



**KEN PAXTON**  
ATTORNEY GENERAL OF TEXAS

October 24, 2019

Trevor Woodruff  
Acting Commissioner  
Texas Department of Family and Protective Services  
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**Re: *In re J.A.D.Y. and J.U.D.Y.*, Cause No. DF-15-09887-S  
255th District Court, Dallas County, Texas**

Dear Acting Commissioner Woodruff:

On Monday, a Dallas jury ruled against a father who is trying to stop his ex-wife from forcing their seven-year-old son to transition to a girl. According to public reports, the mother has already begun transitioning the boy by calling him a girl's name and dressing him in girl's clothes. She also reportedly intends to administer puberty blockers soon, which can cause chemical castration. When the boy is with the father he acts and dresses like a boy.

The public reports and sworn testimony indicate that the child's physical and mental health and welfare have been and will continue to be adversely affected.<sup>1</sup> Indeed, court testimony from *last year* indicates that the Department was already aware of this matter, but has yet to take action.<sup>2</sup>

As a reminder, Texas law defines abuse to include "mental or emotional injury to a child that results in an observable and material impairment in the child's growth, development, or psychological functioning," "causing or permitting the child to be in a situation in which the child sustains a mental or emotional injury," or "failure to make a reasonable effort to prevent an action by another person that results in physical injury that results in substantial harm to the child."<sup>3</sup> Regardless of the fact

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<sup>1</sup> Tex. Fam. Code § 261.101(a).

<sup>2</sup> Transcript of Record at 5–6 (July 10, 2018).

<sup>3</sup> Tex. Fam. Code § 261.001(1) (A), (B), (D).

that a jury has now ruled on the custody question before the court, the Department has an independent duty to investigate this situation.<sup>4</sup>

We have been made aware that last year, during an earlier hearing in the case—which was attended by a Department caseworker—the mother admitted multiple times under oath that she intends to transition the boy to a girl. The mother also intends to administer puberty blocking drugs to the child and start that process as early as next year.<sup>5</sup> The social worker that the mother is using to transition the child, who operates Dallas Rainbow Counseling, wrote a letter recommending that the child be admitted to a “clinic” at Dallas Children’s Hospital that will facilitate the child’s transition.<sup>6</sup> One of the counselors who testified for the mother admitted that there is virtually no peer-reviewed research on the transitioning of a child from one gender to another.<sup>7</sup> But the mother refuses to get any second opinions from other doctors or counselors recommended by the father.<sup>8</sup> The end goal of the mother is to affirm her seven-year-old boy’s gender dysphoria by socially transitioning him to a girl now, and administer puberty blocking drugs in a year<sup>9</sup> so that he subsequently can undergo hormone therapy and explore surgery to physically and permanently alter his body.

We are especially concerned that the Department has yet to intervene in this matter where a mother is using alleged medical professionals to fundamentally alter her son’s physiology, when earlier this year the Department did not flinch and snatched another North Texas child from his family because it was alleged that the mother was engaged in similar practices.<sup>10</sup> The lack of consistency and principled application of the Family Code to protect child is troubling.

Regardless of the pending custody dispute between the parents, the Department has a duty to conduct a thorough investigation.<sup>11</sup> The children at the center of this dispute are in immediate and irrevocable danger. We ask that you open an investigation into this matter as soon as possible and act pursuant to your emergency powers to protect the boy in question permanent and potentially irreversible harm by his mother.

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<sup>4</sup> Tex. Fam. Code § 261.301(a).

<sup>5</sup> Transcript of Record at 65–66 (July 10, 2018).

<sup>6</sup> *Id.* at 116.

<sup>7</sup> *Id.* at 127.

<sup>8</sup> *Id.* at 147.

<sup>9</sup> *Id.* at 157.

<sup>10</sup> Daniel Friend, *Child Protective Services Takes 4-Year Old Into Custody, Family Given Little Warning*, The Texan, June 26, 2019, <https://thetexan.news/child-protective-services-takes-4-year-old-into-custody-family-given-little-warning/>.

<sup>11</sup> Tex. Fam. Code § 261.301(a).

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Very truly yours,

A handwritten signature in black ink, appearing to be 'J. Mateer', with a long horizontal flourish extending to the right.

Jeffrey C. Mateer  
First Assistant Attorney General