

Discrimination and Hate Crimes Against Transgendered People in Illinois

Second Annual Report

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It's Time, Illinois
Documentation Working Group

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**SECOND ANNUAL REPORT ON DISCRIMINATION AND HATE CRIMES
AGAINST TRANSGENDERED PEOPLE IN ILLINOIS
February 1997**

This report documents acts of discrimination against transgendered persons living and working in the State of Illinois. The first report was prepared by the Documentation Committee of *It's Time, Illinois (ITI)* and presented to the Advisory Committee on Gay and Lesbian Issues of the Chicago Commission on Human Relations in 1996. ITI was formed in August 1995 as a local chapter of *It's Time, America*, the national transgender political action group. This report should be viewed as an installment in our ongoing effort to bring about an awareness of the injustices committed against transgendered persons.

WHAT DOES "TRANSGENDERED" MEAN?

Transgendered persons include all those whose outward expression of gender conflicts with currently defined societal gender norms. A 'transgendered' person is someone whose gender identity or expression differs from conventional expectations of masculinity or femininity. Their gender identity differs from their physical sex. Transgendered people are born this way and have no choice in who they are. Although it is difficult to get an accurate account of the numbers, it has been estimated that 5% or more of the population are transgendered to some extent.

Who Are Transgendered People?

Transgendered persons include pre-operative and post-operative transsexuals, transgenderists (persons living full-time in a gender opposite their birth sex with no desire to pursue surgery); transvestites (preferred term: crossdressers, those whose gender expression occasionally differs from their birth sex); and "mannish" or "passing" women, whose gender expression is masculine and who are often assumed to be lesbians, though this is not necessarily the case. Transsexual and transgenderist persons can be female-to-male (transsexual or transgendered men) as well as male-to-female (transsexual or transgendered women).

There are many other terms which have been used to describe various members of the transgendered community. The term *transgendered* is to be viewed as all-inclusive. The persons who allowed themselves to be interviewed for this report self-identify as transgendered, and the acts of discrimination which they describe are seen as the direct result of their gender identity or gender expression.

Are Transgendered People Gay Or Lesbian?

Actually most transgendered persons identify themselves as heterosexual, although many are bisexual or self identify as gay or lesbian. The intrinsic difference is their gender identity, not their sexual orientation: these are two different things altogether. The concepts of homo- or heterosexuality become rather vague when one considers that in transitioning from one gender to the other, a transsexual person often crosses from one sexual orientation to another. It is important to note, however, that transgenders who are unable or unwilling to hide, "pass," or "woodwork," are often perceived as homosexuals, and thus are discriminated against in similar ways.

How Are Transgendered People Discriminated Against?

Like gay men, lesbians and bisexual persons, transgendered persons face employment and housing discrimination. They are also denied public accommodations and access to health care for their medical conditions. They are also potential targets for hate crimes: verbal harassment, hate mail, harassing telephone calls and even acts of violence committed by the same persons who hate homosexuals and bisexuals. It's Time, Illinois! has documented cases of these types of discrimination and hate crimes committed against transgendered citizens of Illinois.

If They Keep Their Difference Secret, How Can They Be Victimized By Discrimination?

Like the majority of gay men, lesbians and bisexual persons who keep their sexual orientations secret, the vast majority of transgendered persons also strongly desire to keep their transgendered status secret. Like gay men, lesbians and bisexuals, transgendered people are also vulnerable to their sexual minority status being revealed against their will, i.e., being "outed". But unlike gay men, lesbians and bisexuals, transgendered people are much more likely to fall victim to discrimination and hate crimes, because most of them possess physical or behavioral characteristics that readily identify them as transgendered.

Exactly Who Are These Transgendered People?

The largest subgroup of transgendered persons are crossdressers who are often heterosexual men, although there are also women who crossdress. Apart from their occasional crossdressing, they lead lives that are quite ordinary in all other respects. Many crossdressers are married and most have children, so they have much to lose from their transgendered state being revealed. They also wish to remain in the sex they were born, unlike transsexuals.

Transsexual and transgenderist (non-operative transsexual) persons differ from crossdressers in that they come to feel they can no longer continue to live their lives in the gender associated with the sex they were assigned at birth. Although there is a tendency to categorize individuals as one or the other, it should be recognized that all transgendered people are on the same continuum which is characterized mainly by the individual's discomfort with birth sex, and willingness or desire to change their anatomy to match their true gender.

Why Do They Feel That Way?

The overall psychological term is called gender dysphoria, an intense feeling of pain, anguish, and anxiety from the mis-assignment of a transgendered person's sex at birth. All transgendered people suffer from it, but the feeling becomes more acute for transsexuals and transgenderists, usually in the middle of their lives. These feelings lead many transgendered people into depression, anxiety, chemical dependencies, divorces and other family problems, even suicide. In order to seek relief from their gender dysphoria, transsexual and transgenderist persons transition, or to begin living their lives in their true genders, which are opposite their birth sexes. This means they literally must "out" themselves to their employers, their families, their friends, everyone.

