



# IT'S TIME, ILLINOIS...

**...FOR FREEDOM OF  
GENDER EXPRESSION!**

Political Action for the Transgender Community

Volume 8 Issue 10

October 2002

## **Trans Rights to be Main Focus of 4th Annual Matthew Shepard March**

With apparent hated-related murders of Transgendered and gender variant people running far ahead of last year, this year's **4th Annual March Against Anti-Gay Hate on Saturday, October 5th** will focus on the need to oppose anti-Trans hate and violence. Specifically, we want to use the rally to promote passage of the "Gender Identity Amendment" to Chicago's Human Rights Ordinance, which would protect transgender and other gender variant people from discrimination in employment, housing and public accommodations.

It's Time, Illinois reports that while through late November of last year there were 11 apparent hate murders against transgendered or gender variant people over the preceding 12 months, during just the first 8 months of this year, 18 people were murdered. Passage of anti-discrimination legislation, while not ending violence, at least begins to help change the hate climate in which violence thrives, by sending the message that anti-Trans discrimination shouldn't be tolerated. For more information on what you can do to help pass the Gender Identity Amendment, please check out the It's Time, Illinois website at [www.itstimeil.org](http://www.itstimeil.org)

Besides Miranda Stevens-Miller, former chair of It's Time, Illinois, other speakers addressing the issue of anti-LGBT hate and discrimination will include Lynn Sprout, who was fired from her nursing job of 18 years for standing up to anti-Lesbian hate. When Sprout attempted to take personal leave time to care for her terminally ill lover with whom she'd been partnered 18 years, instead of receiving compassion from her employer, she encountered anti-Lesbian vitriol.

*(See **Trans** on page 6)*

**The Next Meeting of  
It's Time, Illinois  
Will Take Place at 7:30 p.m. on  
Thursday, October 3, 2002  
at Transformations  
146 N. Oak Park Ave.  
in Oak Park**

*The November Meeting will be held at 7:30 p.m. on  
Thursday, November 7, 2002 at Transformations, 146 N.  
Oak Park Ave, Oak Park*

## Miranda Writes...

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*Miranda Stevens-Miller*

### Crossdressers need not apply

In a stunning ruling late in the afternoon on September 16, Judge Africk, a United States district judge in Louisiana, ruled that crossdressing away from work constitutes grounds for immediate dismissal from employment. The ruling came in the case of Peter Oiler, a truck driver for 21 years with Winn-Dixie, a grocery chain in the South. Oiler had been dismissed because it had been revealed that he occasionally wears women's clothes while off the job and away from work. Once again, a federal judge made the biased judgement that Title VII, the law that prevents discrimination based on sex stereotyping, does not apply to transgendered people.

Just to set the record straight from the start, there is nothing illegal about crossdressing. If there were, then half the people on Bourbon Street would wind up in the slammer during Mardi Gras.

Okay, let's examine this logic a little closer. First of all, let's look at the right to privacy. The ruling clearly states that legal activities away from work are grounds for dismissal from work if your boss doesn't like them.

Like smoking. If the judge's ruling is correct, then a person can be fired from a job in Louisiana just for lighting up a cigarette. Even if he doesn't inhale. Oh my!

I first became aware of Right to Privacy Laws when I volunteered for Lance Pressl, a candidate for Congress two years ago. Pressl at one time had worked for a major tobacco company, lobbying for laws so smokers would not be fired if they worked for non-smoking employers. But Pressl made sure the legislation was worded broadly enough so that all legal activities were covered. He managed to get these laws passed in 38 states, but apparently he did not get down to bayou country.

*(See Crossdressers on page 5)*

## Judge Rules Against Truck Driver in Favor of Winn-Dixie

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*Ann Rostow, Gay.com / PlanetOut.com Network  
Tuesday, September 17, 2002*

On Monday, a federal judge in New Orleans dismissed the lawsuit filed by truck driver Peter Oiler against the Winn-Dixie grocery chain. Oiler worked for Winn-Dixie for 21 years before the company learned that he cross-dressed in his spare time.

Oiler, a heterosexual who has been married since 1977, was immediately told to start looking for a new job, and he was fired a few months later, in January of 2000.

Brought by the American Civil Liberties Union nearly two years ago, the suit claimed primarily that Oiler's dismissal was a violation of Title VII of the Civil Rights Act of 1964. Title VII prohibits discrimination in the workplace because of a range of factors, including "sex," and in 1989, the U.S. Supreme Court ruled that the concept of "discrimination because of sex" embraced the case of a woman who failed to make partner at Price Waterhouse on account of her masculine style.

