

Discrimination

2000

Employment

Civil Rights

Housing

Murder

Accommodations

Assault

Discrimination and
Hate Crimes Against
Gender Variant People

It's Time, Illinois...
Political Action for the
Gender Variant Community

Discrimination

2000

5th Annual Report
May 2000

Discrimination and
Hate Crimes Against
Gender Variant People

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Political Action for the
Gender Variant Community

IT'S TIME. ILLINOIS

FOR FREEDOM OF GENDER EXPRESSION

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IT'S TIME. ILLINOIS

FOR FREEDOM OF GENDER EXPRESSION

Preface

Miranda Stevens-Miller, Chair of It's Time, Illinois

This report is dedicated to the memory of Baretta Williams. Just 26 years old when she was murdered, this beautiful young woman was just pulling her life together. She had a chance to make it in the world. After struggling her entire short life with her gender identity, she had been able to overcome obstacles that most people cannot imagine... dealing with being gender different in a prejudiced society.

When she was shot over and over and over again, 16 times, it was not even worth a mention in the newspapers. No one cared about the beautiful person she was. No one cared that she was pulling her life together. No one cared that she was full of vitality, full of love and laughter, full of hope for the future. No one cared. This report is testimony that we care about Baretta Williams.

We are seeking reform in human rights legislation so that the law recognizes and protects a heretofore invisible segment of the population. Gender different people have been so marginalized and stereotyped by society that most are forced to hide, living in fear of rejection by their families and friends, fear of loss of their jobs and apartments, fear of their lives as they walk down the street.

What is the connection between discrimination and hate crimes? Why is Baretta Williams' murder highlighted in the dedication of a report whose stated purpose is to provide background for the legislative process to amend human rights laws? Because there is no differences between discrimination and hate crimes. Both acts result from the failure to recognize the basic humanity of the victim.

Hate crimes are the logical end point in a society that tolerates discrimination against any class of individuals. As long as popular television talk show hosts can portray gender variant people as outrageously ridiculous freaks, as long as news media continues to misrepresent who we really are, as long as teachers look the other way when school children call their classmates "faggot" or "sissy", as long as it's okay to fire a woman who is "too masculine", then murders of young transgender women will continue to be given tacit approval by our society.

It's time to say enough hatred already. Let's end the discrimination. Let's send a message to society that we do not give permission to commit hate crimes and murder.

Introduction

Discrimination and Hate Crimes in Illinois Based on Gender Variance

This report is the 5th annual compilation of stories of injustice, hatred, and bigotry that has gone unpunished in the State of Illinois. It's Time, Illinois has been documenting cases of discrimination against gender variant people since 1996. Copies of the earlier reports are available upon request.

The cases of discrimination and hate crimes that we reported over the years are based on perception of gender variance. This term refers to gender roles and the expectations that go along with those roles. Everyone has a gender identity, which can lean more to the masculine, the feminine, or some place in between. Gender identity determines how an individual presents to the world, i.e. gender expression, as well as other characteristics and behaviors. Gender role expectations are culturally determined. Those who fall outside of these unwritten guidelines are at risk of being discriminated against because of gender variance.

In this remarkable series of documents, we have attempted to bring a human face to the cold statistics which mask the real damage which is done when someone is fired, denied housing, refused access, publicly humiliated, assaulted, raped, or even killed simply because of their gender. When you look beyond the surface, you will find that the cases in these reports are the stories of real people with real lives. What happened to them could happen to any one of you.

Originally our documentation covered only transgendered people. This term refers to those individuals who live some or all of their lives in a gender opposite to their birth gender. As we looked deeper at the root causes of the discrimination, we found that gender variance went well beyond the transgender community. We have documented cases of discrimination against individuals who do not identify as transgendered. Men who are perceived as being "too feminine" or women who are perceived as being "too masculine" are at risk.

Men and women, gay or straight, are often perceived as gay or lesbian because of gender-based cues. One third of gays and lesbians discriminated against in employment situations can link that bias directly to their gender expression or characteristics. Often an assailant looking for a likely gay or lesbian target, will identify his victim for a hate crime based on gender variance.

Currently, discrimination based on gender variance is legal in Illinois. You have the power to change those laws. You have the power to make our lives better or break them.

First The Good News...

There were some very positive steps which took place in 1999 that demonstrated commitment to protecting the rights of gender variant people. First there were the transgender supportive resolutions passed unanimously first by Chicago's Advisory Council on Gay and Lesbian Issues, and later by the entire Chicago Commission on Human Relations. Another significant act was the commitment of Congresswoman Jan Schakowsky, from the 9th Congressional District, to include gender self-image and identity in her office nondiscrimination policy. And finally, there was the broad coalition of local community organizations that signed on to support inclusion of gender variant people in the federal Employment Nondiscrimination Act. (See appendix)

There were also some difficulties. For example, a nondiscrimination bill was introduced in the Illinois House of Representatives early in February 1999 by State Rep. Larry McKeon. The bill would have added sexual orientation and gender identity to the Illinois Human Rights Act. Both fell under the definition of sexual orientation which had been suggested by It's Time Illinois, the same definition that had been used successfully in Evanston and in Minnesota. The bill ran into trouble in March 1999 when it was brought to the floor for a vote, and it failed by 3 votes. Several of those voting for the bill changed their vote at the last minute when it appeared that the bill would not pass. Although the bill was kept alive by a parliamentary procedure, we have never been able to get the solid votes we need to pass House Bill 474.

It was definitely a year of education and coalition building. It's Time, Illinois received a "Freedom Award" from the Illinois Federation for Human Rights (now Equality Illinois) for work on the Evanston Human Rights Ordinance. It's Time Illinois was one of the three sponsoring organizations of Illinois Equality Begins at Home, a week of GLBT awareness-building activities all over the state, with more events than any other state. Representatives of It's Time, Illinois spoke on gender variance and inclusion at events over the year that reached tens of thousands of people. From dozens of college campuses, to conferences, to rallies, to debates, to radio shows all over the country. We tackled the tough issues, and our voices were heard.

Last year, It's Time Illinois' 4th Annual Report on Hate Crimes and Discrimination, was distributed in person to the offices of every Illinois Representative and Senator. It was also distributed to the members of the National Coalition of Anti-Violence Projects and many other organizations. Awareness of the injustices against gender variant people is definitely growing.

... And Now The Bad News

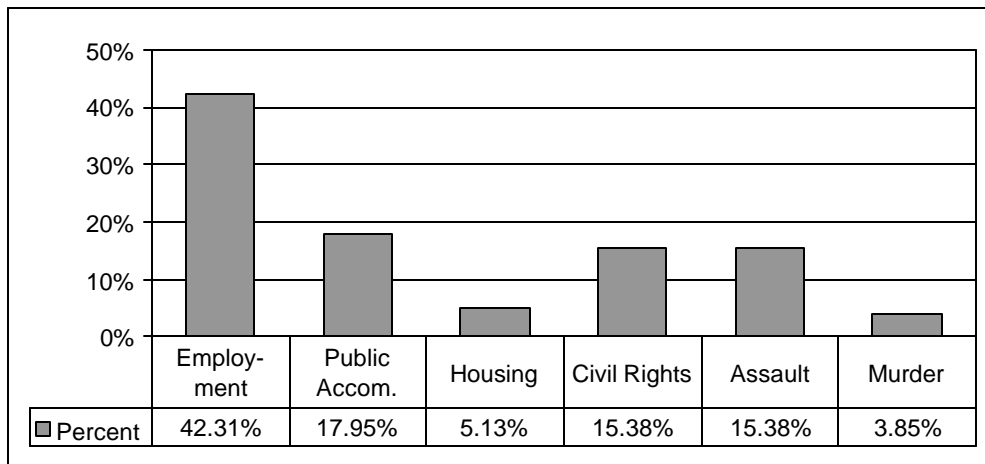
This year we have documented more cases of discrimination and hate crimes against gender variant people in Illinois than ever before. In this report are 24 cases, which is twice the number we have reported in any of our previous reports. These cases cover the categories of employment (9 cases), public accommodations (4 cases), civil rights violations (5 cases), and hate crimes (6 cases).

More disturbing than the cases that we documented are those that are not recorded in this report. Our sources of information include calls placed directly to the It's Time, Illinois hotline, the complaints registered with the Chicago Commission on Human Relations, Horizons Community Services Anti-Violence Project, and other miscellaneous sources. These are just the tip of the iceberg. Most of the people who have suffered discrimination do not know about the It's Time, Illinois documentation project, or other resources which are available.

Since there is no state law protecting gender variant people, the Illinois Department of Human Rights does not keep records of complaints of discrimination which may have been based on gender variance. The same is true of the Cook County Human Rights Commission and the Chicago Commission on Human Relations. Both Cook County and Chicago will take complaints when registered, but most people do not bother since they know that neither of these jurisdictions have ordinances that protect gender variant people.

Over the past 5 years we have documented 66 cases. Since many of these cases include multiple elements of discrimination, the total number of incidents that we have recorded is 78.

Cases Documented by It's Time, Illinois, 1995-1999

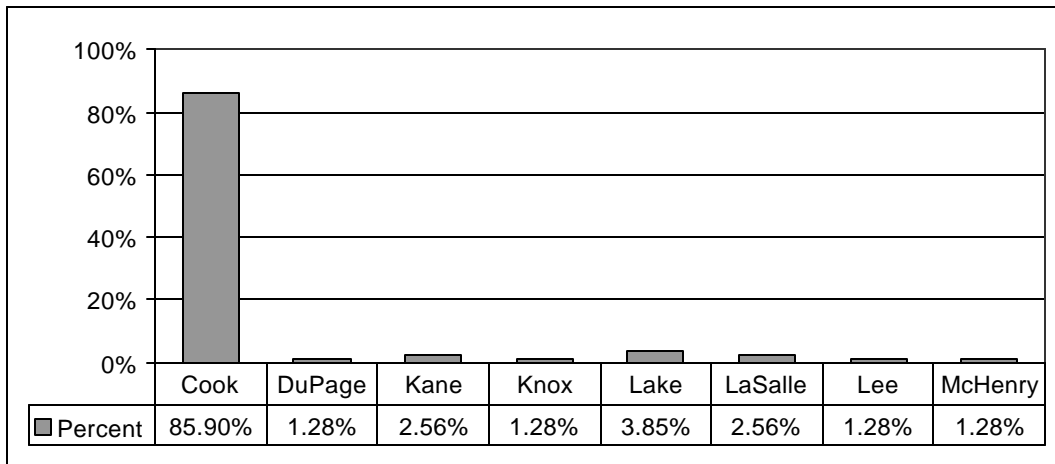


Most Cases In Chicago & Cook County

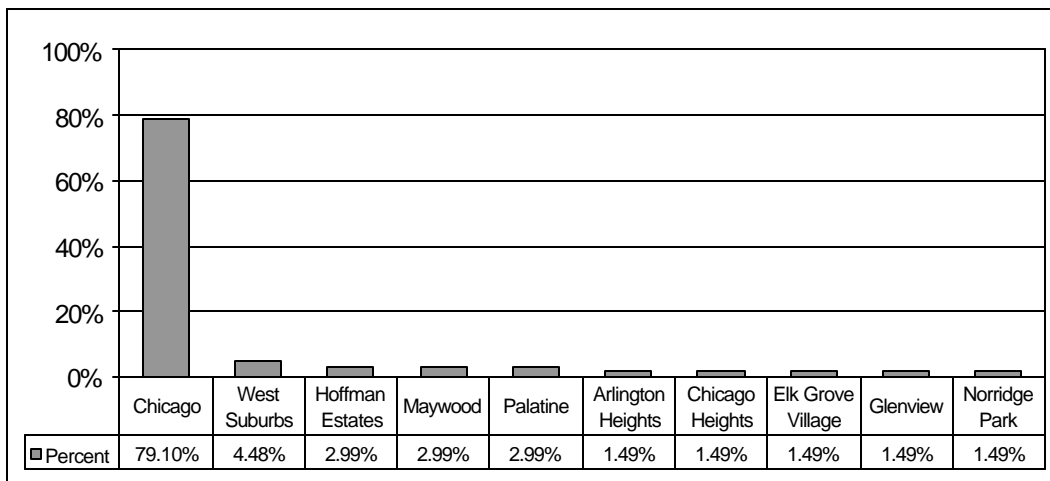
For whatever reason, over 85% of the cases we have documented occurred in Cook County. The obvious reason is that we are based in Cook County (Oak Park), hold our meetings alternating between Oak Park and Chicago, and are most active in our outreach in the Chicago metropolitan area. Chicago and Cook County represent about 45% of the population of Illinois. If we assume that discrimination is distributed according to population, then we are missing about half of the reportable incidents simply because we are not as easily accessible or known in the rest of the State of Illinois.

The other cases we have documented are distributed in DuPage, Kane, Knox, Lake, LaSalle, Lee, and McHenry counties.

