

## **TRANSGENDER ISSUES**

(Note: The following discussion of transgender issues is not exhaustive. It would be impossible to address in a few pages everything faced by transgender people in their daily lives. The reader is encouraged to explore further.)

### **Employment**

Transgender people often find it difficult to gain or keep employment, especially while they are transitioning.

Gaining employment can be difficult because work history, references, degrees, and personal identification like driver's licenses and social security cards often are in a previous name or use gender references that don't match what the person currently presents. Because of this, some trans people are forced to look for work without aid of their work history. Some trans people do not even have sufficient opportunity to build up a work history. High school drop out rates for transgender youth are phenomenally high, in part due to harassment and violence at school. Sometimes trans youth are forced out of their homes by unsupportive parents. Even with a good work history and matching identification, trans people who do not easily "pass" as the gender they intend to present often find it difficult to find work.

Keeping employment can also be difficult. An important part of transition is living true to one's gender identity at work. Sometimes when trans people come out as trans at work they are fired, demoted, passed over for promotion, or even harassed so much by coworkers that the work environment becomes too difficult to bear. Though approximately 27% of the U.S. population lives in areas where there is legal protection based on gender identity, this leaves a majority of people without such protection. One study of the urban U.S. found 19% of female-to-male and 60% of male-to-female trans persons were unemployed.

### **Health Care and Insurance**

Few doctors understand the medical needs of transgender people. It can be very difficult to find doctors aware of the side-effects of hormone replacement therapy, various surgeries, or how hormones may react to other medications. In many geographical areas there are simply no doctors versed enough in the needs of transgender bodies to provide adequate care. Even when seeking treatment for conditions not related to being trans, transpeople can sometimes have difficulty finding medical care. Some trans people have troubles finding doctors willing to provide any health care for them at all.

Lack of medical insurance coverage is also a barrier. Even though medical insurance covers surgery, hormones, and counseling needs related to other medical conditions, almost all insurance companies explicitly exclude sex reassignment related surgeries, hormones, and counseling from their policies. People seeking medical transition must pay the costs themselves, which can be very expensive. It is worth noting that a recent study estimates that it would cost 11 cents per employee per year to cover medical expenses of transition in institutional insurance policies without any loss for the insurance company.

Insurance companies sometimes also deny benefits to people based on gender designation. For example, a female-to-male transgender person often cannot get coverage for a pap-smear because the insurance companies regard this as a "female" exam. Similarly a male-to-female transgender person may not have coverage for a prostate exam. People whose bodies have "male" and "female" health concerns often must pick whether they would rather have "male" or "female" coverage, leaving their other medical needs unmet.

### **Bias Crimes and Violence**

Bias crimes and violence against transgender people are common. An average of twenty people are reported murdered every year in the United States due to anti-transgender hatred. Most victims are transwomen of color. This number is lower than the number of actual occurrences, as many such crimes often go unreported. (For more information see [RememberingOurDead.org](http://RememberingOurDead.org).)

Transpeople are often faced with a variety of hate crimes such as harassment and assault. This violence and harassment affects some populations of transpeople more than others. Groups such as sex workers, transpeople who don't "pass," and transpeople of color are especially vulnerable to brutality and insensitivity.

Transgender youth in the public school system face a very high level of harassment and

violence. A recent school climate survey found that 81% of transgender high school students reported being verbally harassed due to their gender expression, 24% reported being physically harassed, and 10% reported being physically assaulted due to their gender expression.

### **Documentation**

It is becoming increasingly necessary for people to be able to obtain accurate documentation in the U.S. Documentation is used when getting a job, enrolling in school, traveling, interacting with law enforcement, a bank transaction, buying groceries, and doing many other day to day activities. Displaying documentation without current gender markers or names can lead to uncomfortable and dangerous situations.

During transition a transgender person may change their gender or name on many documents, including their driver's license, birth certificate, social security card, passport, credit cards, student body card, or work ID. Almost all require a fee to process the change. Some of these changes involve a lengthy, complicated process of verification while others require a letter from a therapist or prohibitively expensive surgeries. Sometimes officials deny applications even with letters from health care professionals meeting their stated policy requirements. Some people have difficulty obtaining required documentation in any gender due to finances, immigration status, or other barriers. As such, transpeople, even those who have undergone some amount of physical transition, may not be able to provide accurately gendered documents. Policies that require documented proof of gender can create unnecessary barriers to those already having difficulties accessing services and resources.

