

Tennessee AG Skrmetti Fights for All of US on Federal Overreach on Transgenderism



by Roger L. Simon

We live in one of the strangest eras in world history.

Only in the past few years has gender dysphoria, largely among youth, reached epidemic proportions that no one has seen before, increasing numbers seeking salvation from life's normal tribulations by changing their birth sexes through hormone treatments and so-called reassignment surgery.

Who benefits from this? Mostly those who would prefer a society whose children think of themselves as victims. The results have been horrific.

Nowhere has this been more evident than in the mass murders at the Covenant School in Nashville, Tennessee, and its troubling aftermath. The motivations for the tragedy—the “manifesto” and, even more importantly, the toxicology report on the attacker, the transgendered Aubrey Hale—are still, despite promises, hidden from the public.

As reported by the Tennessee Star, for reasons unknown, FBI coercion a possibility, the Nashville Police Department refuses to release Hale’s crucial medical treatment details that could, more than anything, prevent future rage killings of this nature.

On the positive side, the Tennessee State Assembly has enacted a bill that was signed into law by Gov. Bill Lee, to henceforth prevent minors in the state from receiving puberty blockers, cross-gender hormones, and undergoing transgender surgeries.

Not surprisingly, the American Civil Liberties Union (ACLU) jumped in to file a suit to block the new law, followed by the federal government, which is moving against the state of Tennessee to invalidate the legislation.

Fortunately, Tennessee has, in its defense, Attorney General (AG) Jonathan Skrmetti, who many regard among the most stellar public officials in our country, and is devoted to the U.S. Constitution.

I contacted General Skrmetti, as he is called, to get his views on the situation.

Roger Simon: We laymen have been overwhelmed by the concept of “standing” recently. People want to change something only to find they have no standing. Does the federal government have standing to override Tennessee law in this instance?

Jonathan Skrmetti: That’s one of the many issues that we’re going to look at.

Roger Simon: And what are some of the other ones?

Mr. Skrmetti: This is a law that our General Assembly passed. It's a medical regulation focused on protecting kids. The state has the authority to protect kids. We're talking about irreversible procedures, whether you're discussing medication or surgery, that are going to have lifelong impacts on these kids. And it's my office's job; it's my job to independently assess every piece of legislation that gets challenged and to determine whether there is a good faith legal basis to defend it.

You know, one of the things I think is really important contextually is that while you have the panoply of the American medical establishment saying there is an ironclad consensus that this is the right approach, you see countries in Europe—more and more countries—that adopted the same policies that we currently have, that have stepped back, looked at the evidence, and decided that that evidence was not sufficient for these radical interventions into kids and that kids should have to wait until they turn 18 and can consent to very serious treatment courses.

This is not something that should be done lightly. This is something that causes irreversible changes and kids need to really understand the scope of it.

Roger Simon: Apropos, I'm talking to you from about a three-minute drive from the Covenant School, where we had the awful murders of six people, three of them children, just a few weeks ago. I wonder if you know to the extent the shooter, Audrey Hale, was under medical intervention: testosterone and so forth?

Mr. Skrmetti: At this time, all I know is that it's been publicly reported that there was treatment for gender dysphoria. I understand some of those writings are going to be made public soon and that may shed more light on the motive.

People are very interested in what caused the horrific attack, so I think over time we're going to get a much better understanding of everything involved in the situation. I mean, it was just horrible for those families and that school community. I cannot imagine the scope of how awful it is, but it's cast a pall over the entire community, and it continues to affect everybody.

Roger Simon: From our previous interview, and from what we've seen, you have been frequently teaming up with other red state AGs. In this case, will you essentially be going it alone since they are intervening just in Tennessee?

Mr. Skrmetti: Yeah, so you know when we team up, usually we're on the offense and we're working together toward shared goals to prevent federal overreach. Here, the [Tennessee] ACLU filed suit. They were supported by a big New York law firm bringing all their litigation resources to bear and then piling on. You had the federal government jumping in and we are the scrappy underdog in the situation.

They're bringing significant resources from the federal government, from maybe the biggest public litigation group in the country, a giant law firm on top of it. We have the Tennessee Attorney General's Office. And I suspect if it gets to a place where there's a significant legal question or an appeal, based on prior practice, it wouldn't surprise me if our fellow Republican AG states jumped in with an amicus brief. But in terms of litigating this, it's just Tennessee.

Roger Simon: Now on another thing we've been watching at *The Epoch Times*, you talked about establishing a team to do a lot of the litigation you guys are planning. How is that going, and can you give us a report on that?

Mr. Skrmetti: Yeah, so the budget hasn't been signed yet as far as I'm aware, but we got the funding for the strategic litigation unit in the budget. So that money comes in in July.

We have been looking at how to start it up. We've got a plan and that is being more and more fleshed out. We're looking at recruiting and the core of the team that's working on defending this case is likely to be a significant part of the new unit. This is kind of a trial by fire for some of the folks who are interested in that kind of strategic litigation.

Roger Simon: I know you mentioned before with us that you were anticipating difficulty finding people who want to participate in the team for financial reasons. In our society, skillful lawyers of that nature make a lot of money. Are you still worried about that? Is it still an issue?

Mr. Skrmetti: Always, always. We're going to be in a position to pay very well, relative to a lot of state jobs. We got money generally to raise the pay of everybody in the Attorney General's office because we were having a hard time keeping people and a hard time recruiting people. And at the end of the day, if you've got a law office you live or die by the quality of the attorneys you have. If you can't get good attorneys, nothing else matters. Now there a lot of people out there that are very interested in constitutional issues, very interested in fighting against federal overreach, but getting them to make a significant professional commitment that's going to cost them hundreds of thousands, if not millions of dollars, is tricky.

We have some great people lined up that I think we're going to be able to bring in. That will get us part way there, but we're to have to keep banging that drum. Nashville is a great place to live. Our office is doing a lot of really interesting work, and I anticipate that as the unit ramps up we're going to see a lot more that happening too. Everything from transgender litigation involving regulatory overreach, involving defending the lot in question here, to the gas stove stuff. I mean, you know, the big sweeping cultural issues, but also your bread-and-butter federal overreach.

There are a lot of places where the states need to push back and it is my intention, and I think we have the resources to do it, to make Tennessee one of the incontrovertibly led states in that effort.

Roger Simon: Thanks so much for your time, General Skrmetti.

Roger Simon's Note: As one who is pretty much of a hawk on term limits, in the case of Jonathan Skrmetti, who, by a quirk of Tennessee law, will be the state's attorney general for eight years, I am more than happy to suspend my view.

Roger L. Simon's 14th book—"American Refugees / Tales of the Mass Migration from Blue States to Red"—will be published by Encounter in September.

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