"In forbidding employers to discriminate against individuals because of their sex," wrote the 1989 Supreme Court justices, "Congress intended to strike at the entire spectrum of disparate treatment of men and women resulting from sex stereotypes."

In the Oiler case, however, Judge Lance Africk was not swayed by the Supreme Court's reasoning. The Price Waterhouse plaintiff, wrote Africk, "may not have behaved as the partners thought a woman should have, but she never pretended to be a man or adopted a masculine persona."

### VIGIL AGAINST HATE

November 20, 2002, 6:00 p.m.  
State of Illinois Building  
Thompson Center

*see article on Page 4*

## WHATEVER

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*Beth Plotner*

### What's A Parent?

As many of you know I have 2 wonderful sons. There are other of our members who are parents as well. Some have grown children, some teens and some toddlers.

It seems that despite some of the advances we have made there are still many who think that we are not fit to be parents. There are a couple of cases I want to tell you about. One has been in the news the other not.

One case as reported in the Chicago Tribune involves the case of a transgendered man. He is now fighting for custody of his son. In this case the father married the mother and a few years later with the use of an artificial sperm donor had a son. Now a trial is waging over there was actually a legal marriage and whether there should even be contact between father and son. The mother currently has custody though the father does have visitation rights.

The other case, which concerns a client of mine, involves a transgendered individual and his teenage daughter. The facts of this case are very lengthy it involves 2 states but suffice it to say he was stripped of the custody of his daughter when the mother found out he was transgendered. The judge who did this told my client he had better change his lifestyle. A judge here in Illinois didn't even want to deal with this case despite that Illinois is probably the proper jurisdiction for this case.

Are you beginning to see a pattern here? Just because a person is transgendered there are those who think that we automatically can't be parents. Some of these people can be our former partners some can be judges. Yet, there are plenty of people out there who are unfit parents and they aren't transgendered. Ever take a look at how many children there are in foster care because of an unfit parent. The system is full.

Many of us have heard how having a transgendered parent will be detrimental to the child. That they will grow up being confuse of about their own gender. To that I say YOU'VE GOT TO BE KIDDING!

*(See **Whatever** on page 6)*

## Buffalo Extends Equal Rights to Transgenders, Intersexed

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*Vanessa Edwards Foster*

*The National Transgender Advocacy Coalition (NTAC)*

On Tuesday September 17, 2002 Buffalo NY, known as the 'City of Good Neighbors,' proved its heart. In a near unanimous vote, the Common Council of the City of Buffalo extended protection against discrimination in employment and housing to transgendered persons. Mayor Anthony Masiello has announced that he will sign the amendments into law.

The amendments adding protection for "gender identity and expression" were initiated and sponsored by Councilman Antoine Thompson, who said, "It's another step to break from Buffalo's past and encourage tolerance and diversity."

Earlier this year, Councilman Thompson gathered a group of community leaders to help draft amendments to Buffalo's anti-discrimination laws. Although "sexual orientation" was already included under existing laws, the Anti-Discrimination Advisory Group felt that the phrase "gender identity and expression" needed to be explicitly included as a protected class.

The amendments garnered widespread support, bridging across divisions of race and sexual orientation. Organizations supporting the amendments included: Men of Color Health Awareness Project (MOCHA), New York State Transgender Coalition, Stonewall Democrats, and Parents and Friends of Lesbians and Gays (PFLAG).

"In my outreach and education efforts throughout the Buffalo area, I often encounter transgender individuals who are in constant fear of losing their job, their apartment or being the victim of a hate crime," said Camille Hopkins, a City Hall employee and male to female transsexual. Hopkins testified before City Council that she had lost her apartment simply because her landlord did not like transgendered persons. "I just want to live an ordinary life," she finished, "without fear of reprisal from those who want me to disappear."

*(See **Buffalo** on page 8)*

## **New Hope Passes Trans-Inclusive Anti-Discrimination Ordinance**

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*Mara Keisling  
PA Gender Rights Advocacy*

New Hope PA, Sept. 10, 2002 ---- Tonight the Borough Council in New Hope Pennsylvania became the newest municipality to take a stand against discrimination and pass anti-discrimination ordinance that protects people based on both their gender identity (with gender expression appropriately included in the definition) and sexual orientation. The vote was unanimous. (One member was absent.)

The Council President, Richard Hirschfeld, noted that the aim of the ordinance was not just to protect people, but to send a message to other municipalities that this type of protection should be implemented everywhere. In addition to passing, Ordinance 2002-4, the Council strongly "put our money where our mouth is," by passing a resolution amending all Borough personnel policies to conform to the new law. Additionally, they authorized letters to be sent from the Council and Mayor to all "local, state and federal representatives of the borough" encouraging them to adopt anti-discrimination protections based on gender identity and sexual orientation at those levels.