Since the recent passage of The Real ID Act the trans community is anticipating it will become increasingly difficult to acquire appropriate documentation.

### **Jails and Prisons**

Transgender people are disproportionately represented in jails and prisons. This is in part because trans people are disproportionately engaged in survival crime, and in part because police profiling of gender variant people. Transgender people usually do not get to choose the prison facilities (men's or women's) where they would be most comfortable and safe. This can expose them to potentially dangerous situations. Because prison officials are uninformed or uncomfortable about best practices for handling transgender inmates, transgender people are often placed in solitary confinement where they have extremely limited access to prison resources and interaction with other people. While in jail trans people are routinely denied access to hormones or other transgender-related medical care. Trying to begin transition in prison is nearly impossible.

### **Passing**

Passing means other people perceive the gender of a person as the gender that they are trying to present. It is often easier to pass when presenting an image of man or woman that conforms with traditional expectations of masculinity or femininity. Sometimes people present themselves in ways they ordinarily would not choose to in order to better fit other's expectations and avoid potentially dangerous situations where their gender is mistaken or interpreted as inappropriate.

Even transgender people who consistently identify with a certain gender may not always choose to pass as that gender for reasons of safety or employment, especially if they cannot always pass reliably. Policies that expect trans people to present full time as their desired gender do not take in account the real world danger people who are visibly trans face on a daily basis. It is also important to note that not all trans people identify as a woman or a man, or want to pass. Some are most comfortable passing as a gender other than woman or man.

### **Pronouns/Name Changes**

Many transgender people use a name or pronoun different than the one they were given at birth. The pronoun may be different from what people would assume by looking at them, especially when a person doesn't easily pass. Trying to get friends, family, co-workers, and acquaintances to call them by the pronoun and name they prefer can sometimes be a difficult task. It is considered an important sign of acknowledgment and respect for people to use the name and pronoun that the transperson requests. It can also be a matter of safety, as using the wrong pronoun or name can out a person in front of other people.

There are a variety of alternative pronouns available which are frequently used by people who

do not identify with being either men or women, or who do not feel comfortable with either “he” or “she,” the most common of which is “ze” (instead of he/she) and “hir” (pronounced “here,” instead of his/her).

It is important to be aware of if a transperson might use different names or pronouns in different situations. When someone has not revealed their gender identity to their family or to their boss, they would likely prefer you not to use their preferred name or pronoun in a situation that would “out” them.

Most transpeople recognize the difficulty those with little exposure to transpeople have in using the appropriate pronoun and name and consider it appropriate to ask what pronoun they prefer.

### **Bathrooms and Locker Rooms**

Transpeople need to use bathrooms and locker rooms. While many transpeople attempt to avoid locker rooms, there are situations where this is unavoidable such as school locker rooms, homeless shelters, jails and prisons, or hospitals. When a transgender person uses a bathroom labeled “men” or “women” it is possible that someone in the bathroom will question the transgender person’s right to be there, regardless of which one they choose. Sometimes security is called, or another person in the bathroom responds in a disrespectful or even violent way.

Requiring trans people to use a sex-specific facility based on guidelines such as surgical status or documentation can be potentially dangerous and at the least make for uncomfortable situations for all involved. For instance, many female-to-male transpeople who have taken hormones will often have a muscular build, deep voice, and facial hair without having any surgery or documentation. To ask such men to use women’s restrooms may create situations that could both make him and women in the bathroom feel uncomfortable and unsafe, and could result in a serious incident.

Locker room use, where nudity may be an issue, can bring up embarrassment for trans and non-trans people alike. Businesses, health clubs, and schools often respond with alarm when they are asked to consider the needs of their transgender employees, customers, or students. It is important to remember that many cities, counties, and school districts have successfully negotiated such situations. A team approach has been shown to be successful in devising simple, inexpensive solutions that meet people’s needs, while respecting the privacy and dignity of all concerned.

### **Emergency Services**

It is not uncommon for transpeople to face discrimination when using emergency services. Employees of EMS systems and hospital emergency rooms often have little to no training or awareness of transpeople, and do not understand their needs. This can result in disrespectful treatment. In some cases transgender people with immediate medical emergencies have lost their lives after being turned away from emergency care upon discovery of their being trans.