Geographic Distribution of Cases – 1995-1999



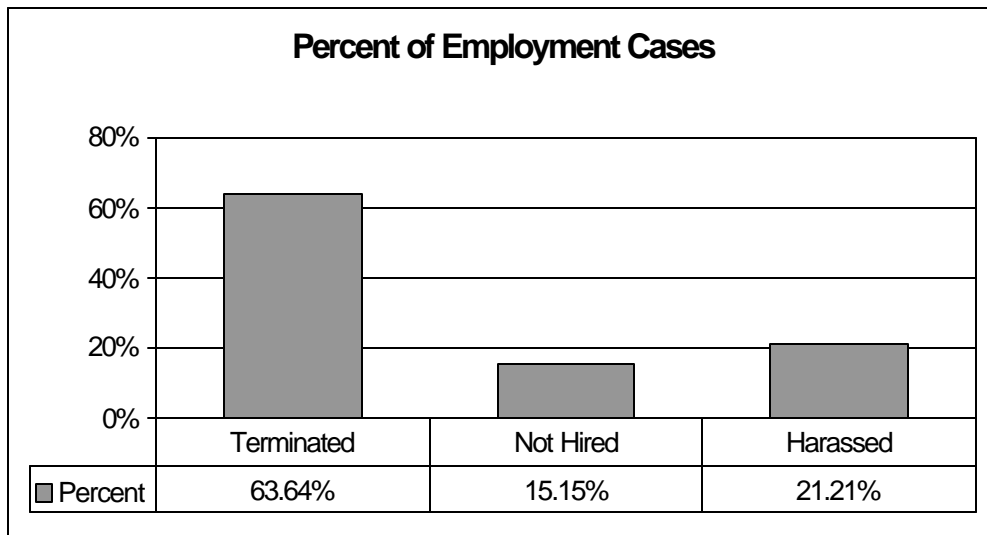
Percent in Cook County



Employment Discrimination Is Most Prevalent

Employment discrimination cases consistently have been the most prevalent type of discrimination which we have documented. Typically about 40% of the cases involve an employment situation. In 1999, there were 9 cases of employment discrimination out of the 24 total cases, or 37.5%. Over the past 5 years, 42.3% have been employment cases.

There are three forms that the discrimination typically takes: the individual is fired, not hired, or harassed. Typically the individual is systematically harassed before being fired or constructively discharged.



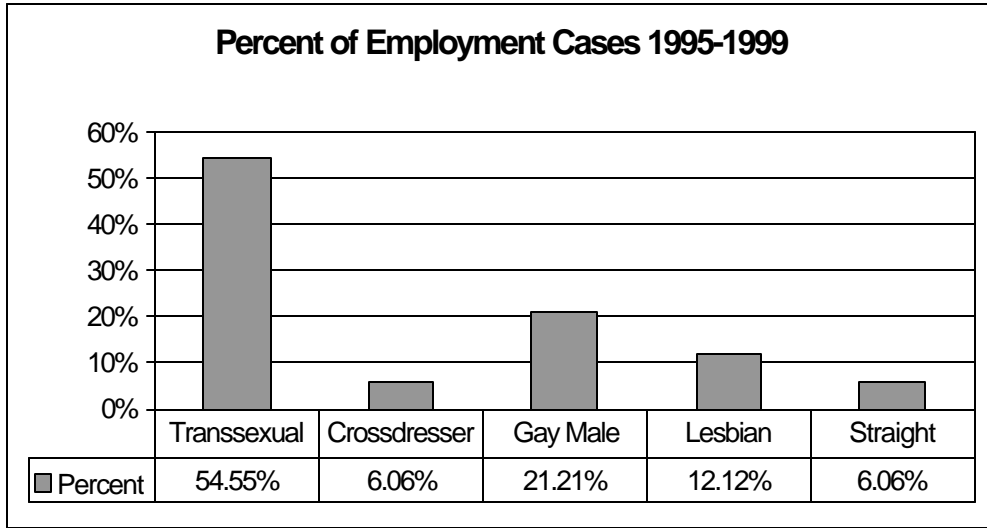
The harassment of a transgender person usually takes the form of the employer or coworkers refusing to acknowledge the individual's gender. Typically, the person is denied access to the appropriate rest room. Or the supervisor consistently calls the person by the wrong name, or uses the wrong pronouns when referring to the person.

Harassment of a gender variant person who does not identify as transgender usually takes the form of jokes at the person's expense, name calling, inappropriate touching, suggestive language, and so forth. Typically the employer is a willing participant in the harassment.

Termination of the employee usually occurs after a period of several months to about two years of consistent harassment. In none of the cases that we

documented could we find evidence for any motive for firing other than bias against the individual's gender identity, characteristics, or expression. Many of the people who were fired had outstanding performance records, going back for years. In one case, the individual who was forced to resign had been with the organization for 35 years, and had risen to the position of Board President.

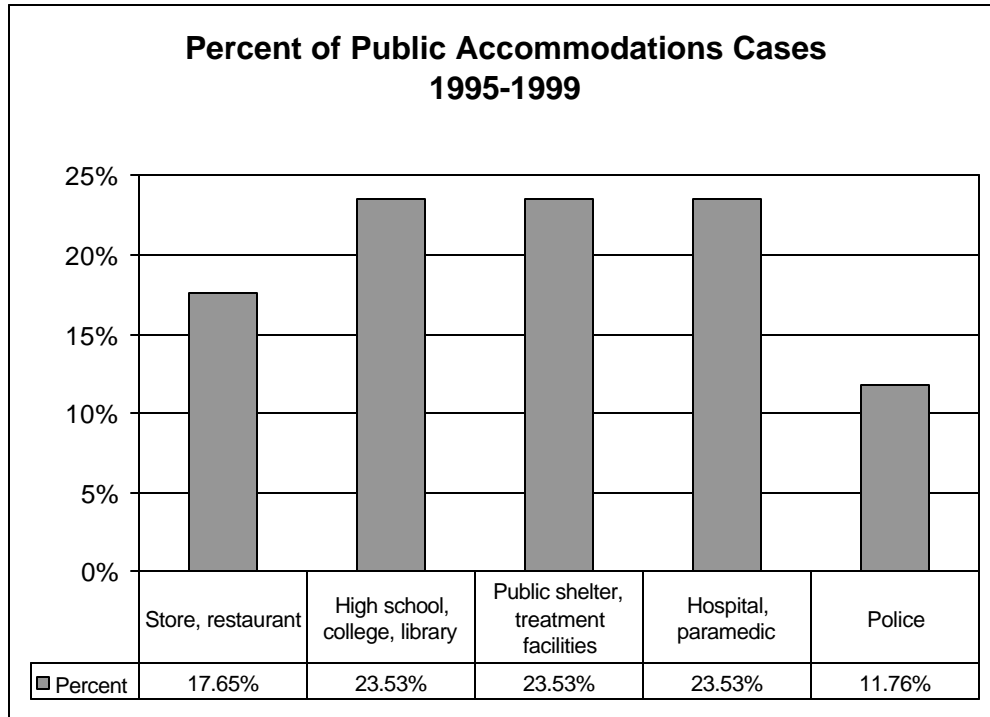
Employment discrimination affects all gender variant people. Although most of the cases involve transgendered people, over one third of the cases were not.



In most of the cases of gay males or lesbians who were discriminated against, they were severely verbally harassed prior to being fired. In one case, the individual was demoted, moved to a different location, denied pay, and eventually fired. The verbal harassment typically takes the form of gender slurs. Since most of the employers and coworkers do not know the sexual orientation of the individual, they are reacting to gender variant cues to give them the perception of a gay or lesbian sexual orientation. But the nature of the verbal harassment is very indicative of the role of gender in the discrimination.

Public Accommodations

We have documented 14 cases of discrimination in a public accommodation. These include denial of access to a library, school, or nightclub; neglect or refusal of treatment by medical professionals; and police indifference. A number of these incidents occurred in conjunction with a hate crime, and the crime was just compounded by the indifference of the very people who could be and should be helping the victim.



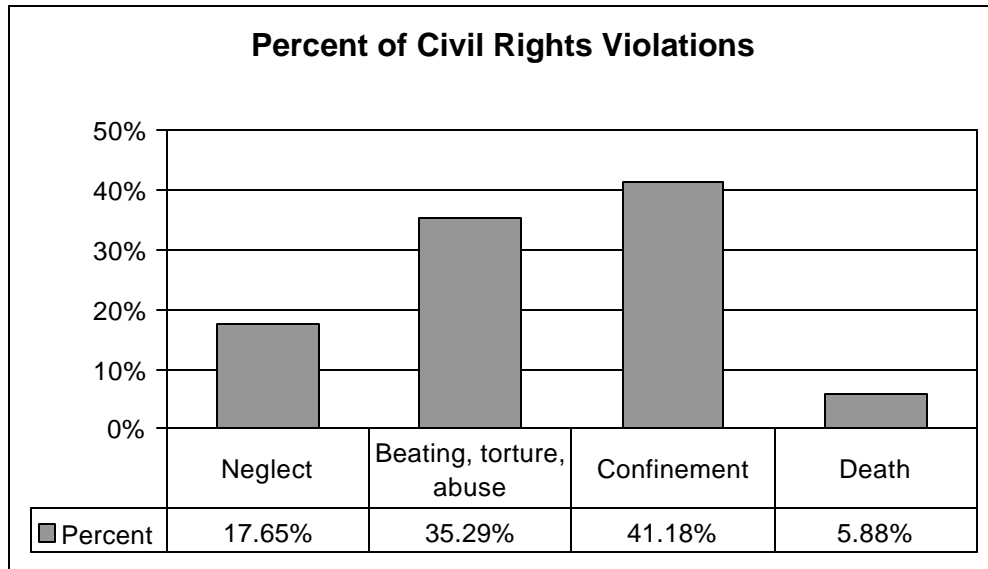
Housing

Although we do occasionally get a case of housing discrimination to document, these are relatively rare. We have documented 4 cases. In two of the cases, the individual was evicted. In another case, the person is having trouble finding someone to rent to her. An in the last case, an individual working with the housing authority was making it difficult for a transgender person to rent housing. Presently we do not have enough of these cases to draw any conclusions.

Civil Rights Violations

Included in the category of civil rights violations are all cases in which the complainants' freedoms were severely restricted or ignored by a public or private agency. Examples from this year's report include abuse of a transsexual woman by prison guards and her parole officer, unnecessary confinement and aversive therapy in a psychiatric hospital, and false arrest by police.

Over the past 5 years we have documented 12 cases of civil rights violations. Undoubtedly there are more, and many of the elements of the public accommodations discrimination cases could be interpreted as civil rights violations. We have reserved this classification for those cases which involve police, confinement without cause or consent, or physical abuse. The results of these cases range all the way from indifference, to torture, to death. Some cases had multiple violations within them.

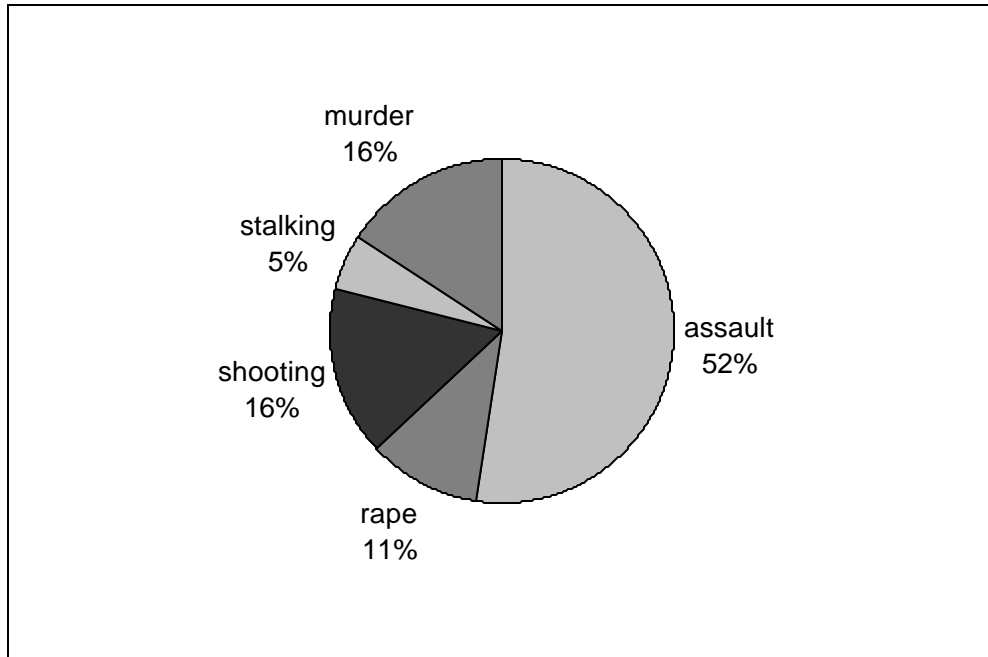


Particularly disturbing in this year's report are the numerous incidents of young gender variant people, ages 14 to 18, who were confined in psychiatric hospitals for "treatment" of gender dysphoria. The latter is the term which is found in the American Psychiatric Association's (APA) diagnostic manual (DSM-IV). The diagnosis of gender dysphoria had been used to subject gender variant children to reparative therapy, which includes electroshock treatment. Although the use of this diagnosis to condition young gay and lesbian children has been repudiated by the APA, we have found that it is still being used in the Chicago metropolitan area to torture gender variant children.

Hate Crimes

In this year's report, we have documented some of the most violent hate crimes we have seen. Rape, murder, assault with deadly weapons were all part of the cases documented this year. We have documented 15 hate crimes between 1995 and 1999, involving 19 separate incidents.

Hate Crimes Based On Gender Variance, 1995-1999



The murder of Baretta Williams, one of the most brutal overkill murders that we have ever recorded, and the vicious shooting of her friend in Ms. Williams' apartment, occurred in 1999. These were two beautiful young transgender women in their early 20's. Ms. Williams' friend was visiting Chicago from her home in Oregon. They were both preparing for a prestigious beauty pageant which is held each year in Chicago. Baretta Williams was shot 16 times at close range by assailants who broke into her apartment for the purpose of committing a hate crime. Her friend was shot 3 times, twice in the face, and left for dead. She was hospitalized for about 2 months before returning home. Her face is so damaged that she still cannot keep liquids in her mouth.

A few years ago, the same thing happened to Christian Paige in Chicago. She had been brutally beaten about the head and ears, then strangled, and finally stabbed deeply in her chest and breast area between 15 and 2 dozen times.

