

APPENDIX I

AN INVESTIGATION INTO ACTS OF DISCRIMINATION COMMITTED AGAINST TRANSGENDERED PEOPLE IN THE STATE OF MARYLAND

AN ONGOING REPORT

COMPILED BY

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This report details various acts of discrimination committed against transgendered persons living and working in the state of Maryland. This report was compiled February through December, 1995 and was prepared by the Documentation Committee of *It's Time, Maryland!*, a state chapter of *It's Time, America!*, a national transgender political action group formed in August, 1994. It is expected that given the atmosphere of intolerance in the state of Maryland, additional cases will be added in the future as more transgendered persons step forward to present their testimony. It should be considered a work in progress. Further reduplication of this document without the written permission of *It's Time, Maryland* is strictly prohibited.

Except where noted, all of the cases contained herein have been submitted to *It's Time Maryland* as the personal testimony of residents of the state of Maryland who are transgendered and identify as such. Their cases are used here with their permission. Their names have been omitted to protect their privacy, but many of these persons are willing to give public testimony that the acts of discrimination and harassment contained herein are true, factual events.

Transgendered persons include preoperative and postoperative transsexuals; transgenderists (persons living full-time in a gender opposite their birth sex with no desire to pursue surgery); transvestites (preferred term: crossdressers, those whose gender expression occasionally differs from their birth sex); "mannish" or "passing" women, whose gender expression is masculine and who are often assumed to be lesbians, though this is not necessarily the case; and professional female impersonators who identify as transgendered. With transsexual and transgenderist persons, this includes people who are female-to-male as well as male-to-female. All the persons giving personal testimony in this report identify as transgendered, which they attest to be the proximate cause for the acts of discrimination committed against them.

All transgendered persons suffer in varying degrees from *gender dysphoria*, which is an intense feeling of anguish, anxiety, depression and frustration over the sex they were assigned at birth. Onset of these feelings can be as early as five but can occur well into the middle years. Like those with homosexual or bisexual orientations, transgendered people grow up different in a society that

prizes conformity to heterosexual, bipolar gender norms and thus suffer from societally-induced shame, guilt, depression and its concomitant results, like depression, anger, frustration, personality disorders, family problems, substance use and chemical dependencies, and suicidal tendencies. The etiology for transgendered states is unknown: a common theory is the occurrence of an inopportune bathing of opposite birth-sex hormones while *in utero*. Regardless of the etiology, almost all transgendered persons wish that this affliction had never entered their lives: being transgendered is not a choice. A popular book on the subject is titled *The Uninvited Dilemma* (Kim Stuart).

Like the majority of gay men, lesbians and bisexual people who keep their sexual orientations secret, the majority of transgendered persons also strongly desire to keep their transgendered states secret. Like gay men, lesbians and bisexuals, transgendered people are also vulnerable to their minority status being revealed against their will, i.e., being "outed". The largest subgroup of transgendered persons, heterosexual crossdressers, are men who apart from their occasional crossdressing lead lives that are quite ordinary in all other respects. Most crossdressers are married and many have children, so they have much to lose from their transgendered state being revealed.

Transsexual and transgenderist persons differ from crossdressers in that their gender dysphoria becomes so acute, they feel compelled to stop living their lives in the gender ascribed to the sex they were born. In order to seek relief, transsexual and transgenderist persons *transition*, or to begin living their lives in their true genders, which are opposite their birth sexes. For transsexual persons, transition marks the beginning of the period when they must be able to demonstrate to their psychotherapists their ability to successfully live and work full-time in their true gender. Demonstrating success in transition is an absolute prerequisite for sex reassignment surgery (SRS), which is the only known relief from the gender dysphoria of transsexual people.

The most common type of discrimination committed against transgendered persons in the state of Maryland is employment-related. In these cases, transgendered people are either terminated from their jobs or refused employment due to their transgendered states. For transsexual and transgenderist persons, the problem is most acute. It is very common for employers to threaten them with dismissal if they express their desire to transition. Without employment, a successful transition is impossible, and thus sex reassignment surgery cannot be recommended by a psychotherapist. More than a few transsexual persons have been driven to take their own lives, due to their inability to continue to live in the wrong sex and their employers' refusal to accept their transition. Those who do transition while working in their current jobs often must deal with the open hostility of their co-workers.