The Council and the Mayor made as strong a statement of support for our rights as was possible. Even the police chief testified during the public comment period about how important the new law was and how proud he was to live in New Hope because of its commitment to diversity. The Mayor and the six present council members even attended the post-vote party at a local restaurant. No one spoke in opposition to the ordinance.

On the activist side of the equation, special thanks need to go to Doug Shaps of Outfront (and other members of Outfront such as our own Kathy Padilla), Stacy Sobel of the Center for Lesbian and gay Civil Rights. These individuals and groups have worked tirelessly on this and several other local ordinances--including the recently passed Philadelphia ordinance--insisting and insuring that in each case transgender people were included in the process and the result. And thanks to Kathy Copelin of the Human Rights Campaign.

Because of all these folks and others, more specifically transgender-inclusive ordinances have passed this year than in any other year to date. Also Pennsylvania has more municipalities in which we are protected (7) than any other state. (California is second with five.)

And the year is not over yet. Expect at least one more local ordinance to be passed this year in Pennsylvania.

## **Candlelight Vigil Set: Transgender Day Of Remembrance**

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*By Lisa Scheps*

On Wednesday, November 20, at 6:00 p.m., a candlelight vigil will be held at the Thompson Center Plaza (100 W. Randolph St). The event is part of a nationally coordinated Transgender Day of Remembrance to be held on that day in at least 21 cities throughout the United States.

As of September 10, eleven transgendered individuals have been murdered in the United States this year. The list includes the killing of two women in Washington, DC, in August of this year. That crime, like many against transgendered individuals, remains unsolved.

"This event gives us an opportunity to remember those who have died simply because they were perceived as 'different'," said Lisa Scheps, event co-chair from It's Time, Illinois. "This is an opportunity for individuals, both in and out of the gender community to come together and say 'this is wrong- stop the killing.'"

"To bring things even closer to home, eight individuals have been killed in Illinois over the past few years for real or perceived gender variance," according to Tina Sievers, event co-chair. "We can not allow intolerance and hatred to create an open season on people just because of who they are."

The vigil is being coordinated by It's Time, Illinois, an advocacy group for gender variant and transgender people in Illinois. It is co-sponsored by Chicago Gender Society, Equality Illinois, Howard Brown Health Center, Chicago Department of Health, Diversity of Rockford, TransGenesis, and the Chi Chapter of Tri-Ess.

## *Crossdressers (continued from page 2)*

So, your boss doesn't like you stopping off at the bar after work. So, your boss doesn't like the number of people you've slept with over the last year. So, your boss doesn't like that great tattoo you have on the small of your back that nobody but you and your lover can see. So, your boss doesn't like the fact that you never call or send a letter to your mom in St. Louis. Well, tough luck buddy. In Louisiana, it is perfectly okay to fire you for anything you do that is legal, as long as you do it away from work. The hell with the right to privacy in Louisiana.

Let's look at the premise that sex stereotyping somehow does not apply to someone who wears the wrong clothing. What's that all about? A "stereotype" according to Webster is "a standardized mental picture that is held in common by members of a group and that represents an oversimplified opinion, prejudiced attitude, or uncritical judgment."

So what do we call the mental picture held in common by members of the United States judiciary that represents oversimplified opinion of what a woman is? Of what a man is? What do we call the prejudiced attitude that it is fine for women to go into the men's department at Target and buy boy-cut jeans, or big comfy work shirts, but not fine for men to buy big comfy denim dresses from the women's department?

What do we call the uncritical judgment that allowed Judge Africk to dismiss as irrelevant all of the favorable federal rulings in cases of sex stereotyping? The cases of three women who were fired for wearing men's clothing on the job were not relevant because, according to the written opinion, "there is no evidence that they were transgendered or that they were crossdressers."

I would like to share with you the thoughts of my friend, Courtney Sharp, a well-known and respected transgender activist from New Orleans. She was writing in response to a statement by Judge Africk that, from 1981 through 2001, there were thirty-one bills introduced in Congress to amend Title VII and prohibit employment discrimination on the basis of affectional or sexual orientation... and that none have passed.

Courtney writes, "The Judge does not seem to recognize that Rep. Barney Frank, a chief drafter of ENDA (the Employee Nondiscrimination Act), left gender identity

out of the bill because he maintains that we already have protections under Title VII. Obviously Frank and this Judge have differing views. Maybe, Frank will be willing to publicly comment on this ruling to ensure that all federal judges understand that transgender persons are protected by Title VII."

