

“At school some kids approached me and one boy pinned me against the wall with his forearm to my neck and I couldn’t move. They asked if I was a boy or girl and the boys started pulling my pants down to see if I was a boy or girl. I was so upset that I had to go to a psychiatric hospital, and even there kids called me names and I was threatened because of how I identify.”

— **COLE MCGRANE** a 17-year old high school student, Ulster County

“I am very proud of the career I’ve built over the past 32 years. If I had my way, I’d be Juli all the time, but if my company found out that I’m transgender I’m afraid that all that I’ve worked for would be wiped out instantly and I’d be fired.”

— **JULI OWENS** Long Island

“I was fired from my job in 2000 after being televised outing myself at a public hearing. I should be judged at work based on my performance, abilities and experience, and not because I don’t fit into the employer’s preconceived notions about who I am. People like me are not junk.”

— **JOANN PRINZIVALLI** White Plains

“As a trans woman of color, it is important to be protected from discrimination under state law. We are targeted for attack just by walking down the street and being who we are. Being a minority within a minority makes the discrimination even worse and having a law saying this is wrong is a good start to changing things in New York.”

— **DEEPARIS PEREZ** New York City

## 78% OF NEW YORKERS SUPPORT PASSING A LAW THAT PROTECTS TRANSGENDER PEOPLE FROM DISCRIMINATION IN EMPLOYMENT, HOUSING AND PUBLIC ACCOMMODATIONS.

February 2008 poll conducted by Global Strategy Group for the Empire State Pride Agenda

For information on how to get involved with efforts to end discrimination against transgender people in New York State, visit [www.prideagenda.org](http://www.prideagenda.org) or call (212) 627-0305 or (518) 472-3330.

The Empire State Pride Agenda Foundation is the non-partisan 501(c)(3) research, education and advocacy organization affiliated with the Empire State Pride Agenda, Inc. The Foundation advances the Pride Agenda’s public policy goals by: educating public officials and policymakers; building coalitions and mobilizing allies; and organizing, empowering and educating the LGBT community in urban, suburban and rural communities across New York State.

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# EQUALITY & JUSTICE FOR TRANSGENDER NEW YORKERS

**EMPIRE STATE PRIDE AGENDA**



[www.prideagenda.org](http://www.prideagenda.org)

# WHAT DOES IT MEAN TO BE TRANSGENDER?

**EVERYBODY HAS A GENDER IDENTITY AND EXPRESSION.** People self-identify as a particular gender like male or female and present their masculinity and/or femininity to the world. Often, gender identity and expression correspond to the sex assigned to a person on their birth certificate, so that people often dress, adopt a hair style and use a name and pronoun in ways that reflect the culturally accepted roles associated with their assigned birth sex.

*Transgender* is an umbrella term used to designate a diverse group of people who live a significant part of their lives outwardly expressing their gender in a way that differs from their birth sex. This includes people who have undergone medical procedures to change their sex, such as hormone therapy or surgeries, and those who have not. Transgender people can be heterosexual, gay, lesbian or bisexual.

## TRANSGENDER PEOPLE FACE SEVERE DISCRIMINATION

From their workplaces to their homes to just walking on the streets, transgender people face widespread discrimination, harassment and even violence, resulting in not only great personal harm to themselves but also societal costs to the state as a whole. A 2009 needs assessment of New York State's lesbian, gay, bisexual and transgender (LGBT) community found that 20.7% of transgender New Yorkers have incomes of under \$10,000 a year, and one-third are or have been homeless at one time. 28.4% have experienced a physical or sexual assault motivated by transphobic or homophobic violence that was serious enough to require medical care.

In the workplace, discrimination can occur if an employer discovers that an applicant or an employee once went under the name of a different gender. Others face termination when they transition their gender, or are treated so poorly by co-workers that they feel they must quit.

Transgender youth can experience bullying or harassment at home or in school. Many are forced out of their homes, which is one of the reasons that 40% of all homeless youth identify as lesbian, gay, bisexual or transgender (LGBT).

Transgender people also face substantial health care challenges. Some physicians will subject transgender patients to ridicule or

A partial list of New York-based corporations with transgender non-discrimination policies includes:

AMERICAN EXPRESS	IBM
BARNES & NOBLE	J.P. MORGAN CHASE
BRISTOL-MYERS SQUIBB	METLIFE
CITIGROUP	MORGAN STANLEY
COLGATE-PALMOLIVE	PEPSICO
CORNING	PFIZER
EASTMAN KODAK	TIME WARNER
GOLDMAN SACHS	VIACOM

simply refuse them treatment, even for general medical care. In fact, 73% of transgender New Yorkers reported that lack of well-trained medical service providers was a problem, and 56% said that fear of being treated badly kept them from accessing health care. It can also be difficult for a transgender person to get insurance to cover appropriate health care needs.