The trans community has a history of suffering extreme police brutality (ex. Stonewall Riots of 1969) and many transpeople are apprehensive of police and security because of this history. The last decade has showed an increased sensitivity of police to the transgender community, including increased visibility of transgender police officers. This important change, however, is coupled with continued profiling of trans people, especially trans people of color, and some recent high profile murders of transwomen in which officers have been indicated and/or withheld investigation. Even as the sensitivity of the police improves, it is important to remember that trans people have generations of reasons to be apprehensive.

### **Housing**

Transpeople can have difficulty finding rental housing. People who are visibly trans are often refused housing regardless of their qualifications as tenants. Tenants are sometimes evicted when a landlord discovers they are transgender.

Housing with sex-segregated facilities or sleeping arrangements, such as dorms, hostels, and shelters, can be very inaccessible to trans people. For example, most homeless shelters have separate accommodations for males and females, and do not make any provision for transgender individuals. As a result, they are sometimes forced to share very public sleeping and bathing facilities with other people whose gender is different from theirs, or be refused entry altogether. This can create unsafe situations. While it is much better when homeless shelters have written policies in place where people self-identify their own gender, these policies sometimes are ineffective in meeting the

needs of transgender people.

### **Passports & Travel**

Passports are one of the hardest documents on which to change one's gender, as the application process requires the new gender on many other documents. Some transgender people simply cannot travel outside the country at all. Others travel at extreme risk, with passports that state a gender other than the one they are presenting with the threat of being searched, harassed, or detained by border officials. This is especially difficult for trans people with work and/or family abroad.

Recently, with increased airport security in the United States and Canada, transgender people traveling across borders are at increased risk of search, harassment, and detainment. A homeland defense memo has instructed airport security that terrorists might cross-dress to disguise themselves, and to pull aside gender variant travelers.

### **The Standards of Care**

Transgender people who desire medical or legal transition must have a medical professional validate their gender identity. The set of guidelines use most by medical professionals to if, when, and how people may transition is The "The Harry Benjamin Standards of Care." One of the most controversial provisions is the requirement that a psychotherapist must diagnose someone with "Gender Identity Disorder" (sometimes called "Gender Dysphoria") before medical intervention can be recommended or legal documents acquired. Many people question if the model of a psychological disorder is appropriate for transpeople. Others feel the expense involved in paying for the extended period of psychotherapy is an unnecessary burden.

In addition to the diagnosis the psychotherapist determines if the trans person will succeed living in their desired gender role before approving them for medical and legal changes. Such a determination is often influenced by any racist, classist, homophobic, or sexist assumptions of gender the psychotherapist might have, which makes transition more difficult for lesbian/gay/bisexual trans people, poor trans people, and trans people of color. For instance, at one time it was stated policy of many sex-reassignment clinics to not allow people to transition who would live as gay or lesbian in their desired gender. People with religious prohibitions against certain forms of body modification have also found it difficult to find psychotherapists willing to assist them through transition.

With the difficulties navigating The Harry Benjamin Standards of Care, many people seek other routes to transition. Some turn to street (black market) hormones and surgeries which carries with it elevated risk to health. More recently some health providers have subscribed to the newer "Health Law Standards of Care" which does not mandate psychotherapy.

### **Media and Entertainment**

It is difficult to find affirming images of transpeople in the media and the entertainment industry. On the rare occasions trans people do appear in media they are often portrayed as psychotic murderers (Psycho, Silence of the Lambs), exotic (the "she-male" porn industry), or just pitifully funny (Ace Ventura, Jerry Springer). Images of female-to-male transgender persons are almost non-existent.

Some more sympathetic images of trans people have come out recently, but it is still rare to see images of transpeople made by transpeople themselves. Even sympathetic images often fall into traps of presenting transpeople within clichés or stereotypes which oversimplify and erase the wide diversity of transpeople's experience

News coverage of trans people is often disrespectful. Although Associated Press guidelines specify reporters should use the pronoun and name used regularly by an individual, the press frequently misidentifies transpeople. Quite often, a person's trans status will be published when it has no direct relevance to the story being covered, which puts the transperson at risk of harassment, violence, or loss of employment.