Then prior to fleeing the scene, her assailant set fire to the apartment only a few feet from her prostrate body, apparently in an attempt to destroy evidence. Her body had been so savagely assaulted that some friends at first believed she had been deliberately mutilated.

We have documented 3 murders of transgendered women in Chicago since we began the documentation project in 1995. The incidents that happened in Chicago are not isolated incidents. Nationally it was a very bad year for violence against transgendered people, with a murder occurring about once every month. In the eight months between the well-publicized murders of Matthew Shepard and Billy Jack Gaither, there were at least eight equally gruesome murders of transgendered people. One murder per month. There is a war going on against the transgender community.

Most of the transgendered victims were of lower socioeconomic class. Somehow these two factors, poor and transgender, diminished the humanity of the victims in the eyes of the media. With few exceptions, these murders were not considered newsworthy. When the stories were covered, transgender people were ridiculed with cartoons and dismissed with demeaning stereotypes. We are the new disposable people.

Tasha Dunn, Vianna Faye Williams, Fitzroy Green, Chanel Chandler, Rita Hester, Steve Dwayne Garcia, Lauryn Paige, Tracey Thompson, and now Barretta Williams. All within a year. In fact, all within the year after Matthew Shepard was lynched.

Vernita Gray, of the Cook County State's Attorney's Office, has often said that the most gruesome hate crimes, overkill murders, are often carried out against transgender victims. Many of the victims of anti-gay or lesbian hate crimes were singled out because of their gender expression.

Gender variant people are very visible targets for those who are looking to inflict their hatred on innocent people. Gender variant people often draw the attention of homophobic assailants looking for a gay or lesbian person to attack. Gender variant people are at constant risk of hate crimes unless they can blend in perfectly, and not be detected or discovered.

Beyond the gender variant community, it was a bad year for hate crimes in general. From the killing of Ricky Byrdsong and the shooting of Orthodox Jews in Skokie, to the dragging death of James Byrd in Texas and the attacks on the synagogues in California, it was a very bad year.

Case

Summaries

The following are actual cases of discrimination based on actual or perceived gender variance against individuals who were residing, visiting or working in Illinois. The cases were taken from cases filed with *It's Time, Illinois* or complaints filed with the Chicago Commission on Human Relations. Names and other identifying features were eliminated or changed where appropriate to protect the anonymity of the individuals. Most of the cases are in the actual words of the person who related the incident, with the exception of the phrases in italics or parentheses, which were added for clarity. Other cases were newspaper accounts, or related by a third party. Complete transcripts of interviews are held in the confidential files of *It's Time, Illinois!*

Employment Cases

- 99-1 Crossdresser in Chicago Heights, terminated after 6 years as supervisor of waste treatment plant when he was discovered to be a crossdresser.
- 99-2 Woman in Union IL, 35 years as a volunteer and single largest financial contributor to Illinois Railway Museum, forced to resign as President of the museum when she is found out to be transsexual.
- 99-3 Transsexual woman in Chicago, plant supervisor in auto parts industry, fired from job after she began transition from male to female.
- 99-4 Gay man, Chicago, harassed due to gender-related characteristics, denied due pay, transferred, and finally fired from food service job.
- 99-5 Lesbian woman in Chicago, perceived as such because of masculine characteristic, harassed, taunted and fired from retail position.
- 99-6 Woman in Chicago, perceived as lesbian because of gender-related characteristics, forced to resign from her job at a prominent university after a year of constant harassment by co-workers.
- 99-7 Gay man, Chicago, harassed and taunted by co-workers and managers in restaurant as effeminate, terminated without cause.
- 99-8 Gay man, Glenview, award-winning financial analyst in major hotel, constantly harassed by management due to gender characteristics, demoted, denied due pay, bonus and promotion, finally fired.
- 99-9 Heterosexual woman, Chicago, subjected to workplace discrimination all her life because of gender characteristics, forced to resign because of perceived lesbianism

Public Accommodation Cases

- 99-10 Woman publicly humiliated at college in Chicago, threatened with physical removal, legal documents not acknowledged, denied admission without medical tests, because of gender appearance.
- 99-11 Transsexual woman, refused in-patient treatment at drug treatment facilities in Chicago, despite proper legal documentation as female.
- 99-12 Gay man, denied access to public library in Chicago because he was perceived as gay due to gender characteristics and expression.
- 99-13 Neglect by police in follow-up of murder investigation of transsexual woman.

Civil Rights Violations

- 99-14 Preoperative transsexual woman, jailed with men in Dixon, IL, harassed, taunted, and beaten by guards, denied food, not allowed to shower or shave, refused medical attention. Beaten by parole officer.
- 99-15 Transsexual girl, 17 yr., discriminated against in high school and expelled unfairly, confined and tortured in psychiatric hospital in Cook County
- 99-16 Another transsexual girl, locked up in same psychiatric hospital and subjected to aversion therapy (electroshock) to “cure” gender dysphoria
- 99-17 14-year-old transgender youth, beaten and verbally abused by hospital personnel while confined in a Lake County psychiatric facility.
- 99-18 18-year-old male crossdresser, ward of the state, abused by staff of Cook County home, denied adequate treatment at Cook County Hospital, taken to psychiatric hospital in wrist and ankle restraints.

Hate Crimes

- 99-19 Bashing, in Chicago, of 19-year-old woman who was perceived as a gay man. Followed by neglect by police.
- 99-20 Bashing of 2 gay men and a transgender woman in Chicago, followed by wrongful arrest by police who arrested the victim, not the assailant.
- 99-21 Brutal overkill murder of young transgender woman, shot 16 times, and shooting of second transgender woman, shot 3 times in face and neck and left for dead.
- 99-22 Sexual assault and rape of 21-year-old transsexual woman in Chicago.
- 99-23 Assault of transgender woman on the street in Chicago, followed by indifferent police treatment of her case.
- 99-24 Threatened assault of two gay men, one of whom identifies as a drag queen.

Employment Discrimination

Case 99-1 Crossdresser, Chicago Heights, Cook County

The following report was filed with It's Time, Illinois on 1/8/00. It describes an incident of employment discrimination which took place in Chicago Heights, Cook County. The individual had been employed at a wastewater treatment plant, as the supervisor of Maintenance. At the time she was terminated, she had been in that position for 6 years. Complaints have been filed with both Cook County and Illinois Human Rights Commissions. The case is under consideration by the ACLU.

In May of 1997 I was outed (i.e., exposed) as a "Transvestite" at work. The previous month I had the opportunity to travel to South Carolina for a conference. During this trip I decided to travel enfemme (i.e., as a woman). I wrote a story about the entire trip as a documentary. It was published in "Femme Mirror" (a publication of the nation's largest crossdressing organization).

I had a draft copy of this article in my desk at work to proof read. Sometime during the week someone went through my desk and got hold of it and made copies and passed them around to the entire plant. My boss called me in shortly after and told me that an employee was filing a sexual harassment charge against me because he was offended that I was crossdresser. This employee was a subordinate of mine.

I never "dressed" in femme clothing or similar. The only difference was longer hair and ear studs. I challenged the charge and told the company to get legal advice before going further. I was told in a written reprimand to never bring any personal property onto the work place again or talk about this subject or indicate my association with it. Shortly after another employee came forward and said that I used the "Crossdresser" word around him and he was offended. I was written up for this also.

From that date on I was under observation and my immediate supervisor took a different attitude toward me. The following 2 years were marked with constant warnings about anything that I did that did not please my boss. Because I had gotten very good reviews for the time prior to this "outing" they could not let me go or it would have been too obvious. They had to build a case.

Employment Discrimination

I felt the change in attitude toward me and knew that something was going to happen one day. Almost 2 years to the date (after the initial incident) I was asked to resign. I asked for a reason and nothing was given just a smile. I said no and they said termination was not an option. I would not get unemployment or a favorable recommendation. Other discussions were involved and I finally resigned under protest.

Note that at the initial incident (May 97) I asked my supervisor if he was interested in learning more about my condition and he indicated possibly. I tried to pass info to him at a later date but I was told that it "was not the time".

Case 99-2 Transsexual Woman, Union, McHenry County

The following case was reported to It's Time, Illinois in November 1999. Julie Ann Johnson, known nationally for her work with GenderPAC and the International Foundation for Gender Education, was forced to resign from her position as President of the Illinois Railway Museum in Union, Illinois because of her gender. Johnson, a 35 year veteran volunteer at the museum, was asked to resign when she came out to the Board as a transgender woman. In addition to serving as President for many years, Johnson was also the museum's single largest financial contributor. The Illinois Railway Museum is the largest museum of its kind in the nation.

I am a 57 year-old MtF transgendered person, and in November, 1999 suffered what I believed to be an inexcusable act of discrimination.

I was President of the Illinois Railway Museum, located in Union Illinois. This organization calls itself the largest railway museum in the United States, having a campus of some 250 acres, with perhaps 375 pieces of railroad rolling stock. Much of that large collection came as a direct result of my efforts, as well as did most of the land and other expansions of the museum. I supervised building most of the track, and all of the signals.

For a third of my career there I also was *de-facto* business manager, carefully applying my skills obtained from my full time position as a corporate CEO. In addition to all the things I physically performed for the museum, I was their largest single financial contributor over the years, donating close to a million dollars to all sort of major and minor projects to further the cause of this charity.

Even though two of the directors knew of my gender struggles for several years, and that rumors of my transgendered status had long floated around the

Employment Discrimination

museum, early in November, the other six directors, all male, who had met in secret, sent an emissary to me informing me that I must resign at the Saturday November 13 Board of Directors meeting, solely because I had publicly come out as transsexual. They did not even have the courtesy to confront me as a group.

I, of course, had to resign, and did so at that meeting, carefully reading my resignation letter into the record. I had no choice in reality, as the President is elected by the board, and serves at their discretion. I was thus clearly being forced out, and when I talked with an ally on the board who was one of the directors who had known of my personal struggles, he made it clear this was a tough for him but unanimous decision on their part, and that I had no choice in the matter. Resign or be publicly fired.

What led up to this humiliation is something that is unavoidable for any transsexual person – having to publicly “transition” from one gender to another. I had indeed done that in all aspects of my life over the previous two years, save for the railroad museum activities. In late summer of 1999, I had informed the rest of the board of my transition, telling them I would not presently identify as (my female name) *on the museum property* in the capacity of President.

However, there was one director who immediately made it known that I could not lead the organization, and shortly thereafter wrote me to the effect that he was going to push for my resignation.

The really sad part of all of this is despite thirty-five years of loyal service, giving most of my recreational life during that time, and being the single largest cash donor to the museum, and being a knowledgeable business manager and budget director, and all the other really positive things I did for the organization, I was thrown out without even a single word of official appreciation.

Case 99-3 Transsexual Woman, Chicago, Cook County

The following report was submitted to the It's Time Illinois Documentation Project in January, 2000. The individual describes herself as a 57 year-old, male-to-female preoperative transsexual, residing in Chicago. The incidents described in this report took place between 4/98 and 8/99.

When I transferred from the corporate office to one of the divisions within the company in May, 1998, the human resources manager at the division was very uncomfortable with my transgenderedness. She stated to me that I was to dress appropriate, and in my letter of employment stated the type of clothes and how I was to wear them. I was expected to follow a stricter code of conduct and higher

Employment Discrimination

quality of work than the other supervisors. In August, 1999 I had a situation arise with another supervisor. I was discharged for conduct unbecoming a supervisor.

I had come out (as transgendered) to the human resources manager when I was working in the corporate office. So when I transferred to the division, I told the H.R. there that I was transgendered. I could tell that she did not like it.

The company that I worked for manufactures printed circuits for the auto industry. I was supervisor of the 3rd shift. My personnel record was good. The plant manager wrote me up for bad production once. But he had to change the write-up when I produced records showing him production was according to standards.

I was finally discharged for behavior unbecoming a supervisor. I was denied unemployment, but got it reinstated after an appeal. I have applied for employment at other units of the same company, but have been denied because I was not an optimal fit. I have been unemployed except for temporary work for 6 months. It has been a financial hardship during this period.

I have filed with both unemployment and the Illinois Department of Human Rights. Unemployment compensation has ruled in my favor. The Illinois Department of Human Rights has just started their investigation. My crew at the company know what happened, but I feel that they would be afraid to say anything because of job security.

I had one employee at the company support me on the day that I was discharged. She was also discharged that day because her attitude was not consistent with their policy.

Case 99-4 Gay Male, Chicago, Cook County

This individual is a gay man. He was constantly harassed by his supervisor because of his sexual orientation and gender-related characteristics and behaviors. He was eventually fired. His complaint was filed with the City of Chicago Commission on Human Relations in October, 1999. In the complaint, he indicated that the discrimination was based on national origin, ancestry, and sexual orientation. The case is included here because it points out that quite often gender-related behaviors lead to sexual orientation discrimination.

I am a gay male... I was hired as a busman on Sept. 28, 1997 at work at the club in the Catering Department. Since I was hired, Mack (main captain, supervisor) made fun of my sexual orientation on a continuous basis. I never talked about my sexual orientation. I did not flaunt my sexual orientation at work.

Employment Discrimination

I performed my job satisfactorily and I was assigned other jobs, such as decorating tables for special parties.

Mack informed me that I would be paid for the extra work; however I never got paid. Mack got upset when I asked him about the pay I had been told I would receive. Mack failed to respect me as an employee. He taunted me in front of other workers. Mack would mimic my gestures or make me the object of his jokes. I objected to the disrespectful manner in which he treated me. I informed Mack on several occasions that I was there to perform my job and reminded him on various occasions throughout my employment that my sexual orientation had nothing to do with my work performance and should not be of interest to anyone.

