



A Great Moment for K.C. Transgender Community

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by Jamie Tyroler

Kansas City's City Council voted 13-0 on April 3 to add gender identity and expression to the city's civil rights ordinance.

I would like to thank everyone who has worked publicly and behind the scenes on this issue over the last several years. By no stretch of the imagination can I thank each person individually or the various organizations that have provided support. I do want to thank Council Member Beth Gottstein (Fourth District at large) for having the courage to bring this before the council. **Thanks also go to Lisa Mottet of the National Gay and Lesbian Task Force for her legal assistance** and Stephanie Shockley for talking with various organizations and politicians over the years. I also want to thank those who took the time to attend the April 2 committee hearing and the full council vote the next day and speak with City Council members.

According to Gottstein's statement to the city's Transportation and Infrastructure Committee, "Ordinance #080311 [protecting citizens from discrimination in public accommodations, employment and housing]" ensures that our policy is consistent with both other cities and the spirit of the U.S. Constitution's 14th Amendment, Equal Protection."

It wasn't surprising that this passed the full council, but it was surprising that it passed unanimously. Gottstein had seven co-sponsors: Mayor Mark Funkhouser, Ed Ford (Second District at large), Cindy Circo (Fifth District at large), Cathy Jolly (Sixth District at large), Jan Marcason (Fourth District), Terry Riley (Fifth District) and John A. Sharp (Sixth District). Gottstein also thanked several people in her statement to the Transportation and Infrastructure Committee: Jim McDonald, John Comstock, Lisa Bruner, Lana Knedlik, Stephanie Shockley, Cassidy Fallick, Donna Ross, the Rev. John Barbone, Miriam Henny, Doug Riley, Colin Theis and "Rev. Nunnelly", and especially her administrator Jim Giles for his research and hours of work.

This change has been a long time coming. I think I first wrote about this issue in the Midwest Times in 2002 or 2003. Kansas City is the second city in Missouri to include gender identity and expression in its anti-discrimination ordinance (University City, a suburb of St. Louis, passed this earlier). Kansas City added sexual orientation in 1993 to the city's non-discrimination ordinance.

Many people might think this only affects the transgender community, but it goes beyond that. For example, an employer cannot ask someone whether he or she is gay (potential hostile work environment and a lawsuit), but that employer could have made the assumption that an employee is gay based on how feminine or masculine that employee acts. There have been cases of people losing their jobs not because they are gay, but because a male employee didn't act "masculine" enough or a woman didn't act "feminine" enough.

Although this is a great moment for Kansas City, it does not solve all of the issues that transgender people face. Missouri is one of the states that compare information on driver's licenses or state-issued identification cards with information from the Social Security Administration. There is also the issue of changes to one's birth certificate. The rules to change information such as gender, on these documents vary. Some states will not change a birth certificate. Social Security requires the person to have some form of surgery to change the

gender specified in its records. Social Security has issued letters to employers if the information on a person's W-2 form doesn't match Social Security records, and this has outed several people at their jobs.

This maze of legal hurdles has caused major problems (including arrests) for some transgender people. Some people who are known as women are still legally male so that their marriage remains legal. Some people have incorrect identification to have the correct gender on that identification. Some people are trying to get married but cannot because their legal gender isn't consistent among the different forms of identification.

In this era of heightened security, it has become more difficult for some transgender people to have identification that reflects their actual gender. This could make relatively common tasks such as boarding an airplane embarrassing or worse. Airport security bulletins have told screeners to watch out for men wearing women's clothing. Some transgender people have reported being questioned about their gender at airport check-in points.

Having these protections doesn't mean that it is necessarily safer for transgender people in Kansas City, either. Many of the transgender people who have been murdered lived in cities that had similar non-discrimination ordinances or hate-crime laws in place.

And many transgender people are underemployed in the United States – working in jobs that don't pay as well as jobs they would qualify for based on their experience. Because of either harassment or feeling that they don't belong, quite a few transgender people drop out of school.

Enforcement of Kansas City's new ordinance is also an issue. How do people prove that they have been discriminated against in the workplace? Or whether they are being treated differently in a restaurant or bar? Or whether that hotel really had a vacant room?

But even though this ordinance doesn't solve all the issues that transgender people face, it does do something major. It helps level the playing field for us. It also shows that Kansas City considers members of the transgender community important enough to be considered as equals.