Other types of discrimination faced by transgendered people in the state of Maryland include housing discrimination, verbal harassment and threats of violence, destruction and defacement of their property, loss of parental custody, denial of adoption, denial of or only partial re-documentation of legal name and body sex changes, and denial of health insurance coverage for their medical needs. Finally, it is not uncommon for transgendered people to fall victim to acts of violence committed by those who hate homosexuals, for such individuals do not differentiate transgendered persons from homosexuals.

It should be noted that unlike gay men, lesbians and bisexual men and women, transgendered people are far more readily singled out for discrimination due to their appearances. The beneficial physiological effects of the exogenous administration of opposite-birth sex hormones take many years to occur, and it is in the earliest stages of their transition that transsexual and transgenderist persons are most vulnerable to be perceived as transgendered.

It should also be noted that additional cases of discrimination could not be included here, due to the victims' fears of loss of current employment or loss of parental custody due to exposure of any kind.

Cases of Discrimination Against Transgendered People In Maryland

Employment Discrimination, Prince Georges County

I am a twenty-year-old transsexual woman and student at the University of Maryland. At the end of August 1993, I had decided to "take the plunge" and transition (begin living full-time as a woman) while still in college and at the age of 20. After consultation with my counselors and much personal reflection, I decided to resign from my part-time position with the federal government, in order to make a clean break with my past. As a result, I found myself without a job and no way to fund the expenditures that would make my transition a success (hormones, electrolysis, counseling, etc.). I decided to look for another job, something which would allow me to interact with other people in my "new role." I applied for a job as a waitress at a then-new restaurant at Beltway Plaza Mall in Greenbelt, Maryland, and was hired with no one suspecting my former status.

At one of the first orientation meetings, I was surprised to see someone I went to High School with only three years before also working at the same establishment. This man had not known about my transition, and I had seen him briefly in a video store only a couple months before this. I had considered him a friend of mine, seeing how he had stuck up for me on various occasions during High School. I left this meeting trying to figure out what I should do about this situation, whether I should tell him about my transition or not. An answer was waiting for me when I got home that evening, however. My best friend told me he had talked to my new fellow employee, and that he had said that he never wanted anything to do with me ever. I was not to talk to him, or make any reference that we were friends of any sort. I was devastated, and it took a week or so for the depression to end.

Over time, I became friends with one of the hostesses at the restaurant, and found out that she liked this old friend of mine from High School. My old friend and I had started talking to each other briefly at times at work, so I felt like it was safe for me to mention something to the hostess. I told her that he was a really nice guy, and that she should really try to go out with him. She happily took this information, and did end up going out with him. I felt good seeing that I had helped someone be happy.

A week or so later, I noticed that people had started to act differently around me, and not too long after that, I was "laid-off" from work, being told the restaurant losing money. This greatly surprised me. I seemed to be one of their better waitresses, since I was routinely scheduled for work on Thursday, Friday and Saturday nights. Anyone in the food service industry will tell you that these time periods are given to your best wait-staff. I went back to my university work and ran into a friend of mine at the restaurant, who still worked there. He told me that what really happened was that my ex-friend from High School had brought in a school yearbook which had pictures of me as a "boy," basically outing me to everyone at the restaurant. He also remarked that he overheard the head waiter mentioning that they had to get rid of me, for fear of scaring customers away.

When confronted with this information, the management denied everything that I had been told by my informant, but they were unable to substantiate their original reason. A couple of times, they even changed their own story. I was thrown into a deep depression after this, and I even considered suing the establishment, but I was persuaded from this course of action by my friends. I

was fired around the beginning of November, and was unable to get up the courage to get another job (again waitressing) until March, 1994.

