



Written by [Michael Tennant](#) on June 13, 2023

California Bill Threatens Non-“gender-affirming” Parents With Abuse Charges, Loss of Custody

The California legislature is considering a bill that would favor parents in custody disputes who “affirm” their child’s “gender identity” — and threaten all parents who refuse to do so with abuse charges.

As passed by the California Assembly in early May, AB 957 would require judges hearing child-custody cases to consider “a parent’s affirmation of the child’s gender identity because it is in the best interest of the child to affirm their gender identity” — a relatively novel, political judgment that is increasingly disputed even by progressive Europeans.



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“I didn’t think the bill could get worse, but it got worse,” Erin Friday, San Francisco attorney and co-lead of the parent coalition Our Duty, told the [Washington Free Beacon](#).

Specifically, state Senator Scott Wiener (D), who cosponsored the bill with Assemblywoman Lori Wilson (D), amended it last week, replacing the “best interest of the child” language with an even stronger mandate. Family-court judges must now consider “the health, safety, and welfare of the child,” which the amendment states “includes a parent’s affirmation of the child’s gender identity.”

The implications of the amended bill, which was scheduled for a hearing in the California Senate Tuesday, are enormous.

“While the updated language does not define what affirmation means, it tells judges to consider anything less by parents on par with the parents’ history of drug and alcohol use, physical abuse, or neglect of a child,” reported the Free Beacon. “The bill makes no distinctions regarding the age of a child, how long a child has identified as transgender, or affirmation of social transition versus medical sex-change treatments.”

AB 957 would thus significantly affect custody battles, argued *National Review*’s [Wesley Smith](#). “Parents in custody fights,” he wrote, “will have a material incentive to support affirmation as a means of gaining custody and judges will have to *give priority to that issue* when weighing and balancing the social factors that always are part of such cases.” (Emphasis in original.)

Moreover, given that California, thanks to another Wiener-sponsored law, is a [“sanctuary state” for transgender minors](#), “if another state court grants custody to a parent refusing gender affirmation and the other parent kidnaps the kid and brings him or her to California, the state’s courts cannot enforce the original decision — as would be true in most such similar circumstances,” noted Smith.

But the bill’s effects extend far beyond custody cases.

“When you say that gender affirmation is in the child’s best interest for health, safety, and welfare, it takes nothing to say [non-affirmation] is now abuse — because you’re not taking care of the health,



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safety, and welfare if you're not affirming them," Friday told the Free Beacon.

Thus, observed the [Daily Signal](#):

California courts would be given complete authority ... to remove a child from his or her parents' home if parents disapprove of LGBTQ+ ideology.

By changing the definition of what constitutes the "health, safety, and welfare of [a] child," schools, churches, hospitals, and other organizations interacting with children would be required to affirm "gender transitions" in minors by default — or risk charges of child abuse.

AB 957 could also expand which organizations provide "evidence" of gender "nonaffirmation" to California's courts.

Because of the addition of "gender affirmation" to the qualifications of California's standards for "health, safety, and welfare," California's courts would now be able to accept reports of gender "abuse" from progressive activist organizations — as long as they claim to provide "services to victims of sexual assault or domestic violence."

Needless to say, a child taken from his parents because they refused to affirm his new identity would be placed in a home where said identity, no matter how absurd or fluctuating, would be both affirmed and celebrated. In fact, Wiener is pushing a separate bill that would [require foster parents to be "gender-affirming."](#)

"While more and more European countries pound the breaks [sic] on ghoulish gender medicine for kids, California has decided to mandate it," the Heritage Foundation's Jay Richards told the Daily Signal. "This is a grotesque violation of both children's and parent's [sic] rights. Decent Californians on the Left, Right, and center should be outraged."

But are there are enough decent Californians left to prevent their state's descent into a woke dystopia?



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