



Transgender Justice Program



The Pursuit of Transgender Justice

Transgender people are part of the fabric of our communities. They are our neighbors, family members, co-workers and partners. Unfortunately, though, due to prejudice and discrimination, trans people face barriers in our society that their non-transgender peers don't. Data shows that transgender people endure disproportionate amounts of harassment, unemployment, poverty and homelessness. To address and remedy this, Basic Rights has operated a dedicated Transgender Justice program since 2007. Through our legislative and policy work, as well as our educational outreach and community organizing, we've sought to achieve our mission of legal and lived equality for trans people. Our key programmatic and policy Transgender Justice goals for 2019-20 include:

Schools & Youth – In 2015 we engaged in extensive community organizing in Dallas, OR, where the mean-spirited, transphobic comments of a city council person regarding transgender students in high school bathrooms had created tensions. At the request of the Dallas School District Superintendent, the Oregon Dept. of Education created the state's policy guidelines regarding transgender inclusion in public schools. The guidelines are among the most progressive in the country, and served as a partial model for the Obama administration's federal policies. In 2018, a group of parents from Dallas sued the state to remove the protections promised in these policies. We petitioned to intervene in the suit, and, represented by the ACLU, asked the federal judge to throw the suit out. The judge agreed, and Oregon's policies guaranteeing



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trans inclusion in our schools are still in place.

Fair Workplace Project – The Oregon Equality Act prohibits discrimination in employment on the basis of gender identity. Despite these protections, we know transgender people still face greater rates of unemployment, underemployment, and workplace harassment than their non-transgender peers. To help combat this disparity, and promote a culture of inclusion in our state, we offer our Fair Workplace Project trainings. These trainings help businesses, organizations and government offices increase their confidence and competence around inviting transgender co-workers onto their staffs, and serving transgender clients and customers. As of Spring 2019 we've given more than 75 trainings for over 3,000 attendees at organizations such as Amazon, OHSU and the Bonneville Power Administration.

Catalyst - At Basic Rights Oregon we're committed to creating leadership that truly reflects our community. This means prioritizing groups that have been historically marginalized within the mainstream LGBTQ movement, namely the

transgender and gender non-conforming community. We do this through our leadership development cohort Catalyst. Formed out of the Transgender Working Group, this yearlong cohort affords participants real life opportunities to acquire skills in community organizing, program management and relationship building, as well as the chance to find mentors in their chosen fields. Catalyst features residential weekend retreats and day-long trainings, as well as hands-on experience at lobbying, organizing and fundraising. In our recruitment, we aim to have our cohort be made up of at least 50% participants of color, and we ground the work of the cohort in an understanding of the intersection of race and gender. We created Catalyst as a pipeline not just for staff and board leadership at Basic Rights, but as a vital development vehicle for transgender leadership across Oregon.

Additional Work

Prisons and Jails—We are continuing our work with the Oregon Department of Corrections (DOC) and the Oregon Youth Authority (OYA) to ensure safe, respectful treatment for LGBTQ, and particularly transgender, people in state custody. In addition to our work to train DOC personnel, build relationships with DOC and OYA officials, and raise concerns voiced by community members, we have worked closely with the Oregon State Hospital and the OYA to develop affirming policies regarding treatment, including housing, use of chosen name and pronouns, access to gender-affirming clothing and supplies, and access to gender-affirming medical care for transgender people in custody. In 2017, we





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partnered with the ACLU of Oregon to represent Michalle Wright, a transgender woman who successfully sued the DOC and received a settlement that established precedent for affirming treatment of incarcerated transgender people in Oregon.

Health Care—Transgender, genderqueer, and gender non-conforming people across the country are profoundly affected by lack of access to health care as well as discrimination from providers. In Oregon and nationally, many health insurance plans explicitly exclude coverage of life-saving healthcare for transgender people, including both gender-affirming care, such as hormones and surgery, and basics like cancer screenings that are routinely provided to non-trans patients. We worked tirelessly to ensure that Oregon was one of the first states to outlaw these discriminatory exclusions through a statewide ban on insurance discrimination against transgender Oregonians, which was first instituted in 2012 and then updated in 2016. Additionally, in 2015, we fought for and won coverage for gender-affirming care under the Oregon Health Plan.

Despite these wins, many transgender Oregonians still face systemic barriers to access, as some insurance plans are exempted from state regulation, insurance company representatives often lack adequate training regarding gender-affirming care, and many insurers have lagged behind in updating their policies to comply with Oregon law. In addition, many transgender and gender-expansive Oregonians struggle to identify providers and facilities equipped to

provide the affirming, responsive care that meets their needs and honors their identities.

Helping the state successfully implement these life-saving policies and working to address the interpersonal bias and institutional discrimination trans people face in accessing healthcare is an ongoing challenge, so we sit on the Oregon Transgender Healthcare Coalition alongside several medical organizations, providers and advocates to identify and address barriers trans people face. Likewise, in collaboration with the Transgender Healthcare Coalition, we host the annual Trans Health Forum, which brings together healthcare and advocacy experts to help trans community members navigate the state's health care landscape and access the care they need.

Identity Documents – In 2017 we worked with the legislature to pass HB 2673. This new law simplified the name and gender change process for Oregon birth certificates. It was also the state's first ever, stand-alone transgender justice law. In 2017 we also helped make Oregon the first state to offer a third gender marker on driver's licenses, ID cards and birth certificates. Following an Oregon judge's ruling, which paved the way for the third gender marker, we worked with the DMV, the Oregon Dept. of Transportation, and the Office of Vital Records, as well as with the state's transgender and non-binary community to ensure a smooth rollout of Oregon's historic "X" gender marker.

Strategic Direction

In 2015, following extensive community outreach, we initiated our five-year strategic direction. Based on the feedback we received,



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we've focused our work on four key community groups, each of which faces significant barriers to equality in our state: transgender and gender non-conforming people, LGBTQ people of color, LGBTQ youth and LGBTQ community members living outside the Portland metro area. While each of these areas is named separately, they overlap and intersect in our work. Our transgender justice efforts touch on these other areas in some of the following ways:

- **Racial Justice** – In Catalyst, our transgender leadership development program, we aim to have at least half of our yearly cohort comprised of people of color. Also, each year we stage Front & Center, a showcase for transgender performers of color. made up of parents, grandparents and siblings of transgender youth who do.
- **Youth Justice** – Through our Transgender Justice program we organize the Fierce Families Network. Fierce Families is a volunteer group education and outreach to help create a more affirming world for the trans community. We're also part of the Foster Homes of Healing coalition, where we work to make the state's foster care system more inclusive of trans youth in foster care.
- **Statewide Engagement** – Our organizing team stages Community 101 Trans Justice trainings in towns like Albany, Pendleton and Bend. These trainings provide knowledge and resources to trans allies across the state. We also aim to have at least one quarter of our Catalyst cohort live outside the Portland metro area.