Transgender people may be denied access to social services in shelters or rape crisis centers, or placed in unsafe settings inappropriate for their gender identity or expression. This can also be true for youth in foster care, group home or juvenile justice settings, and for prison inmates.

Transgender people also face difficulties related to their government-issued identifications, such as drivers' licenses. If one's gender expression does not match the "M" or "F" on a license, the person can be mocked or harassed. Especially in an age of increased security, something as simple as entering an office building or boarding a plane can become a moment of anxiety where transgender people do not know if they are going to be humiliated or denied access.

## HOW CAN TRANSGENDER PEOPLE BE PROTECTED FROM DISCRIMINATION?

Thanks to a patchwork of transgender-specific non-discrimination state laws and local ordinances, more than one-third of the United States population is protected from transgender discrimination. As of early 2010, 13 states (California, Colorado, Hawaii, Illinois, Iowa, Maine, Minnesota, New Jersey, New Mexico, Oregon, Rhode Island, Vermont and Washington) and the District of Columbia have passed statewide transgender non-discrimination laws. Even here in New York, localities representing half the state's population, including Albany, Binghamton, Buffalo, Ithaca, New York City, Rochester and Suffolk, as well as Tompkins and Westchester counties, have transgender non-discrimination ordinances. The State of New York by Executive Order has prohibited transgender discrimination in state employment.

Employment policies in the private sector provide an additional level of protection. More than 200 Fortune 500 companies have transgender non-discrimination policies, including New York-based corporations such as American Express, Barnes & Noble, Bristol-Myers Squibb, Citigroup, Colgate-Palmolive, Corning, Eastman Kodak, Goldman Sachs, IBM, J.P. Morgan Chase, MetLife, Morgan Stanley, PepsiCo, Pfizer, Time Warner and Viacom. Additionally, unions representing 2.1 million working New Yorkers oppose transgender discrimination.

Still, New York has not passed a statewide, comprehensive law to explicitly protect people from discrimination based on gender identity and expression. Legislation, known as the Gender Expression Non-Discrimination Act (GENDA), is currently pending in the New York State Legislature. It would add gender expression and identity to other protected categories, such as race, religion and sexual orientation, in New York's human rights laws. GENDA would make it illegal to fire someone from a job, evict them from an apartment, deny them a loan or refuse them service in a restaurant simply because they are transgender. It would also add gender identity and expression to the state's bias crime laws to help protect transgender people from violence.

## EQUALITY AND JUSTICE

Because of myths and stereotyping, transgender people are often derided as strange or abnormal. While their experiences and challenges may be unfamiliar to many New Yorkers, transgender citizens should be protected in the same way as other people who face discrimination. Transgender New Yorkers deserve the opportunity to hold a job, have a home and provide for themselves and their families just like everyone else.

New Yorkers understand fairness, and a solid majority of voters want the state to protect transgender people from discrimination. A poll of 600 voters by Global Strategy Group commissioned by the Pride Agenda in February 2008 found that (with a +/-4.0% margin of error) 78% of New York voters support passage of a statewide transgender non-discrimination law and only 13% oppose. Support is strong across the state, whether in upstate (74%), New York City (79%) or the downstate suburbs (82%), and among Democrats (86%), Republicans (67%) and independent voters (78%).

Transgender New Yorkers, often in the face of considerable societal obstacles, are productive citizens who contribute their resources and talents to our New York community. It is the responsibility of New York government to ensure that everyone's rights are protected, and to help prevent and remove the purposeless obstacles of discrimination and violence that create an uneven playing field for our transgender co-workers, relatives and neighbors.

“All I heard are great, great things about her as a teacher, and that's what matters.”

— **MARILYN DRILLING** Batavia, NY (mother of two daughters beginning a new school year with a transgender teacher, as told to *The New York Times*)

“Transgender policies and practices are just like diversity policies and practice... If your company values an open, trusting environment where all employees are welcome and there is equality, then that means all. As companies begin to say that they are global in their reach and what they do, the longer they are not looking at [transgender issues]—not having an open mind and considering their practices and policies—the further behind they will get because of the number of employees who are now publicly communicating their transgender status.”

— **ERNEST L. HICKS** Manager of the Corporate Diversity Office, Xerox Corporation, Rochester

## NATIONAL POLICY RESOURCES

**Gender Public Advocacy Coalition**  
www.gpac.org  
(202) 462-6610

**National Center for Transgender Equality**  
www.transequality.org  
(202) 903-0112

**Sylvia Rivera Law Project**  
www.srlp.org  
(212) 337-8550 or  
(212) 337-1972

**Transgender Civil Rights Project, National Gay and Lesbian Task Force**  
www.thetaskforce.org/issues/transgender

(202) 393-5177 or  
(202) 639-6308

**Transgender Law and Policy Institute**  
www.transgenderlaw.org

**Transgender Legal Defense and Education Fund**  
www.tldef.org  
(646) 862-9396