

Discrimination 2002

Overview of It's Time, Illinois' Report on Discrimination and Hate Crimes Against Gender Variant People in Illinois, Issued 4/26/02

The 2002 report is It's Time, Illinois' sixth annual report on Discrimination and Hate Crimes. Transgender, gender variance, gender identity, gender roles, and gender perception are some of the many ways to look at what the cases in this report cover. Some of the people in these cases are transgender, some not, some gay or lesbian, some straight, some just look a little different than what a man or woman is expected to look like and act like in our society. It still all adds up to the same thing... gender stereotyping and prejudice.

Summary

Over the two-year period covering the years 2000 to 2001, *It's Time, Illinois* documented a total of 30 cases of discrimination and hate crimes against gender variant people in Illinois. This brings the total to 96 cases, and 108 separate incidents, that we have recorded since the inception of the documentation project in 1995.

It is important to point out that these are only the cases that we are aware of. Most of our information came directly from those who were discriminated against, and calls and letters that came directly to *It's Time Illinois*. In addition, we are grateful to the City of Chicago Commission on Human Relations, Horizons Community Services, TransGenesis and other social service organizations for allowing us to include the cases that came to their attention.

The new discrimination cases include 11 employment, 6 public accommodations, 3 housing, and 1 credit violations. There were also 5 civil rights violations by police or other governmental agencies, and 4 hate crimes. Employment discrimination has consistently been the most prevalent type of discrimination that we've documented, with almost 40% of the cases being of this type.

More and more we are finding that the basis of the discrimination is gender stereotyping. It does not matter whether the individual identifies as transgender or not, or whether the person is gay or straight. Gender stereotyping occurs when an individual's appearance, physical characteristics, behavior, or expression create a perception of gender variance that are at odds with preconceptions of acceptability for male and female. Typically an employer will try to force an individual to conform to the employer's stereotype. If the individual does not comply, the employer turns to harassment, creating a hostile workplace environment that results in the employee being fired or being forced to resign.

"I have been employed by an ambulance service since 2/99, under this name and gender. My driver's license states my sex designation as 'Female.' My gender at

work has repeatedly been incorrectly recognized since my hire date. I recently... tried to correct the matter. My employer is now forcing me to conform to their rules of conduct specific for 'Male' employees and denies to accept the fact that I am a female." (Case 01-01)

In this year's report, we have 5 cases of civil rights violations by police or other governmental agency. We have reserved this classification to those act of discrimination that severely limit the person's freedom, or places that person in a situation in which they are in danger of physical harm or abuse. There are two new cases of false arrests or police brutality. And there are two separate cases in which a transgender youth was housed in a group home with the wrong gender, and constantly subjected to sexual assault. The homes were managed by Illinois Dept. of Children and Family Services.

"I was shoved to the ground without probable cause... I was violently pulled to my feet with the handcuffs cutting into my wrists and drawing blood. I spent 17 sleepless hours in the lockup at 11th and State." (Case 01-24)

"...from the age of 12... she was in a group home setting, with 6 other boys, all in the same room, sleeping together in the same room. She stated that she had been sexually assaulted because of this situation, but she doesn't want to talk about it." (Case 01-26)

In the current report, we have reported four hate crimes in which the individual was either severely beaten or sexually assaulted. One of the cases involves multiple incidents:

"One night in the public shower, he was beaten and raped by a heterosexual white man who was also living there. After that incident he was afraid to go back, and so he slept on the streets. The second night he was on the streets he was beaten so badly by two men that he had a broken rib, a concussion, and woke up in the hospital." (Case No. 01-29)

Recommendation

A year and a half ago, an amendment to add gender identity to the Chicago Human Rights Ordinance was introduced in Chicago City Council. One year ago, a bill to amend the Illinois Human Rights Act to add sexual orientation and gender identity, HB 101, was passed by the Illinois House of Representatives. So some progress is being made in Illinois. Elsewhere in the United States, there are now 2 states, 6 counties, and 37 cities that have enacted laws to protect people in their jurisdictions who fall outside of gender role expectations, who don't conform with gender stereotypes.

Illinois has been a leader in enacting such laws. Champaign and Urbana were among the earliest adopters of gender-inclusive human rights legislation in the 1970's. Twenty years later, Evanston and DeKalb followed suit. But these jurisdictions account for less than 1% of the population of the state. Illinois can continue to be a leader in protecting the civil rights of its entire population by passing HB 101 to amend the Illinois Human Rights Act. And Chicago can show the world it really is a bias-free city by passing the gender identity amendment to the Chicago Human Rights Ordinance.

It's Time, Illinois Discrimination Project

Discrimination/Hate Crime Statistics

1995-2001

<u>Type of Incident</u>	<u>Number</u>	<u>Percent</u>
Employment	44	40.7%
Public Accommodations	20	18.5%
Housing and Credit	8	7.4%
Civil Rights (by police or other agency)	17	15.7%
Assault	16	14.8%
Murder	3	2.8%
	108	

<u>Employment</u>	<u>Number</u>	<u>Percent</u>
Terminated	24	54.6%
Not Hired	6	13.6%
Harassed	14	31.8%
	44	

<u>Employment</u>	<u>Number</u>	<u>Percent</u>
Transsexual	24	54.6%
Crossdresser	2	4.6%
Gay Male	11	25.0%
Lesbian	4	9.1%
Straight	3	6.8%
	44	

<u>Public Accommodations *</u>	<u>Number</u>	<u>Percent</u>
Store, restaurant	5	19.2%
High school, college, library	6	23.1%
Transportation	2	7.7%
Public shelter, treatment facilities	4	15.4%
Hospital, paramedic	4	15.4%
Police	5	19.2%
	26	

<u>Civil Rights (bu police or other agency)*</u>	<u>Number</u>	<u>Percent</u>
Neglect	3	13.6%
Beating, torture, abuse	7	31.8%
Sexual abuse	2	9.1%
Confinement	9	40.9%
Death	1	4.6%
	22	

<u>Hate Crimes *</u>	<u>Number</u>	<u>Percent</u>
Assault	13	54.2%
Rape	4	16.7%
Shooting	3	12.5%
Stalking	1	4.2%
Murder	3	12.5%
	24	

*Note: Some of the cases had multiple offenses that were counted separately