Why Is That Necessary?

Gender transition is impossible to hide, since gender is a pervasive facet of all aspects of one's life. For transsexual persons seeking sex-reassignment surgery, their transition also marks the beginning of the real life test. During this minimum one-year period, they must be able to demonstrate to their psychotherapists their ability to successfully live and work full-time in their true gender. This is an absolute prerequisite for sex reassignment surgery (SRS), the only known relief from the intense, physical gender dysphoria of transsexual people. The crucial importance of this trial period to a transsexual person is impossible to overstate: it is literally life or death. It is also when transsexual persons are most vulnerable to discrimination, harassment and violence.

WHAT DOES IT'S TIME, ILLINOIS PROPOSE?

We are seeking legislation which would add gender identity and/or expression as protected categories under existing state and county anti-discrimination laws. It's Time, Illinois drafts and helps to pass new laws where current language is found to be inadequate. We would prefer to do this with the full cooperation of the gay/lesbian community. However, we are prepared to do this on our own if necessary.

Where anti-discrimination laws exist which offer protection based on sexual orientation, we offer the following transgender inclusive definition.

Sexual Orientation: Having or perceived as having emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such an attachment, or having or being perceived as having a self-image or identity not traditionally associated with one's biological maleness or femaleness. "Sexual orientation" does not include a physical or sexual attachment to children by an adult.

The above definition was modeled after the language in the Minnesota statute and is broad enough to protect all individuals from discrimination based on gender identity or expression.

Aren't Transgendered People Already Covered Under Existing Laws?

Currently there is absolutely no protection from any form of discrimination whatsoever for transgendered persons living anywhere in the state of Illinois. Existing laws protecting persons based on personal appearance, sex, sexual orientation or handicap status have not afforded transgendered persons any recourse: their transgendered states have been found by courts to be outside all legal definitions of such anti-discrimination laws.

Doesn't Sexual Orientation Cover Transgendered Persons?

A few jurisdictions in Illinois, including Chicago and Cook County, have human rights ordinances which provide protection based on sexual orientation. In each of these, sexual orientation is defined as status or expression, perceived or actual, of heterosexuality, homosexuality, or bisexuality. These terms refer to affectional relationships, i.e. the gender of the person to whom the individual is attracted. As described previously, gender identity is distinct from sexual orientation because it relates to the self, not to others. Unless a transgendered person can prove that discrimination was based on a real or perceived sexual orientation, then the complaint will likely be held invalid.

In a recent case being considered by the Chicago Commission on Human Relations, the complainant claimed sexual orientation but did not substantiate it

in the body of the complaint. The Commission ruled that, “As a matter of definition, then, because transsexualism is not the same as homosexuality, heterosexuality or bisexuality, the Commission finds the prohibition of sexual orientation discrimination does not cover transsexualism.”

What About Title VII?

Title VII of the federal Civil Rights Act of 1964 prohibits discrimination based on race, sex, color, religion and national origin. Since no existing law in Illinois specifically protects transgendered persons on the basis of gender identity, they have filed complaints under sex discrimination. This was done in a recent case of employment discrimination filed with the Chicago Commission on Human Relations (Case No. 93-E-177), which is summarized in this report as Case 9. In a ruling on that case issued on May 8, 1996, the Commission considered the legalities of Title VII as follows.

A number of courts have addressed the issue of whether or not sex discrimination covers discrimination against transsexuals under Title VII. The Commission neither found nor was cited any case where such a claim was allowed (at least after appeal).

The Seventh Circuit Court of Appeals found that Title VII does not protect transsexuals from discrimination. It held that the “plain meaning” of the prohibition of sex discrimination was to make unlawful discrimination “against women because they are women and against men because they are men. The words of Title VII do not outlaw discrimination against a person who has a sexual identity disorder....”

Other courts which have addressed this issue have unanimously found that sex discrimination does not protect transsexuals from discrimination.

Furthermore, the Commission relates that the Seventh Circuit Court actually reversed the only case where a court found a transsexual to be covered by Title VII. Karen Ulane, a pilot from Chicago, was suing her employer for employment discrimination. In that case, Ulane v. Eastern Airlines, Inc., the Northern District of Illinois ruled that sex discrimination did cover transsexuals in that transsexual discrimination was really about sexual identity (Ulane, 581 F. Supp. 821, N.D. Ill 1983). The Seventh Circuit Court reversed that ruling in 1985.

What Other Recourse Does the Transgendered Victim Have?

