juan Figueroa / Staff Photographer)

AUSTIN — Continuing to investigate the parents of transgender youth could put Texas' child protection agency over the brink of collapse, a group of its staffers said in a new court filing.

In an Aug. 25 brief filed with the Austin appeals court, 16 current and former employees at the Department of Family and Protective Services said there has been an exodus from the agency that could hamper its ability to perform basic and necessary functions. They urged the court to keep the abuse investigations on hold while the policy continues to be litigated.

The Austin-American Statesman first reported on the court filing.

“As career DFPS employees,” they wrote to “respectfully advise the Court that DFPS is on the brink of collapse, and that the politically motivated decision to compel DFPS employees like themselves to investigate nonabusive loving and supportive families who merely rely in good faith on their doctor’s advice would put DFPS over that brink.”

They noted that age-appropriate and individualized gender-affirming care, including puberty blockers and hormone therapy, are supported by the state and nation’s largest medical organizations. These treatments are meant to help treat gender dysphoria, the feeling of discomfort or distress that can occur for those who identify as a gender different from the gender or sex assigned at birth.

“The great mass of DFPS employees did not choose the child welfare profession to break up loving families who, with no ill motive, malice, or negligence toward their child, are simply following medical advice and administering medicine under a doctor’s supervision,” they added.

How many times have we fallen for this?

The staff warnings underscores the chaos that the controversial policy change has created. It was filed less than two weeks after *The Dallas Morning News* first wrote that internal documents revealed confusion and secrecy marked the decision’s rollout in February. More than 2,000 employees have left the agency this year, the *Houston Chronicle* reported this month.

The Department of Family and Protective Services declined to comment on the staff concerns. The Office of the Attorney General, which is defending the agency in court, did not immediately responded to a request for comment.

Confusion, secrecy marked rollout of Texas abuse investigations into transgender kids

The policy change was spurred by Attorney General Ken Paxton, who issued a nonbinding opinion in February defining certain kinds of gender-affirming care for minors as child abuse. Gov. Greg Abbott, citing the opinion, immediately directed Child Protective Services to investigate reports of minors receiving such care.

The decision made national headlines. Families under investigation sued the state, and the Biden administration said the policy was an attack on transgender kids.

Monday's brief was filed in support of an unnamed DFPS staffer who sued the state after being investigated for allowing her transgender teenager to access gender-affirming care, as well as a Houston doctor who treats transgender minors.

Several other organizations have also filed briefs backing gender-affirming care and opposing these abuse investigations, including the Texas Medical Association, American Academy of Pediatrics, the American Professional Society on the Abuse of Children and several teachers organizations.

A brief signed by dozens of current and former prosecutors, attorneys general, police and judges warned the policy could undermine community trust in the law.

“The policies and investigations at issue in this case target one of the most vulnerable populations in America — transgender youth,” wrote the group, which included Dallas County District Attorney John Creuzot. “If these policies are allowed to stand, many will legitimately question whether the law exists not to protect members of our community, but to harm them.”

In June, the Texas Supreme Court ruled that Abbott and Paxton didn't have the authority to order DFPS to undertake such investigations in the first place. However, the agency decided to continue the probes nonetheless.

The state is also fighting a second lawsuit filed by other parents of transgender children who were investigated for abuse. A judge halted these probes in July, but has delayed a decision on the parents' request to extend this freeze to all families who are members of the national nonprofit LGBT group PFLAG.

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