(Another employee, captain) also made fun of my sexual orientation. On one occasion he said to me that I could not set up tables for a banquet because it was a "man's job." I told him my sexual orientation did not interfere with my work.

He continues describing incidents in which he was treated differently than other non-gay and non-Hispanic employees. He was finally written up for being late and transferred.

I transferred to the Buffet section supervised by Janet C. (non-gay, non-Hispanic). I informed her that we were short of materials in the department (silverware and linens), yet I was expected to set up the tables right away... The general manager stated at an employees' meeting that employees could voice their concerns about the job. I raised my concerns about not having all materials needed for a job... I also raised issues concerning the failure of Mack to write up work schedules on a weekly basis when all dinners were written up in advance. The manager thanked me for my concern and stated that he would try to resolve the situation.

(The next month) I was issued a 3-day suspension for tardiness. To my knowledge, non-Hispanic, non-gay workers who were often tardy were not suspended. I was told to call the general manager to ask him when I could return to work. I called five days in a row. The manager informed me that I was discharged...

Discriminating against me because of my sexual orientation, national origin and ancestry is discriminatory under Chapter 2-160 of the Chicago Municipal Code. I seek all relief available to me under the law. (Case No. 99-E-169, filed 10/99).

**Case 99-5
Lesbian Woman, Chicago, Cook County**

This individual is a lesbian woman. She was harassed by her employer and manager. The basis of the discrimination was sexual orientation, and can be tied to gender-related characteristics and behaviors. Her complaint was filed with the City of Chicago Commission on Human Relations. She was fired supposedly for insubordination in June, 1999. The case is included as another example of how gender-related behaviors lead to sexual orientation discrimination.

I am a gay person but I do not flaunt my sexual orientation. I was hired on July 22, 1997 as a sales associate to work at Respondent's store located at O'Hare Airport. I take my work seriously and I take pride in my work. I was promoted by Respondent on or about October 1997 to Sales Associate Supervisor's position. I was in charge of closing three stores every day and sometimes more than that. I performed my job well.

I was fired on June 11, 1999... based on write-ups issued to me on complaints made by the Assistant Manager. I charge that she was harassing me all along since I was hired because of my sexual orientation. There was no reason to fire me, as I am a responsible and very good employee. I believe my termination had to do with my sexual orientation because of the following:

Since I was hired by Respondent, the Assistant Manager always asked me personal questions about my personal life. She treated me in a different manner from the other staff. For example, she asked me more than once if I was or had been married. She also inquired about my sexual orientation to co-workers and made comments that "I walked like a man." She said to me once I did not know how to fold T-shirts correctly, adding, "Most women know how to fold T-shirts." I tried to disregard her derogatory comments.

On or about September 1997, I had to finally confront the Assistant Manager and I did tell her I am gay. She said to me, "I am not surprised. I figured that out." ... On or about September 1998, she began calling me a "dyke." As it was obvious that she did not like me because I am a gay person, I informed the Human Resource Director that it would be best if I was transferred...

She continues describing incidents and comments made by the Assistant Manager related to supposed masculine characteristics, such as "I thought a lesbian's strength was similar to that of a man," and so forth.

I was written up twice on June 7, 1999: I was accused of insubordination... I was not insubordinate as claimed. I gave her my explanation... I followed Company policy... I was terminated on Friday, June 11, 1999. Terminating me

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because of my sexual orientation and falsely accusing me of insubordination is a violation of Chapter 2-160 of the Chicago Municipal Code. Therefore I seek; a) to be reinstated to work; b) to be paid for loss of income; c) to have management give a sensitivity training to its employees on sexual orientation harassment issues; d) to be promoted to Operations Supervisor, as I had been promised; e) to be involved in the management program; and f) any other relief available to me under the law. (Case No. 99-E-98, filed 6/99)

Case 99-6 Lesbian Woman, Chicago, Cook County

There were numerous cases in 1999 reported to the City of Chicago Commission on Human Relations in which the complainant claimed employment discrimination on the basis of sexual orientation, and which there were elements of discrimination based on gender identity, behavior, or characteristics. Rather than report each of these in detail, we are presenting the sections of three of these complaints most relevant to gender. The complainant in this case employed at DePaul University. She was forced to submit her resignation after constant harassment and receiving no support from her supervisor or Human Resources. (Case 99-E-29, filed 3/99)

Since starting my position on January 6, 1998, Ms. F. (straight female) was never pleasant with me. Because of the nature of our duties, we had to interact throughout the day. She would approach me with glares, hostile body language and curt tone of voice...

I later learned from a co-worker that on the day I started my employment with DePaul, Ms. F. had made comments about my sexual orientation. She went to my co-worker and said, "Did you see who they hired? Wait until you see her. She's just like Charlotte. She's a lesbian." My co-worker said she asked her why she thought I was a lesbian and Ms. F. replied that I had pants on, no make-up and short hair. She then went on to say "I don't like her. I am surrounded by all of these lesbians and gay men. Why aren't there more straight people? Just look at her." My co-worker told me that it was a known fact that Ms. F. was homophobic. She and a former worker frequently made anti-gay comments...

Case 99-7
Gay Man, Chicago, Cook County

This is another of the cases reported to the City of Chicago Commission on Human Relations in which the complainant claimed employment discrimination on the basis of sexual orientation, and which there were elements of discrimination based on gender identity, behavior, or characteristics. In this case, the complainant was a server in a restaurant. He was continually harassed and taunted by co-workers and managers during his employment at the restaurant. He complained several times to management, but no action was taken. Finally he was terminated after about 9 months. He was given no explanation for his termination. As in the previous complaint, the following is an excerpt of his complaint which is most relevant to discrimination based on gender variance. (Case 99-E-37 filed 3/99)

I worked first at the Elston location, where my co-workers called me “faggot,” “maricon” (Spanish for faggot), “bitch” and “puta”. I informed the dining room manager, who is not homosexual to my knowledge, about the harassment which occurred on a daily basis. To my knowledge, she took no action as the harassment continued unabated...

On or about November 1, 1999, I told Lisa Marie, who is not homosexual to my knowledge, a manager, that the cooks and bussers were harassing me. She said she would speak with them; however, the harassment continued. Also around this time in November, Lisa Marie made several racially derogatory remarks about African-Americans and Cubans (I am Cuban). Knowing that I am Cuban, Lisa Marie tells me she believes Cuban women are “whores”. I believe that Lisa Marie and other managers I encountered while working for the respondent practiced and perpetuated a culture of discrimination and discriminatory behavior that created a hostile work environment...

When I died my hair blondish-brown, I was called effeminate by the cooks and bussers. Lisa Marie began to call me “Reina” which means “queen” in Spanish, and she called my lesbian co-worker “hammer” which is a derogatory term for lesbians.

Case 99-8
Gay Man, Glenview, Cook County

Another of the numerous cases in 1999 reported to the City of Chicago Commission on Human Relations in which the complainant claimed employment discrimination on the basis of sexual orientation, and which there were elements of discrimination based on gender identity, behavior, or characteristics. In this case, the complainant describes how he was an award-winning financial

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controller at a major hotel in Glenview, Cook County, IL. He was recipient of the Controller of the Year award, and had been told by top management that he was one of the best controllers they had ever hired. In the complaint, he describes systematic harassment, a demotion, withholding of pay and bonuses, and being passed over for promotion. He was fired because he would not falsify documents for the company. We are presenting the sections of the complaint most relevant to gender. (Case 99-E-152, filed 9/99)

The sexual harassment consisted primarily of offensive and derogatory statements, inquiries about my sexual habits, sex jokes and the like by (various people) and others in management. I complained to them on several occasions ... that I did not like these kind of comments...

(Various co-workers and managers) made the following statements to me: "You faggot..."; "Don't be such a sissy..."; "Don't be such a pansy..."; "Try not to act like a girl..."; "I guess you just can't be one of the guys..."; "You bitchy faggot..."; "You don't have the balls do you... because you're not really a man...", and many other derogatory remarks that were highly inappropriate and hurtful. Toward the end, one of the managers would make fun of me and stated often, "Don't be such a girly bitch..."

During the budget process, I was asked to help the Controller (of another Hotel) with their budget. During the process, I commented to (a manager) that I was paid only \$2,000 more than the Controller of the other hotel, when he had less experience and I had much more. The Controller there had just received a large salary increase, while I only received my annual increase. I did not receive a large salary increase because I was told by (the Vice President of Hotel Accounting) that "I wasn't one of the boys, sweetheart".

I then was asked by (him and other Vice President) to go out with them and some other people for dinner and drinks. I declined because I had been uncomfortable with our meeting earlier that day. Several days later (the Vice President of Hotel Accounting) said to me "So you don't want to come out with us guys, huh, ... you little girl."...

I was asked to do (several) acts during the course of my employment which I believed were either improper or against company policy, and which I did not want to do. When I refused to do so I was verbally harassed and mocked by the managers as not being "one of the boys".

The acts he was asked to do included falsifying documents regarding general operating expenses, allowing undocumented persons to use false social security numbers, and giving false and misleading financial information. After one of these last episodes, he was fired.

**Case 99-9
Heterosexual Woman, Chicago, Cook County**

This individual is a 50-year-old heterosexual woman who has been subject to workplace discrimination her whole life because of her gender characteristics. The discrimination was reported to Horizons Community Services in June, 1999. She lives and works in Chicago, which is where these incidents took place. The following is from the Horizons incident report on her case.

June 7, 1999

The caller had no specific incident to report. She stated that she is perceived as gay at work. She identifies as heterosexual but is questioning her sexuality. She says that rumors have been spreading about her sexuality, and now no one wants to stand by her or work with her. She believes that they are trying to make her so uncomfortable that she will have to leave. She says this kind of thing has been going on since 1989. She has lost 6 to 8 jobs because of her perceived sexuality.

She was very upset, and stated over and over again that discrimination was wrong against anybody, and she wanted to get involved to help the gay, lesbian, bisexual and transgender community, even though she was not gay...

She was very concerned about losing her job. She said she can't afford to lose it as she is living on a very tight budget...

There appeared to be no specific evidence that she was going to lose her job, but she felt sure that she was. She had taken today off because she did not want to face her workers. She did not know what to do. I referred her to the help line for a legal referral/appointment and a counseling referral. She agreed that counseling may be helpful in determining issues surrounding her sexuality and perceived sexuality.

June 10, 1999

The caller has left 14 jobs in the last 2 years because of harassment based on her perceived lesbianism. She describes herself as non-masculine and heterosexual or possibly bisexual. She had just quit her job and was trying to decide whether to go in for her last day...

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**Case 99-10
Discrimination at an Institute of Higher Education
Chicago, Cook County**

The woman in this case was discriminated against by employees of Columbia College, Chicago, Cook County, because of her gender appearance. She was publicly humiliated during registration by a security guard. Her complaints were ignored by the faculty supervisor of registration. She was threatened by the head of security with physical removal from the premises. The president of the College refused to acknowledge her official Illinois birth certificate and drivers license. She was not allowed to attend the College without a medical examination and counseling. Her complaint was filed with the City of Chicago Commission on Human Relations in December, 1999.

On September 24, 1999, I went to Columbia College to register for a class entitled Teaching Early Childhood Education, which involved showing proper identification such as Illinois State ID. Upon completion, I was told that I could get a photo ID. I went to the ladies room to freshen up. While I was in the ladies room, I heard some loud noises outside of the ladies room as women were coming in and out of the bathroom. As I was walking out of the ladies room, the security man, Robert B. (male) said in a loud and rude tone, "Come here!" At first I kept walking, because I thought he was talking to his pals, and I didn't know him.

He then said, "Sir, come here!" I said, "Excuse me?" He repeated the statement again. I said, "You are mistaken and I do not appreciate you referring to me in the wrong pronoun or your tone." I showed my bursar's receipt and said, "I am going to get my identification." He said, "Sir, I will see you when you get them." He proceeded to add, "I call 'em as I see 'em: I call a spade a spade."

There were a few people there who witnessed this treatment. There was a student, who I later learned was E. J. (male), who was calling other students to witness the incident.

I asked the security guard to call his supervisor. He said, "Sir, I will get my supervisor and nothing is going to happen, you'll see!" I told him that I thought his behavior was unprofessional, inappropriate, harassing and extremely rude. He said, "Man, I don't care who you tell or how you feel, I call a spade a spade, and you're not supposed to be in the ladies' bathroom anyway!" The student (E. J.) and his friend stood by the security man's side in support, laughing.

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I walked toward the front of the building to wait for his supervisor. I passed three students who were sitting on chairs while the security guard (R. B.), the student (E. J.) and some of their group walked in front of and behind me. The security guard was repeatedly saying, “ I call a spade a spade and you don’t; have any business in the ladies’ room, sir.”

The security guard and his entourage, consisting of the student (E. J.) and other students who had left the registration table to watch, laughed with amusement. Everyone coming into the building, standing in the lobby, sitting at the registration table, and coming in and out of the registration area would stop to listen and watch. I stood there waiting about twenty minutes for the supervisor to show up. When no one did, I felt that the security guard (R. B.) had actually not called anyone. I went to the registration area to find the person who was supervising the registration.

One of the students (female) who was sitting in the chairs and who witnessed the incident told me to speak to Mr. M. C., who, she stated, was the supervisor of registration. I explained the incident to Mr. M. C., who, after listening to me, asked me to wait.