Employment Discrimination, Montgomery County

I was being interviewed for an important position with a prestigious consulting company in Bethesda, Maryland. The interview was going very well, when a man who had not been present at the beginning of the interview, entered the room to ask me some questions. He asked me why my name was not in the list of co-authors on two scientific papers I had listed on my resume and had forgotten to update with my new name. I thought about it, then told them the truth, that those papers were published under my former male name. I told them I hoped that being a transsexual woman would not affect their evaluation of me, but judging from their shocked expressions, it apparently did. The company did not bother to contact me after the interview, but I called them on several occasions, and was told that not one but two positions of the type I had interviewed for were open. These two positions were also later advertised twice by the company, and remained unfilled for over a year. I am certain that being forced to reveal my transsexual status kept me from being hired by this company, because I had nearly ten years experience in the field.

Employment Discrimination, Montgomery County

I am a 35 year-old transsexual woman. While working at a chain restaurant in Gaithersburg, Maryland, in November 1993, I informed the restaurant's management I intended to transition, to begin living my life as I truly am - female. Initially, they stated they would "help me in any way they could." At their suggestion, I was ready to transfer to another one of their restaurants, where I was to work as my new (true) self. I had been scheduled for work at the new restaurant, and everything seemed to be going fine, when I got a message that someone at the restaurant chain's corporate headquarters wanted to speak to me. A senior Vice President personally told me that he had overruled the area management's decision, that I would be fired if I attempted to appear for work dressed as my self, and that I should consider quitting the company. When I asked him to put his decision in writing, he laughingly refused to do so.

When I appealed this decision to the local managers, I found that the manager at what would have been my new restaurant had been transferred out of the state, and that my original manager was on two weeks leave. Upon her return, she was severely reprimanded by upper management for her original support of my desire to transition. As a result of this reprimand, she began to do everything in her power to get me to quit. Lacking other employment opportunities for equal compensation and financially burdened by my medical needs, I continued to work for the restaurant as a male, even though their refusal to facilitate my transition drove me into a deep depression. My working situation became more and more absurd, as my body developed to an obvious female shape, and I eventually had to quit under management duress, but also due to the stress of being forced to live two lives against my will.

Harassment and Illegal Dismissal from School, Baltimore City

I attended the University of Maryland Dental School in Baltimore. In the late fall of my fourth year of dental school, I began my change of gender. Although I still dressed appropriately as a male, I had long hair which I kept in a neat ponytail, and had been harassed about this since my freshman year. In December of 1991, I also began hormonal treatment. A friend of mine at the time knew of my planned change of gender, and not approving of it, let the information leak out to some

of the faculty in the early spring of 1992 (the semester I was supposed to graduate). Although my long hair caused me to be treated differently by some faculty, when they heard the rumors of my change, I was told that I would not graduate on time because I hadn't completed all of my requirements.

The harassment that I received from the faculty made my daily life at the dental school unbearable. Every effort that I made to complete my requirements were blocked by a very subjective grading policy. I was told consistently by the instructors in Periodontics that I would not graduate. A recommendation was made to make me repeat my senior year, with an additional set of requirements. The further along in my change I progressed, the more I was harassed by faculty. Eventually, when I admitted my change of gender to the faculty, I was placed on a medical leave of absence. This occurred five weeks before graduation. By August, I was summarily dismissed from dental school. I have had no recourse to transfer to another school, but the different curriculum would require me to repeat at least two years. I now have over \$75,000 in student loans that I am unable to repay, and my credit is now ruined. The administration will not even speak to me, or consider awarding me my doctorate.

Hostile Work Environment, Montgomery County

I am a 50 year old transgendered woman working for a major federal health agency. I transitioned (began living fully as a woman) in August of 1994, and my relationships with my co-workers quickly deteriorated. My working environment could only be described as hostile. My fellow employees first shunned me, refusing to speak with me and even slamming their office doors against me. Some of them went so far as to refuse to cooperate with me on issues related to our work. Eventually my co-workers joined together in an effort to demand management action which would have forced me to deny my transsexuality and to go back to living as someone I am not (male). Although some things improved recently, I am still forced to work in a less than normal work place.