I couldn't agree more. I have repeatedly expressed my opinion in this column and in numerous public venues that ENDA needs to be revised to include gender identity. And that the lead sponsors are the ones preventing that inclusion.

Further, Courtney concludes that the reason Judge Africk ruled against the plaintiff in this case was because of gender role stereotyping. Courtney said, "This is not just a matter of an employee of one sex exhibiting characteristics associated with the opposite sex. This is a matter of a person of one sex assuming the role of a person of the opposite sex."

Gender role stereotyping, folks. That is what this is all about. But until we can all agree to include gender identity and expression in human rights laws, crossdressers need not apply.

Miranda Stevens-Miller welcomes your comments at [MirandaSt1@aol.com](mailto:MirandaSt1@aol.com).

### *How to contact us...*

It's Time, Illinois, 47 W Division St, # 391  
Chicago, IL 60610

#### **Telephone Hotline:**

(312) 409-5489

Please leave a message. We will get back to you as quickly as possible.

#### **E-Mail**

[ItsTimeIL@itstimeil.org](mailto:ItsTimeIL@itstimeil.org)

#### **World Wide Web Address:**

<http://ItsTimeIL.org>

***Whatever*** (Continued from page 3)

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Kids get it better than adults. Yes I've known some people who've had problems with adult children. And that is unfortunate. By the time we reach adulthood many prejudices become set. When we bring up our children to be open minded and set an example for them won't we make them better people? People who when they reach adulthood will be accepting of others and not judge people by some out of date thinking.

So to the judges I say who have made their decisions based on their own personal prejudices I say shame on you. To the judge who hasn't ruled yet I say please keep an open mind. Remember the decision you make will have a direct effect on that child. And since you will be applying the best interest of the child standard, won't it be in the best interest of this child to grow up to be open minded and accepting of others?

To the former partners I say shame on you too. The person who you decided to become a parent with is still basically the same person. Especially inside where it counts! If this person was fit before to be a parent believe me nothing has changed that would make them unfit. In the first case I mentioned above the partner even new from the beginning that she had married a transgendered man. But it doesn't matter prejudice is prejudice.

People should stop and think about the message they are sending our children. Don't we want them to become accepting adults? And just for the record our brothers and sisters in the LBG community often face these issues too.

Whether the so-called self appointed guardians of society like it or not the LGBT community does have a growing number of parents in it. It doesn't matter how one becomes a parent. The important thing is to be a parent to your child.

So here's something for you to ponder. I bet the LGBT community will produce a greater percentage of children who grow up to be well adjusted adults. I also bet that the vast majority of these children will be straight. It's just that they'll be accepting of diversity, if others will allow them to be.

***Trans*** (Continued from page 1)

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The downstate LGBT rights direct action group, 85% Coalition, has championed Sprout's case against anti-Lesbian bigots at Carle Hospital in Urbana, IL.

CABN's Kentin Waits will also address the rally about the problem of anti-gay hate. Waits currently is pursuing a civil suit against the City of Chicago, after police gay-bashed him July 23, 2000 in an interrogation room of the Belmont and Western police station. As an Amnesty International report on the attack noted, Kentin said that "while handcuffed, he was slammed into doors and walls by the arresting officers, resulting in lacerations to his wrists, and bruises to his upper arms. He states that the police officers led him to an interrogation room with its windows papered over, and handcuffed him to an overhead bar. One officer is then reported to have slapped Mr. Waits around the face and head before kneeling him in the groin. During the assault the officer is alleged to have called Mr. Waits a 'fucking faggot' and 'gay mother-fucker' -- among other anti-gay epithets."

With the Bush administration apparently hell-bent on launching another war against Iraq, it would be unconscionable to hold an anti-violence rally without addressing this state-sponsored violence as well. A speaker, yet to be named, will therefore also address the issue of why LGBT people should oppose this proposed war.

*Reprinted from CABN's website.*

**It's Time Television**  
**Friday, September 27<sup>th</sup>**  
**6:30 p.m.**  
**Chicago Access Network**  
**Cable Channel 21**

**With Special Guest:**  
**Vernita Gray, Cook County**  
**State's Attorney's Office**

## Minutes for the Monthly Meeting of August 2002

By *Marsha Jackson 2<sup>nd</sup> Vice Chair*

### In attendance

Sheila D., Beth, Toni, Marsha, Lisa, Jamie, Carole, Lorraine Sade, Bobby, Miranda, Janine, Josie, Russell.

Miranda updated us on progress of legislation in the City, County and State...

City: The city has acceptable language in the latest raft of the ordinance (8/21/02). If you live or work in the city, belong to or have friends who are members of city organizations, please write to Mayor Daley urging him that the Gender Rights amendment is the right thing to do. There are already many national and local organizations which have issued letters of support.