I stood in the lobby area waiting for the supervisor. In the interim, the security guard (R. B.) continued with his statements and allegations and amused the crowd. The student (E. J.) hollered, “All right! You better tell ‘em dude!” and snapped his fingers, which amused everyone. Eventually the supervisor (male) showed up. I began to tell him what had ensued. He was very considerate and respectful. He immediately asked the security guard (R. B.) to fill out a report. I wondered why I hadn’t been asked to fill out a report and asked him. He then gave me a paper to write on. I asked him the name of the person in charge of security for Columbia University, and who was the President of the school. He gave me Jonas Gallegos and Ms. Martha Meagan-Lanihan’s names and their telephone numbers, and, at my request, contacted Mr. Gallegos.

I spoke with Mr. Gallegos on the phone. I told him that I had registered for Teaching Early Childhood Education and as I was explaining the incident, he interrupted me and said, “First of all, what are you?” I told him my name and that I was a female both physically and legally (birth certificate and State of Illinois ID). He proceeded again to ask me, “Are you a male?” I responded, “No I am Ms. T.J. and I am a female.” He then said, “Did you register?” He said, “We have lesbian and gay clubs at Columbia, if that’s what you’re interested in. You are not allowed in female bathrooms.” I told him that I am not lesbian or gay. He said, “Are you a drag queen?” I responded, “No.” Mr Gallegos concluded the conversation by asking me to see him on Monday at 10:00 a.m. or he would have my records “flagged red” and added, “We will yank you out of class.” I told him that I would be out of town that day. He then said, “Tuesday at 10:00 a.m., Mr. J. or else.” I corrected him by telling him my name was Ms. J. He told me he would call me what he wanted to. He threatened to have the guards remove me from the premises if I did not leave right away. He asked me to give the phone back to the security supervisor.

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On September 27, 1999, I called and made an appointment with Ms. Lanihan (President of the College). I went to her office to speak to her and informed her of the mistreatment that I received from the staff at Columbia College. During the time I spoke to her she had different people coming in the office to sit in a chair that was behind me. Ms. Lanihan asked to see my State of Illinois identification and my birth certificate, which I showed her immediately. She handed them back to me and said, "These mean nothing, you can get them anywhere." I told her I wasn't aware of that and they had official certifications on each one. I also asked why Columbia College required this documentation to be shown at the time of registration if they meant nothing. Ms. Lanihan asked me if I had a sex change. I told her that I was a woman both physically and legally and could prove it. She told me that in order for me to be able to attend the school, I had to take a medical examination and bring it to her. She said, "Maybe you don't know how colleges work?" I responded that I was presently attending another school. She responded with a smirk, "Where?" I told her that was not the issue. She asked me if I was on any medication, like hormones. She said with a smirk, "How did that make you feel? I bet I hurt your feelings." Ms. Lanihan told me that I had to see a counselor at Columbia College or I would not be allowed to attend.

On September 28, 1999, I called the Dean of Student's office and spoke with a Ms. L. to make an appointment. Ms. L. appeared somewhat sensitive to the situation but, upon seeing my identification and birth certificate, Ms. L. did mention that this "situation" would usually be handled by a mental health counselor. At the end of our conversation, she stated that she was definitely going to talk to the security staff and possibly mention this incident in some President's breakfast meeting. I didn't feel any better for having talked to her.

The above conduct is in violation of Chapter 2-160 of the Chicago Municipal Code, and I am seeking all relief available to me under the law. (Case 99-PA-133, filed 12/99)

Case 99-11 Discrimination in Public Facilities, Services or Programs Transsexual Woman, Chicago, Cook County

The following case was reported to it's Time, Illinois by in early 2000 describing incidents which took place during the first week of January 2000. The individual is a preoperative male-to-female transsexual woman. She is 36 years old and identifies as a heterosexual woman. The incidents took place in Chicago as a result of telephone conversations with various drug abuse treatment centers, including Haymarket, Add Detox, and others.

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I was finally seeking treatment for my crack addiction. I had approximately a \$250 to \$300 a day habit. [This was during a time] when I had no money at the time coming in.

I had been obtaining all monies illegally and began to realize that I needed help. All the places I contacted, and there were about 7 or 8, most notably the two mentioned above, said that with no insurance, I would only be placed into inpatient treatment if accepted with the men. There would be group showers at the same time with them. [This was] despite my in-transition status. Federal regulations were cited. [This was] regardless of the fact that my Drivers License, Voter Registration, etc. are all female [or in my legal female name] and five doctors could and would state that I'm female, and that part of my therapy requires me to live my life as such.

I guess that no transgendered or transsexual persons living in the State of Illinois can obtain the proper inpatient treatment unless they can afford care at a private inpatient abuse treatment center.

I definitely suffered physical hardship [as a result of this discrimination]. Everyone I spoke with recommended inpatient treatment, but refused to give it to me if I insisted on being treated as female. I have been living full time [as a woman] since December 1998. I have some breast development, enough that had I entered the program there, I would have been subjected to harassment or at least some personal psychological trauma. As a result, I had to accept substandard treatment to that which was recommended.

Case 99-12 Discrimination in a Public Library Chicago, Cook County

This individual is a gay man. He was harassed by security officers at a branch of the Chicago public library. The basis of the discrimination was sexual orientation. However, the basis of the discrimination was gender-related behaviors and gender expression. The complainant was dressed in tights and sweater, a manner of dress which led the respondents to perceive him as a gay man, and to discriminate against him on that basis. His complaint was filed with the City of Chicago Commission on Human Relations in May, 1999. He was denied access to the library.

I am a regular patron of the Thurgood Marshall Public Library ... I went to the Library between 12:40 p.m. and 1:00 p.m. to return some books and to do some research. As I was by the front desk, a female (unknown to me), who I thought at first was a security officer and who was dressed in regular clothes, grabbed me

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by my arm as I was returning some books. She asked me, "Are you a dancer?" She also looked at me from head to toe. I answered "Look, lady, I do not know you. You do not have to grab me by the arm to ask me a question." I did not give any reason to warrant this type of behavior from the female guard.

At that point, a male officer, (unknown to me) who I also thought was a security guard and who was standing about five feet away from me, said, "You have to leave." I did not argue, I just said, "Thank you." As I was about to leave, the male officer called me a "faggot." I had not done anything to warrant this type of behavior from a library staff person. I felt humiliated by the poor conduct of both the woman and the man who worked at the Thurgood Marshall Library by the way they approached me and talked down to me.

On March 17, 1999, I went to the Library and asked to meet the head librarian. I spoke to Mr. P. He said that the two officers who talked to me the day before were off-duty police officers. I explained to him what had happened the day before when the woman accosted me and the man asked me to leave and called me a "faggot." Mr. P. then called a security guard into his office. A security guard (male) (unknown to me; not the man who had ordered me to leave the day before) entered, and Mr. P. asked him if he knew anything about this incident. The security guard claimed that the two officers had told him that another library patron (unidentified female) had told them that the man they ejected was exposing himself, and that it was a shame, because there were kids in the library.

I told Mr. P. and the security guard that this was a blatant lie. I was not exposing my private parts. I do not behave in such a manner. On March 16, 1999, I was wearing a mid-thigh jacket, a thick sweater underneath, mid-length; and tights. My private parts were covered. The security guard then left. Mr. P. told me that he would investigate the matter and get back to me. To date, I have not heard anything from him.

Ejecting me from the public library because of my sexual orientation and the falsely accusing me of criminal behavior as a pretext for my ejection is discrimination under Chapter 2-160 of the Chicago Municipal Code. I seek all relief available to me under the law. (Case No. 99-PA-31, filed 5/99).

**Case 99-13
Discrimination by Police**

The following case was called in to it's Time, Illinois in March 1999. The call came from Pittsburgh, from the husband/partner of a transsexual woman who was murdered in the Norridge Park, Cook County. The Norridge Park police refused to recognize her death as a murder, would not follow up with an investigation, and destroyed evidence before the case could be solved. It's Time Illinois tried to follow up with the Cook County State's Attorney's liaison to the gay, lesbian, bisexual and transgender community to no avail.

I am calling you because my partner, Michelle, was murdered, and it was made to look like an accident. We had been together for over 10 years, and I know that the story the police had told me could not have been true. But the police refused to investigate any further after the medical examiner had ruled her death an accidental drug overdose, and had her body cremated the next day.

Michelle went to Chicago to relocate and to try to make a better living. She drove out to Chicago with another woman, Nikki, who lived in Chicago and promised her money in exchange for taking her to Chicago. I did not go out with her, because she said that she would locate an apartment, get it set up, and send for me when it was ready.

As it turns out, Nikki never paid her for the trip. In fact, Nikki turned out to be a con artist. She swindled us out of a lot of money. Michelle found this out when she saw all the big bills being run up on her credit cards shortly after the move. Anyway, at this time, Michelle was still staying at a hotel, but had left her computer and other stuff at Nikki's apartment for safe keeping. When she found out she was being swindled she went to Nikki's apartment to pick up her stuff.

That was February 26. She called me that day and said that she was going over to Nikki's apartment to get her computer. She also said that Nikki was flying to New York that day, and that she would drive her to the airport. Then she asked me to fly out to Chicago to be with her.

That was the last I heard from Michelle. This Nikki was a control freak and probably had her killed when she found out about the swindle. When I didn't hear from Michelle for a few days, I called her hotel and left messages on her pager. I finally got to ask the people at the hotel whether anyone had seen her. When they told me that no one had seen her at the hotel, I called the police.

The police called me back on March 3. They said that they had found "Michael's" body. They called her Michael! She was found in Nikki's apartment in her

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underpants on the floor next to her computer, which was all taken apart. Next to her were two packets of drugs.

Now I know Michelle. After all we had been a couple for over ten years. She would never take drugs. In fact, she never would take any medication if she could avoid it. Not only was she allergic to many medications, but she took extra care of her body and health. I know that if she died of an overdose, that she was given those drugs against her will. She was murdered and it was made to look like an accident.

I was able to talk to the medical examiner. He's the one who ruled her death accidental. I wanted him to reexamine the body, but they had cremated her body the next day. All they had to go on was the medical examiner's report.

I am really disturbed by the lack of cooperation by the police. Not only did they refuse to recognize Michelle's gender, they refused to recognize our relationship. They would not release her remains to me. Instead they released her ashes to her parents, who didn't care at all about her, and who she hadn't been in contact with for years. We had talked about this many times in the years we were together, and she had left me instructions on how she would like to be buried. There has been no funeral, and I doubt there will be one.

I want to know what happened to Michelle. I have no idea what happened to her property, the stuff from the hotel, her computer. I want to know why they cremated her so quickly, and why there was no investigation. I want to know why the Norridge Park police told the Minerva police that it was a suicide, when the coroner's report ruled out that possibility. I want to know why the police report has not issued. There are a lot of unanswered questions.

Civil Rights Violations

Case 99-14 Civil Rights Violations in Prison Transsexual Woman, Lee and LaSalle Counties

This individual is a preoperative male-to-female transsexual. She lives full time as a woman, and she identifies entirely as a woman. Despite this fact, she had not had a legal name change, and she had not changed any other documentation. As a result, she was considered to be legally male at the time she was incarcerated. She spent time at the Dixon Correctional Center, a prison facility in Dixon, IL (Lee County). Upon parole, she reported to her officer at the LaSalle County Jail in Ottawa, IL. In both of these facilities, her civil rights were violated. She wrote to Northern Illinois University seeking help in finding a civil rights attorney who would take her case.

The following briefly describes her experiences while incarcerated at Dixon:

While doing time in the Dixon Correctional Center here in Illinois, I was badly treated by the Prison Administration. The guards beat me several times while my hands were cuffed behind my back. I was often not fed my meals. Often my food was either thrown on the floor or at me. They tried to force their Christian religion on me. Also refused [to allow] me to take showers (5 months) and would not let me shave (for 5 months). Also I was every day made fun of by officers (a male nurse included also made fun of me). Also I was threatened by officers every day. Also I was often refused medical attention.

Because of the bad beatings the guards done to me, my eyes often blur to different degrees. I often have bad nightmares and have panic attacks, and have headaches that come and go.

The following is a brief description of abuses she suffered while on parole:

Also, while at the jail in Ottawa, Illinois I was beaten by my Parole Officer. My hands were cuffed behind me as he threw me around on the furniture on January 13, 1999. On January 14, 1999 several male officers at this LaSalle County Jail threw me down and hit me several times on my back and stomach. As a result of all this I don't feel well at all. I feel weak most of the time.

She was apparently discriminated against in housing as well. She goes on in her letter, describing how she was refused housing by the “bigots”. As a result, she is living in a motel, barely scraping by on her social security disability check.

Case 99-15
Discrimination in a High School
and Abuse in a Psychiatric Hospital
Transsexual girl, West Suburban Cook County

This individual is a 17-year-old male-to-female transsexual who was confined in a psychiatric hospital in February 1999 by her mother. The hospital is located in the suburbs of Chicago in western Cook County. Her mother had her confined after she was expelled from high school for fighting with another girl. Since that time she has become an emancipated minor and is living under the care of the Illinois Department of Child and Family services. The incidents described herein were reported to It's Time Illinois.

I am a transsexual. I have been attending school as a female for a while when I was expelled from school for 2 weeks for fighting. What happened was I was attacked by another girl at school and was only defending myself. There was no action taken by the school against the other girl. I have been attending school as female and that's why the other girl attacked me. No one was hurt in the fight. The principal made derogatory comments about my appearance and said I was asking for it. He informed my mother that I had become a problem in the classroom because of my appearance.

My mother then had me confined for 2 weeks in a hospital. I was subjected to aversion therapy techniques to cure me of wanting to be a girl. I was generally mistreated in the facility and was ridiculed by the people who worked there.

After my release I went to live with other relatives and I have returned to school. I am seeking to be an emancipated minor so I cannot be confined and subjected to the treatment that my mother forced me to undergo.