Automobile Vandalism, Montgomery County

On February 28, 1992, I brought my car to Grease and Go in Kensington, Maryland, for an oil change. While I was paying for their work, the auto mechanic who was ringing me up pointedly called me "sir" six or seven times, even though I was obviously presenting as a female. This type of verbal harassment is equivalent to using epithets like "faggot" or "dyke". Although angry, I left without further confrontation.

Six months later, I was in a hurry that day and I returned to this Grease and Go, because of its convenient location, for another oil change. I was hoping the mechanic who had harassed me earlier would not be there, but he was. Instead of taking the normal fifteen minutes for the oil change, this mechanic kept my car for 45 minutes. I paid for the oil change and left without incident. Shortly afterwards, my car began to encounter mechanical problems. It overheated easily and became difficult to start. I took it to a dealer, who found that the radiator had been punctured several times with a screwdriver, from an angle accessible only from underneath the car. Additionally, some of the distributor cables had been shaved down, leaving exposed leads. My repairs at the dealer cost me over \$500. A complaint to the Grease and Go corporate headquarters resulted in their denial of any liability.

Verbal and Other Harassment, Cecil County

I am a female to male transsexual who has been harassed by people who perceive me as female and find my appearance unacceptable for a woman. I am also harassed by homophobic people who perceive me as a gay male or lesbian. I have been sexually accosted on the street, in restaurants, and on post office property. Occasionally, strangers touch me without my permission and persist in touching me even when I object.

On February 16, 1995, an employee of the Cecil County School District visited my home unannounced at 8:45 a.m. He queried me concerning the fact that I had changed my name on my children's school records. He asked to see a court order making the name change, and I told him I didn't have one because I had made a common law name change. I offered to show him my Social Security card as proof of identity. He continued asking questions about my name change. After some discussion, he admitted that what I had done was legal, but refused to view proof of my identity. It turned out that he did not wish to remove my feminine name from the children's records, because he wanted it to be possible to trace me through school records. Since I am a law abiding citizen, I objected to this instance of Big Brotherism, and asked him to remove the name. He told me he'd turn the matter over to the school's lawyer. Then he questioned me about my employment. I explained that I own a small publishing company, and he asked many intrusive questions about the operation of my business.

At about the same time, another employee of the Cecil County schools had been refusing to excuse several of my daughter's absences due to illness, with the result that they were flunking my daughter (a good student) for one term and threatening to do it for a second term. I had to threaten to turn the matter over to my lawyer before the school principal sent a letter re-instituting my daughter's grade.

While shopping in a supermarket in Elkton in November 1994, a checker asked me, "What are you supposed to be?" I was bewildered and didn't answer, so he continued, "Why are you dressed like that?" I replied, "I always dress like this. Does it matter?" He said, "Oh," and rang up my purchases.

In October 1994, while walking to the Post Office in Elkton, MD, I was accosted by three men who made remarks like, "Hey cowgirl, where you going?", "I like that jacket. Can I have it?" and "Wanna party?". In February, 1994, while walking to the same post office, a man opened the window of his apartment, stuck his head out, and yelled, "You fucking faggot!"

While walking down Charles Street in Baltimore in September 1994, with several transsexual women I was insulted for my appearance. Someone else on the street loudly exclaimed, "Did you see them? Those are all guys!" whereupon everyone in the vicinity stared at us. Several of my transsexual women acquaintances are now very reluctant to go into Baltimore for fear of this kind of harassment.

Hate Mail, Cecil County

In my business' post office box, I have recently received hate mail addressed to me and composed of messages such as "Fuck you fag", and "Fuck your Nazi rules" written over the section of my publishing company's guidelines wherein we state our support for sexual minorities. I have taken the hate mail to the local Post Office but was told that the private contents of letters are outside of the jurisdiction of the Post Office; there is nothing I can do to halt this rude and offensive intrusion into my professional life.

