

## *West Virginia v. B. P. J.*

**Case Name:** *West Virginia v. B.P.J.*

**Case Status:** Case granted cert on July 3<sup>rd</sup>, 2025, and will be argued before the Supreme Court in the next term.

**Significance:** Whether state laws can recognize that allowing males to compete in women's sports diminishes women's athletic opportunities and destroys fair competition.



**Background:** West Virginia was among the first states to enact laws aimed at safeguarding the integrity of women's sports. The ACLU filed a lawsuit challenging the West Virginia law on behalf of males who identify as females. ADF intervened in this case on behalf of a female athlete, Lainey Armstead, to defend the state's law and preserve women's sports. West Virginia, with the help of ADF, appealed this case to the U.S. Supreme Court, and the Court has agreed to hear this case in next term.

### Key Points

- Laws like West Virginia women's sports law affirm why we have women's and girls' sports: equal opportunity.
- Title IX was designed specifically to guarantee equal opportunity, not to let male athletes displace women and girls in competition; the West Virginia women's sports law enforces this principle.
- Federal law protects women's right to compete in their own sports; state laws should do the same thing.
- Across the country, women and girls are unjustly losing medals, podium spots, public recognition, and the opportunity to compete when males take their places.

### Key Facts

- While the law was put on hold in West Virginia, young women and girls were displaced over 700 times by a male athlete. Those are 700 opportunities that women lost out on forever.
- In West Virginia, a male athlete was allowed to access the girls' locker room. Because of this decision, a young female athlete was sexually harassed. The distress robbed her of much of her passion for sports. One teammate was left so uncomfortable in the locker room that she chose to wear her practice uniform all day in class. One male on the girls' team was all it took to impact an entire team.
- Women are already at a higher risk for many injuries related to sports—adding males to the field increases those risks significantly. In North Carolina, seventeen-year-old Payton McNabb suffered partial paralysis after competing against a male volleyball player who spiked the ball so hard it caused severe head and neck injuries.

**The Bottom Line:** The Supreme Court should restore common sense and protect fairness and safety in women's sports.