Case 99-16
Abuse in Psychiatric Hospital
Transsexual Girl, West Suburban Cook County

This individual is a 17-year-old male-to-female transsexual who was sent to the same psychiatric hospital in western Cook County as the person reported in Case 99-15. She was committed by her mother in March of 1999. The incident

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was reported to It's Time, Illinois. In both cases, the youths were subjected to aversive reparative therapy for Gender Identity Disorder.

My mother had put me in a psychiatric hospital to “cure me” of wanting to be a girl. While I was in the hospital I was given what they called aversion therapy I called it torture. Because there had been another person like me in the hospital a couple of months before the staff kept saying, “Oh we have another one”. Nothing they did made me feel any different about myself.

My mother has kicked me out of the house and I'm trying to support myself. I live with friends and other relatives while trying to get help from the Department of Children and Family Services.

Case 99-17 Abuse in Psychiatric Hospital Transgender Girl, Lake County

This individual is a 14-year-old male-to-female transgendered youth who was beaten and verbally abused by hospital personnel this past spring, 1999, while hospitalized for emotional problems. The report was made by her mother to It's Time, Illinois.

My child was hospitalized up in Lake County, Illinois, because of emotional problems from my divorce from her father. I love my child a great deal and want to help her not only in her struggle in dealing with the divorce but also with her gender identity problems. My child's appearance is feminine and this seemed to be a source of great amusement to hospital personnel.

During my child's hospital confinement she was not only verbally abused and called names but was beaten by 2 attendants. The attack was so severe that my child had to be transferred to a general hospital for her injuries. The psychiatric hospital said the injuries were self inflicted due to her emotional problems from depression and thinking he was a she. I filed a complaint with the local police but they have not even investigated.

While at the second hospital, my child was examined by both a psychiatrist and a psychologist, neither of whom said my child exhibited any violent tendencies.

Case 99-18
Discrimination in Public Accommodation, Violence, Harassment
Crossdresser youth, Cook County

The following case was reported to it's Time, Illinois by Lorraine Sade Baskerville of TransGenesis. It describes her interview with a 18-year-old male crossdresser who was being held in a psychiatric hospital in Cook County. The incidents described below took place in April, 1999.

I went to interview the client at Hartgrove Psychiatric Hospital. He was in a locked-down psychiatric ward. He is a ward of the state and has been staying for the past year at Neon Home.

Client stated that he had gone to Cook County Hospital after a youth at Neon Home bit him on the left side of the his chest near his breast, and also on his left arm; both bites left tooth impressions on his body that I could see clearly. Client considered this fight an episode of gay-bashing. Client said he wanted to find out whether the person who bit him was HIV-impacted. Client maintained that the housing manager of Neon Home come to County to sign an admission form to put Client into Hartgrove. The County staff put him in wrist and ankle restraints on a gurney, and he was put in an ambulance and driven to Hartgrove.

I informed the client that he had the right to schedule a Board of Review in order to sign himself out of the hospital. He did so, and I have not seen or talked to him since that time.

Civil Rights Violations by Police

There were several cases of civil rights violations by police. Both of these occurred after a gender variant person was subjected to a hate crime. In two of the cases reported in the Hate Crimes section (Cases 99-19 and 99-20) there was evidence of these forms of civil rights violations. We have found that it is fairly common for the police to discount the severity of a hate crime if the victim is gender variant or gay/lesbian. For an example, see Case 99-19. We have also found instances where the victim of the hate crime was the one under suspicion by the police, and even arrested for the crime in which they were victim. For an example of this, see Case 99-20.

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Case 99-19 Hate Crime, Bashing, Discrimination by Police Chicago, Cook County

The following case was reported in the Windy City Times on October 7, 1999. The individual who was attacked is a 19 year-old student who describes herself as "pretty androgynous." It is apparent from her story that she was targeted for a hate crime because of her gender expression. The incident was written up by Windy City Times reporter, Neda Ulaby. As with other cases reported by It's Time Illinois, her story has been edited to protect the victim's identity. The attack took place in Chicago.

On Sunday, a young woman was gay-bashed in Uptown on her way to work. After the hate-motivated attack, she received a response from police that local hate crime organizations are calling "apathetic" and "unfortunately typical."

"I was walking toward the El stop on Argyle, and this guy came up behind me and he started calling me a faggot and I turned around and swore at him, and he hit me in the stomach," she told the Windy City Times. According to the victim, a lesbian who describes herself as "pretty androgynous", her assailant was a 5'8" black male in his forties who seemed intoxicated.

"I was just wearing a hooded sweatshirt and green pants," she said. "I've been mistaken for a guy before, but I think in this case it may have just been a chance that I happened to be a queer."

The victim's own queerness may have been incidental to the man who called her a "faggot", but the response she got from the police was nothing less than unsympathetic. Shaken up and uncertain of their next move, the victim and her girlfriend waited 45 minutes before contacting the local precinct and were told the case was low priority and she should have called 911.

"I wasn't seriously hurt ... I think it was more shock than anything else," she recalled. "Basically, the police said it was just a gay bashing and they couldn't do anything about that. They didn't even ask me to describe the perpetrator. They just said, 'Oh, that's it?'"

"I really hit the wall," said the victim's girlfriend. "It sucked because I wanted to rescue her and I couldn't. And I couldn't believe the police, who supposedly are there to help you, had so much attitude. It was like they couldn't believe that we

were calling. They were like, 'Well, there are people coming in here off the street and there's nothing we can help you with.'"

Both of the women said that they experienced hate-motivated encounters in high school, but dismissed them as relatively minor. "I'm not really threatened by this stuff," said the victim. "I'm not going to let it stop me from doing anything I want."

A spokesman for the Chicago Anti-Bashing Network, believes it is vital for the victim to tell her story. "One way we can put heat on the authorities is by raising awareness," he said. "She probably should have followed up with a call to 911, but it is easy to say that when you're not in the position of having been bashed. This follows a pattern of police insensitivity to people who've been bashed, and it's just got to stop."

Case 99-20
Bashing, Wrongful Arrest
Gay Men, Transgender Woman, Chicago, Cook County

Windy City Times reporter, Gary Barlow wrote the following account of an incident involving discrimination in a public accommodation and by police, on 1/26/00. The victims included two gay men and a transgender woman. The incident took place in Chicago.

"I never even fought back. I mean, we just wanted to leave," Chad Edwards said. According to Edwards, just after midnight Jan. 23, the doorstaff at a popular Lincoln Park nightclub insulted his boyfriend, threw his roommate out of the bar headfirst and dragged Edwards 20 feet down the sidewalk by his hair to a doorway where they punched him repeatedly while spewing anti-gay epithets. "Each one of the [bouncers] held me up and proceeded to pound my face really hard," Edwards, 29, told WCT. "They punched me at least 10 to 15 times in the face and kept calling me a faggot."

To compound the nightmare, Edwards and roommate Kurt Schneider ended up spending the night in jail after police arrived and took the side of the doorstaff, in spite of the bouncers' conflicting stories. "The police said, 'If you file a complaint, and they file a complaint, then you go to jail,'" Edwards stated. "Then I said I was just going to call a lawyer. At that point, they said that I was under arrest."

Edwards' boyfriend, who asked to remain anonymous, identifies as transsexual. The trio alleges that the troubles began as soon as they showed their driver's licenses at the bar's entrance. "They asked for IDs," Edwards related. "Kurt and I flashed ours and when my boyfriend, who looks like a man on his ID, flashed his, the doorman rolled his eyes and said, 'Whatever.' But they let us in."

"It was really crowded. We started to go for the bar to get a beer, but it was so crowded, we decided to just leave. So my roommate walked to the front of the bar and asked the bouncer if we could get refunds on the cover. One of the bouncers said, 'Get the fuck out of here, faggot,' and they just threw him out of the bar headfirst."

"I wasn't demanding," Schneider said. "I wasn't being rude at all. I'm a bouncer, too, at a downtown bar. Why am I going to pick a fight with another bouncer?"

"My boyfriend and I saw what was happening, so then we went to the front just to walk out," Edwards said. "One of the bouncers grabbed my arm as we walked by. I said, 'Wait a minute, we just want to leave.' And then the bouncers grabbed me by my hair. They dragged me about 20 feet down the sidewalk to a little doorway where they started beating me and calling me a faggot."

Schneider saw what was happening, picked up a large signpost, and threatened the bouncers; at that point they stopped beating Edwards and retreated back to the club. "I still didn't want to hit anybody," Schneider said. "I just wanted to stop them."

Schneider then went into a neighboring club to call the police. But things went from bad to worse when two Chicago police officers arrived about 20 minutes later. "They were OK at first," Edwards said. "They asked us what happened and we told them. Then they went over and talked to the bouncers, who told them that they had nothing to do with it, that my boyfriend beat me up. They kept changing their story, though. They said Kurt got in a fight with the manager, then they said we picked a fight with them."

"Then the police came back over to us," Edwards continued. "They asked to see our identifications. They never asked the bouncers for IDs. When they saw my boyfriend's ID, one of them said, 'What the fuck are you--a man or a woman?' After that, the police didn't want to talk to us."

"I didn't understand at all because nobody on their side had any blood on them," Schneider said. "We were the ones who got beat up."

The police arrested Edwards and Schneider on charges of simple battery and held them in jail until 8:30 Sunday morning at the Chicago Ave. police station. Edwards wasn't sure why his boyfriend was not also arrested. He said that when he was being taken away, his boyfriend started to embrace him, and a police officer said, "Hey, you can't kiss him here!"

After booking the pair into jail, police finally took Edwards to Grant Hospital, where he received five stitches. Edwards was still smarting from his wounds two days later. "I have a lot of lacerations and two black eyes," Edwards said. "I didn't go to work yesterday because I look pretty bad."

"It wasn't handled in the right fashion at all," Schneider said. "When we were getting out of jail, I got out first and was standing there waiting on Chad and this policeman said, 'What are you doing--waiting on your fucking boyfriend?'"

"What's very clear is that the moment [police] knew his boyfriend was transsexual, everything changed," said a spokesman for the Chicago Anti-Bashing Network. "The police behaved professionally until they found out Chad's boyfriend was transsexual."

Case 99-21
Murder, Assault with a Deadly Weapon
Two Transgender Women, Chicago, Cook County

The following case was reported to it's Time, Illinois by Lorraine Sade Baskerville of TransGenesis. It describes a gruesome attack on two transgender women which took place in Chicago on July 27, 1999. One of the individuals died of gunshot wounds. Her name was Baretta Williams. She was a 26-year-old male-to-female transgender woman. The murder was kept very quiet. It was not reported in the local Chicago newspapers nor in the gay press. The reason for the lack of public information was that she was not alone when she died. Her roommate was also attacked. There was fear that with the murderers still at large they would come back to kill the roommate. The perpetrators have subsequently been brought into custody. The information below is from Ms. Baskerville's interview with the roommate.

The incident on July 27, 1999 was a robbery that escalated into a murder. The murder victim, Baretta Williams, was tied up, pistol-whipped, gagged with a sock. The perpetrators repeatedly called her a "fucking faggot" and "drag queen" while looking for her money. The perpetrators took the victim's jewelry, shot her 16 times, and left.

The roommate was also a 26-year-old male-to-female transgender woman. During the robbery, she was shot three times and left for dead while the perpetrators robbed and murdered the owner of the apartment where she was sleeping. During this episode, she heard the perpetrators repeatedly call the murder the names mentioned above, and she witnessed the murder.

The victim spent 40 days in the hospital in Chicago with a shattered jaw, which had to be plated and wired. The victim resides in another state, and is receiving psychological counseling there for her trauma. She is cooperating with the Chicago authorities as a witness to the murder, and receives witness protection services from the State's Attorney's office while in Chicago. All the perpetrators are in custody based on her identification.

Case 99-22
Sexual Assault, Rape
Transsexual Woman, Chicago, Cook County

The following case was reported to it's Time, Illinois by Lorraine Sade Baskerville of TransGenesis. It describes an incident which took place in Chicago in June 1999. The individual in this case is a 21-year-old male-to-female postoperative transsexual.

A post-operative Male-to-female transsexual was sexually assaulted and raped by an acquaintance who knew her before sexual-reassignment surgery. The incident happened at her girlfriend's house. The perpetrator apologized after the rape; he did not use a condom. Client went to the hospital for treatment of her injuries. Client did not file charges against the perpetrator because she did not want to go through the shame and embarrassment.

It's Time, Illinois spoke with the woman who had been assaulted in this incident. Although she had completed sex reassignment surgery about a year before the attack, she was still a virgin when she was raped. Tears welled up in her eyes as she described how there can never again be a "first time." She was robbed of something that is specially precious to transsexual women who have endured much pain and suffering, both physically and financially, to achieve what others take for granted.

Case 99-23
Hate Crime, Assault
Transgender Woman, Chicago, Cook County

This individual is a white male-to-female transgendered person, approximately 30-44 years old. She was assaulted in a public area, on the street, in Chicago. The incident was reported to Horizons Anti-Violence Project on 11/2/99. The offender in this incident was a young (23-29 year-old) African-American male unknown to the victim. The incident was eventually reported to the Chicago Police as a hate crime. However, the police refused to report the incident as a hate crime, and according to the victim, were indifferent to her case.

The following is a brief narrative about the incident taken by the Horizons hotline volunteer:

The victim was walking to get to the el, at about 6:30 p.m. on Wednesday, October 27. There were three women talking to a man. All of a sudden he attempted to slap the victim and said, "Take that bitch." The victim said, "What are you looking at me for?" She continued walking toward the crowd. The man followed her and said, "What would you do if I had?"

The man then kicked her right ankle out from under her, knocking her down. The victim didn't know what to do next, so she proceeded to a task force meeting that she was heading to before the incident.