It is possible for a transsexual victim to claim discrimination based on disability. As described above, most transgendered persons are gender dysphoric. Gender dysphoria or gender identity disorder is a condition which is described in the DSM-IV, the diagnostic manual of the American Psychiatric Association (APA). However, many transgendered individuals may not be willing to claim disability for a condition which few, if any, feel is a disorder, let alone a pathology.

It should be noted that in earlier versions of the DSM, homosexuality was also listed as a disorder. Only after the APA recognized that homosexuality is a normal variation of the human condition did they remove the diagnosis from the subsequent version of the DSM. In December, 1996, the National Gay and Lesbian Task Force released the following statement.

"The struggle for transgender people in 1996 invokes the struggle of gay and lesbian people in the early Seventies when the National Gay Task Force (NGTF) was successful in helping remove homosexuality as a mental disease. We are aware that transsexual people have unique concerns in their lives, including medical treatments such as hormones and surgery, that are different from being gay or lesbian. However, we believe no one -- whether gay, lesbian, bisexual, transgender or intersex (hermaphrodite) -- should have to accept being pathologized as mentally ill in order to attain wholeness, completeness and civil equality. "

Do Any Jurisdictions Currently Protect Transgendered Persons?

The State of Minnesota has a law which forbids discrimination based on sexual orientation as defined as heterosexuality, homosexuality, bisexuality and transsexuality. The cities of Santa Cruz and San Francisco, California; Seattle, Washington; Cedar Rapids and Iowa City, Iowa; and Minneapolis and St. Paul, Minnesota, all have municipal ordinances that specifically protect individuals from discrimination based on their gender identity or expression. It should be noted that these jurisdictions prohibit discrimination against transgendered people without reference to GID.

According to the National Gay and Lesbian Task Force, the European Court of Justice recently held that employment discrimination against transsexual people violates the fundamental human right to be free of discrimination based on sex. Many transgender activists believe these laws represent the beginning of a new era in transgender liberation -- a time in which they can attain equality and health care not through a diagnosis of "mental illness," but through a progressive and comprehensive civil rights agenda.

WHAT IS THE SOURCE OF INFORMATION IN THIS REPORT?

We have documented several dozen incidents. Some of these we have been able to investigate through personal interviews by committee members with those who believe they were discriminated against. The others we have learned about through the cooperation of the Chicago Commission on Human Relations, which shared a number of formal complaints from their files with us. Abstracts of these interviews and copies of the CCHR complaints are attached to this report. Another valuable source of information has been the local gay and lesbian newspapers, including those published by Lambda Publications and Windy City Times. Where appropriate, articles from these sources are included in their entirety.

But because the transgendered community is largely “closeted”, the incidents which we have identified represent only a small fraction of the whole. Locating lots of incidents of possible gender-based discrimination proved to be harder than we expected. Many transgendered people do not report incidents to the police because they fear being ridiculed or further mistreated. Their fears are not unfounded, and we have documented cases of abuse by law enforcement officers. In addition, since there is not a single unified transgender community, there is no way to reach the vast majority of transgendered people.

Have Any Patterns of Discrimination Against the Transgendered Emerged?

One serious challenge that we will have to overcome concerns the volume and focus of the incidents we uncover. With only a dozen cases to go on, it is difficult to discern a clear pattern. The closest thing to a pattern in these materials has to do with employment discrimination. At least half of the cases deal with this type of discrimination. In each case the individual was terminated within a few months after it was revealed that they were transgendered. It did not matter whether the person was a new hire or had decades of experience on the job, the person was typically forced out of the job on some pretext totally unrelated to the real issue: the employer's inability to place job performance ahead of personal prejudice against the transgendered person.

Many of the cases of employment discrimination occurred just as the person began to transition, that is, to live their lives full time in their true gender. For those in transition, the barriers set up by employment discrimination can be an impossible situation to deal with. On the one hand, their psychotherapist requires that they demonstrate their ability to work full time in their true (i.e. opposite birth) gender role. This is a prerequisite for sex reassignment surgery. On the other hand, the employers threaten them with dismissal if they work in anything other than their birth gender.

What About Hate Crimes and Violence?

Hate crimes range all the way from verbal and physical harassment, to rape and murder. According to Vernita Gray, Hate Crimes Specialist with the Victim Witness Unit of the Cook County State's Attorney's Office, hate crimes against transgendered people are even more prevalent than those against gays and lesbians. This finding was not reflected in the statistics from the Report on Anti-Lesbian/Gay Violence in 1995 from the National Coalition of Anti-Violence Programs (NCAVP) and Horizons.

"This year data on violence against transgendered persons was collected for the first time. This was added as a data field because the NCAVP believes that violence against transgendered persons is pervasive and grossly under-reported.