Denial of Legal Name Change Contrary to Maryland MVA Policy, Cecil County

When I went to get new identification in the Chesapeake City office of the Maryland Motor Vehicle Administration in February 1995, they told me that while a new card would be issued in my new name, my old feminine name would remain attached to the license, and that therefore anyone who had access to my record would know that I was a transsexual man. I am afraid this unwarranted and possibly illegal action will impede my ability to get a job in the future.

Housing Discrimination, Cecil County

The morning of March 7, 1995, I went to an appointment to view a house for possible rental, and like I often do, I was wearing a TS (Transsexual) Pride button. The agent, who worked for a real estate company in Elkton, showed me around the place. When I indicated that I might want the house, even though it was a little pricey, she told me the price listed in the paper was wrong, and that the real rent and security deposit were higher. I protested, but she stuck to the higher price. I couldn't afford it, and so I left. Which is what I suspect she had in mind. Had there been a real misprint in the paper, she could have told me when we talked on the phone. She could have even told me about it while we were viewing the house. But she didn't mention it at all until I said I was interested in renting the place, at which point it suddenly became impossible for me to take the property. I had the definite feeling of being swindled.

Housing Discrimination, Prince Georges County

In December 1994, I was trying to find a place to live. I had unsuccessfully searched for an apartment that I would feel safe in, since transsexual-bashing is even more common than gay-bashing. I was desperate, living in my car and looking for even temporary housing in the form of a week-to-week room and board situation. I found what seemed to be an acceptable situation from a co-worker who had a room available in his house which he had rented on a temporary basis before. I called and inquired about the room, and then went out to see it. I met his wife, who showed me the room and then showed me around the house. We had what seemed to me to be a nice visit, and I told her I would call her in two hours to set up a time I could move in. I needed to call a few people back who were helping me look for a place to tell them that I had found one.

When I called her back, she told me that she decided not to rent to me. She then gave me a list of six or so reasons why not, among the most hateful being that "my grandchildren visit here quite often and I would be afraid for their safety if they were here with you." I interpreted this as her accusing me of being a likely child abuser). She also said that there was no place for my own son to stay if he came to visit, because she would not let him sleep in the same room that I was in. After this phone call, I was completely devastated and seriously contemplated suicide, but was talked out of it by a friend.

Physical Assault and Illegal Firing, Montgomery County

I am a transsexual woman and I work as a waitress. I had been sick and missed some work, and when I returned to work, I was confronted by one of my co-workers. He stated he wanted "to make a man out of me" and struck me with his fists three times, knocking me to the floor of the kitchen. My shoulder screamed in pain from his attack, and after I slowly got up, I reported the assault to my manager, who suggested I "hit him back". My shoulder hurt so bad I had to leave work, and the

next day the manager called and told me I had been fired. My shoulder was so badly damaged in the assault that I am now disabled and unable to work.

Verbal and Physical Harassment, Prince Georges County (personal contact)

A seventeen-year-old female-to-male transsexual and student at a high school in Prince George's County was continuously verbally and physically harassed over an entire school year by other male classmates, for his interest in female students, until he attempted suicide in March, 1993. He survived, but has visible scars from the knife slashes running the lengths of both of his arms.

Alleged Sexual Assault by Police Officer, Prince Georges County (news report)

In 1995, a transvestite whose car had broken down was walking to his uncle's house for help, when he was allegedly abducted by an off-duty Prince Georges County police officer who perceived him as a sex worker. The officer took him to a closed school in Prince George's County and allegedly raped him. The transvestite subsequently pressed charges against the police officer, and the case is pending. (*The Washington Post*, 1994)

Transgendered Sex Worker Murdered, Baltimore City (news report)

A transgendered sex worker in her twenties was murdered in Fells Point in Baltimore in December, 1991.

Transgendered Person Assaulted, Montgomery County (news report)

On July 20, 1990 a transvestite was physically assaulted in Gaithersburg and was hospitalized in critical condition, suffering from blunt force trauma to the head and face and lacerations from a knife. (*Montgomery Village Gazette*, 8/1/90)

Note: ICTLEP Wishes to Thanks Jessica Xavier for making Appendix I available.