At about 10 p.m., after the meeting, the victim called the police. She had a sketchy description of the man who attacked her. She called 311, and spoke to the Roger Park Police. They said they would dispatch someone to take the report. They also said it would not be immediately.

During a second call to the police, they asked her, "Are you sure he knew you were a transsexual."

During the third call, the police were still "iffy", but they finally came out and looked around, and couldn't find anyone. They said they went to the scene, but there was no record that they had sent anyone. About 40 minutes after the third call, the officer did arrive to take her report.

**Case 99-24
Hate Crime, Chicago, Cook County**

This is an incident reported to the Horizons Anti-Violence Project in August 1999 by a male-to-female transgendered woman. This is the a copy of the narrative from the Horizons report.

The victim was walking home with his brother. He is a drag queen, but identifies female most of the time. That evening, the victim describes himself as "dressed male." Three men approached them, asked if he was a man of a woman, asked him and his brother if they were "fags", and threatened to fight them and physically injure them. The brother said, "No, we're not fags," and the men left them alone.

The victim did not wish to be called about this. He just wanted it reported.

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ACGLI Passes Two Transgender Supportive Resolutions

CHICAGO, IL --- June 20, 1999 --- At the June meeting of the Advisory Council on Gay and Lesbian Issues (ACGLI) of the Chicago Commission on Human Relations, two important resolutions were passed. Without going into all the preamble statements, the resolutions are as follows:

"Be it resolved, the Advisory Council on Gay and Lesbian Issues both supports the inclusion of gender identity/expression in the City of Chicago Human Rights Ordinance and will advocate for the passage of an amendment to the City of Chicago Human Rights Ordinance adding gender identity/expression to the CHRO."

"Be it resolved, the Advisory Council on Gay and Lesbian Issues respectfully requests that the City of Chicago Commission on Human Relations pass a similar resolution supporting the addition of gender identity/expression to the City of Chicago Human Rights Ordinance and join ACGLI in it's efforts to advocate for the passage of an amendment to the CHRO adding gender identity/expression."

Both resolutions were introduced by Robert Castillo, outgoing member of ACGLI, on June 16, 1999, and were passed unanimously by the Council.

To put these resolutions into perspective, a transgender supportive resolution was passed by ACGLI in September 1997. Since then, It's Time, Illinois has been working with ACGLI to educate the gay, lesbian, and bisexual community about gender identity issues. We have also been working to find common grounds where we could agree that inclusion of gender identity and expression benefits all members of the GLBT community.

It's Time, Illinois has also been working with ACGLI to put some teeth into the original 1997 resolution. As a matter of fact, immediately preceding the passage of the resolutions, It's Time, Illinois had presented ACGLI with the 1999 Report on Hate Crimes and Discrimination against TG people in Illinois, and had requested ACGLI's active participation in garnering aldermanic support in the coming months for an amendment to the Chicago Human Rights Ordinance.

Miranda Stevens-Miller, Chair of It's Time, Illinois said, "We are proud of Robert Castillo for his proactive support of inclusion of gender variance, and we are proud of ACGLI for their unanimous approval of these resolutions. We look forward to working even more closely with ACGLI to assure that all people of Chicago are free from the tyranny of discrimination in employment, housing, public accommodations, and other situations."

Chicago Commission On Human Relations Passes Gender Resolution

CHICAGO, IL --- July 28, 1999 --- The Chicago Commission on Human Relations ("CCHR") unanimously adopted a resolution urging the Chicago City Council to amend its Human Rights Ordinance so as to include gender identity and self-image. Commission Member Laura Rissover introduced the resolution. After the introduction of the resolution, Beth Plotner, Vice Chair of It's Time Illinois, addressed the Commission about the serious need for legislation to protect the civil rights of gender variant people. To illustrate this point, copies of the two most recent discrimination reports compiled by It's Time, Illinois were distributed to the members of the Commission, along with our informational pamphlet.

Prior to voting on the resolution, the members of the Commission clearly demonstrated their understanding of the problems confronting gender variant people, and brought up the need to address gender identity and self-image issues in other City of Chicago ordinances. For instance, it was suggested that the Fair Housing Ordinance should also be amended to include protections for gender identity and self-image. Additionally, it was pointed out that other ordinances could be affected as well. The original resolution was therefore amended so as to urge City Council to provide gender identity and self-image protections in the Human Rights Ordinance, the Fair Housing Ordinance, and any other Ordinance that might be affected. On their own initiative, therefore, the CCHR members made the resolution broader in scope and more responsive to the overall needs of gender variant population of Chicago.

After the vote was taken, Clarence Wood, Chairman of the Commission, commented on how happy he was about the passage of the resolution. He went on to say, however, that it was now the time to get down to the serious work of educating the alderman about the importance of enacting the proposed amendments into law.

Congresswoman Schakowsky Extends EEO Policy To Include Gender Variance

WASHINGTON, D.C. --- June 14, 1999 --- Congresswoman Jan Schakowsky (9th District, Illinois), became the first Member of Congress to officially recognize gender variant people when she amended her office nondiscrimination policies to include "gender self-image or identity."

The new equal employment opportunity policy states that the Congresswoman's office "does not discriminate on the basis of an individual's race, color, religion, sex, sexual orientation, gender self-image or identity, national origin, disability, veterans' status, age or any other factors prohibited by federal law." Furthermore, the new anti-harassment policy states that "the Office is firmly committed to providing its employees with a workplace that is free of discrimination, harassment or intimidation" based on the same factors.

The terms "gender self-image and identity" are broadly inclusive of people whose gender expression may fall outside of society's gender norms. Such gender variant people include transgender individuals as well as men and women, regardless of sexual orientation, who may be perceived as overly effeminate or masculine.

The 9th Congressional District of Illinois encompasses the North lakefront neighborhoods of Chicago as well as Evanston and other Chicago suburbs. Evanston is the only city in Illinois which has a Human Rights Ordinance protecting gender variant people from discrimination in employment and other situations.

The new policy was enacted following a meeting with representatives of It's Time, Illinois, a political action organization for the transgender and gender variant community in Illinois. The meeting took place on May 25 during GenderPAC's National Gender Lobby Days in Washington. GenderPAC is a national public advocacy coalition for gender, affectional and racial equality.

Said Miranda Stevens-Miller, Chair of It's Time, Illinois, "Congresswoman Schakowsky's support of our transgender and gender variant population is very encouraging. Including us in her personnel policy is quite a symbolic statement of the human dignity of a group that has for too long been cast aside by society. We hope that this opens the doors for many others to follow."

Transsexuals May Be Protected Under Illinois Human Rights Act

CHICAGO IL --- August 19, 1999 --- "Transsexualism" may be covered as a "handicap" under the Illinois Human Rights Act. In a recommended order and decision, Jane F. Bularzik, Chief Administrative Law Judge for the Illinois Human Rights Commission determined that individuals diagnosed with gender dysphoria qualify for disability within the meaning of Illinois Human Rights statute. Accordingly, transsexuals are included as a protected class under the terms of that legislation.

Jess Evans, a transsexual woman in the early stages of her gender transition, was hired as a male at Hamburger Hamlet to work as a food server, but was fired a few months later. She filed discrimination complaints with the Illinois Human Rights Commission based on sex, sexual orientation, and disability. The case was reported in It's Time, Illinois' 2nd Annual Report on Discrimination and Hate Crimes (see case 96-9). The first two claims, sex and sexual orientation, were not considered by the Department of Human Rights because of lack of substantial evidence to support the claims. The third claim was held over for further review.

The recommendation was made in a largely uncontested case, however, and may not have extensive legal significance. In the time between the filing of the complaints and the judicial ruling, Hamburger Hamlet filed for bankruptcy and went out of business.

In her ruling, Judge Bulzarik considered the definition of "handicap" under the Human Rights Act. The Act defines "handicap" as a determinable physical or mental characteristic which may result from disease, injury, congenital condition of birth or functional disorder. Based on affidavit from Dr. Randi Ettner, Ph.D., well known for her expertise in gender dysphoria, transsexualism falls within such a definition. Transsexualism is "determined by recognized clinical diagnostic techniques, is not transitory or insubstantial and is significantly debilitating."

Furthermore, Judge Bularzik found that, in the case under consideration, the status of being transsexual in no way impeded Evans' ability to perform as a waiter at Hamburger Hamlet. In employment cases, a "handicap" must be unrelated to a person's ability to perform the duties of the job.

While It's Time Illinois welcomes the decision as providing some protections for some transgender people on a statewide basis in Illinois, it also recognizes the limitations of such an order. The ruling would apply only to those people who can provide evidence for clinical diagnosis of gender dysphoria. It's Time Illinois does not believe that protection of an individual's basic human rights should need to depend on determination of a disorder. Furthermore, no protections at all are provided for gender variant people who are not transsexuals. Approximately half the cases of employment discrimination reported by It's Time, Illinois would not be covered under the recommended decision.

Transgender Woman Forced To Resign As President Of IL Railway Museum

Union, IL --- November 19, 1999 ---- Julie Ann Johnson, known nationally for her work with *GenderPAC* and the *International Foundation for Gender Education*, was forced to resign from her position as President of the Illinois Railway Museum in Union, Illinois because of her gender. She officially tendered her resignation at the Museum Board of Directors meeting on November 13.

Johnson, a 35 year veteran volunteer at the museum, was asked to resign when she came out to the Board as a transgender woman. In addition to serving as President for many years, Johnson was also the museum's single largest financial contributor. The Illinois Railway Museum is the largest museum of its kind in the nation.

The forced resignation was quite unexpected. Johnson continued to present herself at the museum in her male role, and had no plans to do otherwise. In addition, Johnson's personal struggles with her gender identity were well known to many of the members and directors of the museum.

Johnson is active in the transgender community both locally and nationally. She has been a member, activist and benefactor of *It's Time, Illinois* for many years. Nationally, she is on the Board of Directors of *GenderPAC*, and Vice-Chair of the *International Foundation for Gender Education*.

Miranda Stevens-Miller, Chair of *It's Time, Illinois* said, "Julie Ann is one of the most generous and gracious individuals I know. She opened her home and her heart to the transgender community, and became a friend and mother to many of us. The greatest tragedy is that the Museum Board does not even recognize the unique and wonderful person they lost by their prejudicial act."

In a resignation letter to the Museum Board, Johnson criticized the directors for the forced resignation. "That some of you are uncomfortable with me I cannot help. Nor can I help that you are not possessed with enough tolerance for individual differences or respect for me as a person to judge me on the merits of my performance rather than on my gender."

Johnson's letter goes on to state that those who "allowed prejudice...to be our guide in judging whether an African-American or a woman or a gay man ought to hold some public office...have since looked back with shame... The Board has today given in to the basest kind of undiluted prejudice."

Johnson's letter was followed by five minutes of silence. At that point, one of the directors left the meeting saying, "Looks like we threw the baby out with the bath water."

Resignation Letter from Julie Ann Johnson to IL Railway Museum Board

November 13, 1999

To: Illinois Railway Museum Minutes
Directors McCabe, Howell, McCutchen, Nauer, Jones and Garen:

Gentlemen,

You have asked me to resign as President of the Illinois Railway Museum. You ask this, not because of my performance, but simply because of how I express my gender. Let me spare you any suspense by acknowledging from the outset that I will resign as you ask, but not before I take a moment to share with you what is in my heart.

I have dedicated the past 35 years of my life to this Museum. I did so, like you, out of a profound love for the culture and magic of the rails. It was in all senses a labor of love, one that remains undiminished even today. I know we speak a common language when I tell you that certain things move us, not for moments, or weeks or even years, but for decades and for hidden reasons we can only guess. The Railway Museum is one of those things.

For me, strange as you may find it, so is gender. I have struggled as honestly and privately with this as I could for even longer than I've been committed to this institution. I took the steps I have taken, not to cause you or this Museum any embarrassment, but to be true to myself and the deepest things I feel inside. I did it, in short, out of a fundamental sense of honesty and a need to finally be who and what I am.

I know that I am a far better person for these actions I have taken recently in my life. I have worked hard to bring my life to a state where I now feel at peace with myself. In doing so, I have striven to avoid situations at the museum where I would be presenting anything other than my traditional identity. In fact, it was not until I shared my private life with you that some of you became concerned.

That some of you are uncomfortable with me I cannot help. Nor can I help that you are not possessed with enough tolerance for individual differences or respect for me as a person to judge me on the merits of my performance rather than on my gender.

(J. A. Johnson Letter, cont'd)

One of the things we Americans hold most dear is freedom of expression. As a cultural institution, this museum's policies should reflect that. What a shame we do not choose to extend that freedom to our members and our board.

I will share with you something in closing. There have been numerous revolutions in this country. Many people thought the railway would be but a passing thing. Yet it rose to take over the country from one coast to the other.

On the human side, others thought that black civil rights would be a passing thing. The idea of a black man on the board of a cultural institution such as this would have been deeply embarrassing in many states until only a few years ago. Virtually the same can be said of women's rights, and, more recently, gay rights as well.

In each case, we experienced the newness of cultural revolutions and the emergence of a new and hitherto silent minority as different and foreign as those that preceded it. Some of us rose to the challenge. We put aside our biases and the small voice of intolerance and tried to see the person and to judge them on their merits, not what they were or how we felt about them.

Others of us buckled under. We allowed prejudice instead of performance to be our guide in judging whether an African-American or a woman or a gay man ought to hold some public position. Those of us who did so -- and who among us has not given in to that momentary reign of prejudice -- know we have since looked back with shame.