Cook County: The ordinance has been drafted. While the county board will shift to a more supportive makeup after the November elections, we still intend to have it introduced to the current board.

State: Will have to wait until next year, at which point we hope clarify the bill.

Beth announced the March Against Hate co-sponsored by CABN and ITIL. It will be Saturday October 5th starting at 8p.m. at the corner of Halsted & Roscoe (3400N). We will have signs urging support of the Chicago Amendment.

Lisa reminds everyone that the Transgender Day of Remembrance will be November 20th at the Thompson State of Illinois Building at 6p.m. It will be a Wednesday.

Proposal of new By-Laws and structure of the Organization. (for some coverage see Beth's article in the September Newsletter, available online)

Discussion of the HRC Equality Grant and HRC's past, present and future in terms of their changing attitude on support of gender variant people. Initially the Grant will be used to contract Josie Christopher to do research requested by the City of Chicago in regards to the passage of the amendment to Chicago's Human Rights Ordinance.

It's Time Illinois continues to do a monthly call-in television show on Chicago Access cable channel 21

### Upcoming events

Lesbian Community Cancer Project Cruise on September 29<sup>th</sup>. National Gay & Lesbian Taskforce Creating Change conference in November.

Pride Event planning for next June is encouraged to start very soon.

A report on Beth and Miranda's trip to the Federation of Statewide LGBT organizations. They attended refresher courses and helped with telephone banking in support of the Save Dade organization in Florida. Voter identification, one wins elections by getting more votes, so one needs to get supporters out to vote. They were learning what else is going on around the country at the grass roots level, e.g. adoption, safe schools, etc.

### ***Feedback...***

Problems? Questions? Disagreements? Want to submit an article? Please write to us. We love to get mail.

### **It's Time, Illinois! Board Members:**

#### **Chair:**

Beth Plotner  
Beth@itstimeil.org

#### **First Vice Chair:**

Lisa Scheps  
Lisa@itstimeil.org

#### **Second Vice Chair:**

Marsha Jackson  
Marsha@itstimeil.org

#### **Treasurer:**

Carole Abrams  
Carole@itstimeil.org

#### **Past Chair:**

Miranda Stevens-Miller  
Miranda@itstimeil.org

**Buffalo** (from page 3)

Speakers on behalf of the amendments included Carol Speser, founder of Western New York Stonewall Democrats, and Lana Bentovich, Executive Director, National Conference of Community and Justice. Ms Bentovich, who is also a member of Buffalo's Commission on Citizens' Rights and Community Relations stated, "If we are going to be the City of Good Neighbors that we have been described as for decades, this is one way of showing what we are."

"I am thrilled over the passage of this Gender Identity and Expression Amendment," exclaimed Buffalo resident Joy Schroeder in response to the successful ordinance vote. Schroeder, a male to female transsexual, added, "I believe this is a big first step towards bringing

equality and protection from the injustices that we face every day of our lives."

**Thanks to Our Contributors**

A big thank you goes out to those who contributed articles to the newsletter this month.

- Miranda Stevens-Miller
- Lisa Scheps
- Chicago Anti Bashing Network
- Ann Rostow
- Beth Plotner
- Marsha Jackson
- NTAC
- PA Gender Rights

**Application for New or Renewal Membership**

YES, I would like to join (\_\_\_\_\_) or renew (\_\_\_\_\_) my membership in It's Time, Illinois!

Name(s) \_\_\_\_\_  
 Name to Be Used on Mailing Label (if different from above) \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ ZIP+4 \_\_\_\_\_  
 Home Telephone \_\_\_\_\_ Work Telephone \_\_\_\_\_  
 E-mail Address \_\_\_\_\_

Membership Level (check one):  
 Annual - \$15       Supporting - \$35       Household - \$50       Sustaining - \$75  
 Benefactor - \$150       Lifetime - \$250       Other - \$\_\_\_\_\_

How would you like to be involved with It's Time Illinois? (Please check all that apply.)  
 Keep informed by newsletters       Participate in monthly meetings  
 Participate in actions       Join a working group or committee  
 Liaison with other human rights groups. Please specify \_\_\_\_\_  
 Do you have any special skills that could help us out? (legal / legislative, artistic / design, technical / computer) Please specify: \_\_\_\_\_

Have you ever been a victim of a hate crime or discriminated against because of your gender identity, expression, or image? Yes / No (circle one)  
 If yes, may we document your case for our report? Yes / No (circle one)

Please mail, along with your check or money order, to:  
**It's Time, Illinois, 47 W. Division, #391, Chicago, IL 60610**