

The Legal and Political Rights of Transgender People

Hate Crimes and Hate Crime Laws

- Over the last two decades, more than one person a month on average has been reported to have been killed in the U.S. because of their perceived gender identity. Many more murders are not reported or are not classified as anti-transgender hate crimes.
- While 46 states have hate crimes laws, only 13 states (California, Colorado, Connecticut, Hawaii, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, New Mexico, Oregon, Pennsylvania, and Vermont) and the District of Columbia include the category of gender identity or expression.
- Only 9 states (California, Iowa, Maine, Maryland, Minnesota, New Jersey, New York, Washington, and West Virginia) currently have laws that ban harassment against students in public schools based on their gender identity or expression.

Anti-Discrimination Laws

- Fifteen states—California, Colorado, Connecticut, Hawai'i, Illinois, Iowa, Maine, Minnesota, Nevada, New Jersey, New Mexico, Oregon, Rhode Island, Vermont, and Washington—and the District of Columbia ban discrimination based on gender identity and expression in housing, public accommodation, and employment. (Massachusetts covers only housing and employment. More info. from the National Gay and Lesbian Task Force: www.thetaskforce.org/reports_and_research/issue_maps)
- More than 130 municipalities protect the rights of gender-diverse people, from large metropolises (including New York City, Los Angeles, Chicago, Houston, Dallas, San Diego, Denver, Seattle, San Francisco, Atlanta, New Orleans, Philadelphia, and Pittsburgh) to small cities (including New Hope, PA [population 2,252] and Huntington Woods, MI [population 6,151]).
- Ohio, Idaho, and Tennessee deny transsexual people the right to change the “sex” designation on their birth certificates, while courts in Texas and Kansas have refused to recognize the new birth certificates of transsexuals.

Anti-Discrimination Policies

- Since 1996, more than 420 colleges and universities have added “gender identity/ expression” to their nondiscrimination policies, including the Ohio State University, the University of Wisconsin, the University of California, Harvard University, Princeton University, the University of Massachusetts, the University of New Hampshire, Knox College, Kalamazoo College, and DePauw College. (More info. from the Transgender Law and Policy Institute: www.transgenderlaw.org)
- More than 320 of the Fortune 1,000 corporations have added “gender identity/expression” to their nondiscrimination policies, including Aetna, American Airlines, Apple Computers, AT&T, Citigroup, Ford, General Motors, Google, IBM, Lucent Technologies, JP Morgan Chase, NCR, Nike, PepsiCo, and Xerox. (More info. from the Human Rights Campaign: www.hrc.org/issues/workplace.asp)

Medical Care

Most private medical plans, the Medicaid statutes of 26 states, and federal Medicare explicitly exclude coverage for transsexual surgeries and related treatments, including the cost of hormones, based on the misguided belief that such procedures are cosmetic and therefore unnecessary. Increasingly, though, transgender advocates are successfully challenging the denial of basic health care services to transsexual people by using claim appeal processes and by filing suits against insurers and state Medicaid agencies.