Gentlemen, there is going to be a gender revolution in this country. It is going to change what you and I can feel or say or do. It is going to mean that a woman will no longer routinely be fired, harassed or assaulted for acting or dressing "too mannish," or verbally assaulted or raped for acting or dressing "too sexual." It will mean that a man will not be harassed or humiliated for crying, or for dressing or acting "too feminine." It will mean that our daughters will not starve themselves each night with anorexia because "real women" are supposed to be supernaturally thin, and it will mean we will not have to fear that our sons will be humiliated each day because they want to play with dolls instead of guns, or play piano instead of Rambo.

And yes, it will even mean that transsexuals like me will not routinely lose our jobs, our families, the safety to walk our streets at night or the positions we hold in society simply because of who and what we are. One day a person will be judged, not because of their clothes or sex or gender, but because of how they do the job.

(J. A. Johnson Letter, cont'd)

Because in the last analysis, that's what counts: it's about the job. I do this job, gentlemen. I do it very well. You agreed to that when you voted me into it for yet another term. Because it's what I bring to this job, what I put into it, the time and experience and vision and business acumen I bring to it that make me the best person to hold it.

So I leave, not with my head held down but with pride in what I have contributed and in the sure and certain knowledge that I have followed the dictates of my heart and my conscience. I hope you all will be able to look back and say the same. For I am convinced that your cowardice in refusing to stand by me does this organization and this institution which we all love no service. I am convinced that this day will not be remembered favorably in our history nor reflect well upon us when it is recalled. The Board has today given in to the basest kind of undiluted prejudice, that kind which always expresses itself at the expense of one socially inconvenient minority or another, and in doing so it has betrayed our commitment to honor the principles upon which this organization depends and which it is obligated to uphold.

I do resign my position as President, effective this Board of Directors meeting. I also resign immediately my position as budget director, along with any formal or informal work on financial matters and supervision. I will be available to train others at convenient times to take over my previous duties in the financial analysis and budget areas. In addition, I will remain on the Board until my term is served out. It is also my intent to continue as manager of track, manager of signals, and in other duties.

Thank you,

(signed) Jim Johnson

Coalition Of Organizations Supports Inclusion of Gender Variant People

CHICAGO, IL --- July 20, 1999 --- It's Time, Illinois has enlisted the support of a rainbow coalition of the LGBT community in an action leafleting the Human Rights Campaign's (HRC) tenth annual dinner at the Hyatt Regency Chicago on July 31st. The endorsers represent the spiritual community, the women's movement, youth groups, people of color, veterans, the bisexual community, and rural regions.

This action will be the 4th year that It's Time Illinois! has leafleted the HRC Dinner in Chicago, highlighting the need for protection of the entire gay, lesbian, bisexual and transgender community under nondiscrimination laws. It's Time Illinois and the endorsers of the action claim that the omission of gender variance in the Employment Nondiscrimination Act (ENDA) was a deliberate plan to keep transgender people out of the bill. ENDA was reintroduced in both houses in June, and once again, the bill excludes gender variant people.

According to Miranda Stevens-Miller, Chair of It's Time Illinois, the only stumbling block for inclusion of gender variance in ENDA is the HRC. "When asked, HRC will tell you that they will lose votes if 'transgender' were included in ENDA. But I have not heard HRC mention the name of even one congressman who would change his vote."

During GenderPAC's Lobby Days in Washington DC in May, 1999, the Illinois contingent asked each of the Illinois co-sponsors of ENDA whether they would change their vote if gender variance was included. Each of the congresspersons or their legislative assistants said they would continue to support ENDA with the more inclusive language. Many were appalled that HRC is using that as an excuse to keep transgender out of ENDA, and several indicated that they would take that message directly to HRC.

Gender variant people include not only transgenders, but a large portion of the gay and lesbian population. GenderPAC, a national coalition for gender, racial and affectional equality, has documented that about a third of the employment discrimination suffered by gays and lesbians can be directly attributed to gender expression, and not to sexual orientation. Many national organizations, including the National Gay and Lesbian Task Force have publicly stated that they will not endorse ENDA because it does not include gender variant people and much of the LGBT population in the current form.

Organizations Endorsing Equality For All Members Of The Community

We believe in fairness and equality for all members of the gay, lesbian, bisexual, and transgender community, and therefore support inclusion of all in the Employment Nondiscrimination Act.

1. Advocacy Council for Human Rights (Bloomington, IL)
2. Ambiente Pa'lante
3. Amigas Latinas (Latina Les/Bi Women's Org.)
4. The Association of Latin Men for Action (ALMA)
5. Chicago AntiBashing Network (CABN)
6. Chicago Black Lesbians and Gays
7. Chicago Lesbian Avengers
8. Chicago NOW (National Organization for Women)
9. Chicagoland Bisexual Network
10. CMAGYC (Chicago Metro Area Gay Youth Coalition)
11. Dignity/Chicago
12. Gay and Lesbian Association of Decatur (GLAD)
13. Gay, Lesbian & Bisexual Veterans of America
14. Generation Q
15. Illinois Federation for Human Rights
16. Illinois Gay & Lesbian Political Action Network
17. It's Time, Illinois
18. It's Time, Wisconsin
19. Khuli Zaban (South Asian/Middle Eastern Les/Bi/Trans Women's Organization)
20. Linda M. Schroeder, Co-Chair, Champaign/Urbana Equality Begins at Home
21. Logan Square Gay, Lesbian, Bisexual and Transgender Neighbors
22. Metropolitan Gender Network (New York City)
23. Officer Lori Cooper, Chicago Police Department
24. OUTpost Community Center (Champaign, IL)
25. Queer Nation - Chicago
26. Queer to the Left
27. Rev. Karon C. VanGelder, Universal Fellowship of Metropolitan Community Churches
28. SafeZone (University of Illinois, Urbana/Champaign)
29. SANGAT-Chicago (South Asian LGBT Organization)
30. TransFair (Kentucky)
31. TransGenesis
32. Trikone-Chicago (South Asian LGBT Organization)
33. TRUE (TRansgenders United for Equality) (San Francisco)
34. WACT (Women Of All Colors And Cultures Together)

Jurisdictions with Laws Prohibiting Gender Identity-Based Discrimination

| Location | Population | Year | Type of Coverage* | | | | | | | |
|-------------------------|------------|------|-------------------|--------|----|---|---|---|----|---|
| | | | Pub E | Priv E | PA | C | H | U | Ed | |
| 1 Minneapolis, MN | 362,696 | 1974 | x | x | x | x | x | x | x | x |
| 2 Harrisburg, PA | 53,430 | 1983 | x | x | x | x | x | x | x | x |
| 3 Seattle, WA | 536,978 | 1986 | x | x | | x | x | x | | |
| 4 St. Paul, MN | 268,266 | 1990 | x | x | x | x | x | x | | x |
| 5 Santa Cruz, CA | 52,853 | 1992 | x | x | x | x | x | x | x | x |
| 6 Minnesota | 4,610,000 | 1993 | x | x | x | x | x | x | x | x |
| 7 San Francisco, CA | 728,921 | 1994 | x | x | x | x | x | x | x | x |
| 8 Grand Rapids, MI | 1,015,099 | 1994 | x | x | x | | x | | | x |
| 9 Iowa City, IA | 59,313 | 1995 | x | x | x | x | x | x | | x |
| 10 Evanston, IL | 74,118 | 1997 | x | x | | x | x | | | |
| 11 Cambridge, MA | 93,554 | 1997 | x | x | x | x | x | x | | x |
| 12 Ypsilanti, MI | 24,846 | 1997 | x | x | x | x | x | x | x | x |
| 13 Pittsburgh, PA | 340,520 | 1997 | x | x | x | | x | x | | |
| 14 Olympia, WA | 39,188 | 1997 | x | x | | x | x | | | |
| 15 West Hollywood, CA | 35,209 | 1998 | | x | x | x | x | x | | |
| 16 New Orleans, LA | 489,595 | 1998 | x | x | x | x | | | | |
| 17 Toledo, OH | 312,174 | 1998 | x | x | x | x | x | x | | |
| 18 Benton County, OR | 77,755 | 1998 | x | x | x | | x | | | |
| 19 Portland, OR | 1,007,782 | 1998 | x | | | | | | | |
| 20 York, PA | 39,978 | 1998 | x | x | x | x | x | x | | |
| 21 Tucson, AZ | 415,079 | 1999 | | x | x | x | x | x | x | x |
| 22 Iowa | 2,842,000 | 1999 | x | | | | | | | |
| 23 Jefferson County, KY | 700,000 | 1999 | x | x | x | x | x | x | | |
| 24 Lexington, KY | 241,749 | 1999 | x | x | x | x | | | | |
| 25 Louisville, KY | 271,038 | 1999 | x | x | | | | | x | |
| 26 Ann Arbor, MI | 109,766 | 1999 | x | x | x | x | x | x | x | x |
| 27 Boulder, CO | 85,616 | 2000 | x | x | x | | x | x | | |
| 28 Atlanta, GA | 394,848 | 2000 | x | | | | | | | |

Key:

Pub E = Public employment

Priv E = Private employment

PA = Public accommodations

C = Credit transactions

H = Housing

U = Union practices

Ed = Education

Index

Of Previous Cases

1997 Report

| | | |
|-------|--|---|
| 96-1 | Employment | Fired after 21 years as printer, 2 months after starting transition |
| 96-2 | Violence, Harassment | Assaulted and raped. Received biased treatment at hospital. |
| 96-3 | Employment | Fired after 16 yrs. in housekeeping, 3 mo. after starting transition. |
| 96-4 | Employment | Fired after 1 yr as proofer of printing film. Hired as a woman, fired 1 month after discovered to be transsexual. |
| 96-5 | Employment | Fired after years in automobile service, 1 mo. after announcing intention to transition. |
| 96-6 | Civil Rights Violation | Lost custody of child, home, possessions. Jailed without due process of law. |
| 96-7 | Sexual Harassment | Hostile work environment and termination. |
| 96-8 | Public Accommodation | Denial of entry into a public night club. |
| 96-9 | Employment | Terminated after two months as food server. |
| 96-10 | Denial of Name Change | Employer refused to recognize legal name change. |
| 96-11 | Employment | Hired as a telephone interviewer, then denied job on first day. |
| 96-12 | Violence, Murder | Brutally murder by date after discovery as biological male. |
| 96-13 | Murder | Brutal "overkill" murder by strangulation, stabbing, and arson of a 24-year-old transsexual woman. |
| 96-14 | Employment | Terminated within 6 months of informing employer, after over 20 years in management at a government agency. |
| 96-15 | Assault, Discrimination by Police/Paramedics | Shot twice in the back in a hate-related incident, then received discriminatory treatment. |
| 96-16 | Police Brutality, Medical Negligence, Death | Racist-motivated beating by police of a 20-year-old inter-sexed man, neglect by hospital, resulting in death in jail. |
| 96-17 | Assault, Discrimination in Hospital | Hate-related aggravated assault of a crossdresser and subsequent neglect in hospital emergency room. |
| 96-18 | Public Accommodation | Denied access to public shelters on two occasions. |
| 96-19 | Public Accommodation | Attempt to deny access to class registration in a public college. |

1998 Report

| | | |
|------|---------------------------------|---|
| 97-1 | Hate Crime, Assault | Crossdresser harassed and assaulted by stranger on street. |
| 97-2 | Civil Rights, Police Harassment | Crossdresser falsely arrested and physically abused by police. |
| 97-3 | Employment | Transgendered person hired as woman in retail, fired for not obeying male dress code. |

1998 Report (cont'd)

| | | |
|-------|------------------------|--|
| 97-4 | Employment | Computer specialist, 15 yr. experience, denied job because of gender identity. |
| 97-5 | Hate Crime, Harassment | Stalking, threats, terrorism of young transsexual woman. |
| 97-6 | Housing | Discrimination by public housing authority in rental situation. |
| 97-7 | Employment | Transgendered person initially hired in telemarketing, then denied job before starting. |
| 97-8 | Employment | Transsexual woman denied access to woman's washroom by employer. |
| 97-9 | Employment | Surgical Technologist, lesbian, fired after repeated harassment due to her masculine appearance. |
| 97-10 | Employment | Gay man initially hired in retail, then denied job before starting, perceived as "too feminine." |
| 97-11 | Employment | Gay man hired as temporary but denied permanent position because perceived as "too feminine." |
| 97-12 | Housing | Transsexual woman evicted along with family when landlord discovered her gender status |

1999 Report

| | | |
|-------|------------------------------------|--|
| 98-1 | Employment | MtF transsexual 21yrs at an Illinois hospital, harassed by supervisory and management level employees, subjected to discriminatory treatment, and threatened with termination. |
| 98-2 | Employment | Post-operative MtF transsexual terminated from her employment after she informed her employer about her transition |
| 98-3 | Employment | Transsexual woman denied access to rest room by employer (bookstore) |
| 98-4 | Employment | Transsexual woman denied access to rest room by employer (newspaper) |
| 98-5 | Employment | Lesbian woman harassed and constructively discharged because of her apparent masculine appearance |
| 98-6 | Employment | Woman (sexual orientation not specified) discharged for not presenting a suitable feminine image (no makeup) |
| 98-7 | Employment | Gay man harassed and constructively discharged because of effeminate presentation |
| 98-8 | Employment | Gay man harassed, suspended, threatened with termination after seen cross-dressed on television talk show |
| 98-9 | Public Accommodation Hate Crime | MtF transsexual assaulted while store owners looked on and did nothing to intervene or assist |
| 98-10 | Housing | Transgender woman harassed and evicted from apartment |
| 98-11 | Public Accommodation | Intersex woman denied access into coffee house with "women only" policy |

It s Time. Illinois!

Political Action and Public Advocacy for the Gender Variant and Transgender Community

A non-profit volunteer organization
dedicated to achieving equal human
and civil rights for transgender,
intersex, and other gender variant
members of our society

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