During 1995, incidents involving 69 transgendered persons were documented, representing 2% of all victims (69 of 2,964). Sixty of the 69 victims were living as females and nine as males. The small number of transgendered victims makes it difficult to draw from the data and conclusions about levels of violence, number of offenders, etc. One fact does stand out, however: while transgendered persons accounted for only 2% of all victims in 1995, they accounted for 16% of the victims who were murdered."

Gender role expectation is most likely at the heart of the predominant motivation behind these crimes. This may also be the motive behind crimes against lesbian and gay victims, and these cases need to be examined more closely to determine whether behavior contrary to gender role expectations was involved.

It is becoming apparent that perpetrators of hate crimes react extremely violently to transgendered people. For example, the murder of Christian Paige (see Case 13) was marked by an extraordinary level of violence, involving "overkill" with multiple weapons, numerous stab wounds, and arson. It is typical of these cases that the offender will claim a "homosexual panic" defense, in which they went temporarily insane when they realized the victim had a penis.

Why Are Hate Crimes Against Transgendered Persons So Under-Reported?

The undercounting of transgendered victims may be due to the fact that they are counted as gay or lesbian victims or that they are under-reported, for a number of reasons, fear of coming out to the police being one. Transgendered victims may not be aware of the resources provided by the Anti-Violence Programs, and thus they would not contact them.

The other problem is that most agencies with deal with hate crimes do not keep track of anti-transgender hate crimes. At the federal level, the Hate Crimes Statistics Act was reimplemented in 1996 with no provisions for transgendered victims. Although the FBI records hate crimes against transgendered victims, they are not visible because they are counted as anti-gay/lesbian crimes. In Cook County, many perpetrators of hate crimes are not charged with them, because the State's Attorney's Office goes after charges with a greater penalty (such as assault or murder). This again leads to undercounting.

We really have way too few of these cases on record to draw any conclusions. We hope that as word of our documentation project gets out, more trans-people will step forward to tell their stories of discrimination and violence. However, given the climate of prejudice against the transgendered, fear of consequences may still prevent their injustices from being heard.

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It's Time Illinois Board, 1997

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CASE NARRATIVES

The following are actual cases of discrimination against transgendered individuals who are currently residing in Illinois. The cases were taken from interviews with It's Time, Illinois or complaints filed with the Chicago Commission on Human Relations. Names and other identifying features were eliminated where appropriate to protect the anonymity of the individuals. The words are those of the person who related the incident, with the exception of the phrases in parentheses, which were added for clarity. Complete transcripts of the interviews are held in the confidential files of It's Time, Illinois! We have also included newspaper articles relating a criminal acts against transgendered residents of Chicago and Cook County.

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

Case 1.
Employment Discrimination

(This individual is a 45 year old MTF (male-to-female) transsexual. She has been living and working as a woman since May 1995. Within two months after she went full time, she was terminated from her job.)

I have been living full time as a woman since May, 1995. I was a printer in the print shop of one of the largest accounting firms in Chicago. I had worked there for 21 years. I was terminated from my position on July 28, 1995. The reason for the termination was that they outsourced our office services department.

We were told that they were thinking about the change back in the previous November (1994). They finally told us that they were going to hire another firm in April. They told us at that time that it would be the end of July that the switch-over would take place. Right up until the very end we were told that all of the employees in place would be hired.

When it came time for (the contract firm) to make offers to the employees being outsourced, out of 19 employees, 17 were made offers. The only two not offered jobs were myself and my supervisor, who had plainly made it known that he did not want to stay. The contract firm had not worked with me previously, but they were aware that I was a transsexual in transition. It is my personal opinion is that (the contract firm) was pressured by my former employer to not hire me.

Having worked there for 21 years, I was shocked. The reason they gave me was that they were overstaffed in my position. However, there was one member in my department that was my junior, who was hired. My record was just as good as this other person's. I knew the job inside and out. Everything was routine.

I went on unemployment and I looked for work. I was out of work for two weeks, almost three, and I was hired in a commercial print shop running a Docutech Xerox Machine. I did get a job in the same field, but there was a major difference in pay. I was making \$13.88 an hour in the old job, and the new job is \$8.00 an hour. And I am working third shift.

I have not taken this any further because I have no way of disproving their reasoning for not accepting me. My former office manager avoided me, and he's the one I really blame. He didn't like me, and he definitely didn't like me after he found out I was a transsexual. Nothing was said to my face. Everything I got was second hand from other employees who more or less had an inside track, but they weren't naming names and pointing fingers. I was planning to go full time before the contract firm took over. I was told by one of the secretaries that if you go full time, you will not get hired. She may have heard something and was just trying to help out a friend.

It's behind me now. I've got a job. My new employer has no idea of my past. And I'll go on, and get my surgery, and live the rest of my life. This is my main goal in life. I have no real malice against my former employer. I do feel I was discriminated against, but I can't prove it. And at this point, I doubt that I would pursue it any further.

(From an interview recorded 11/3/95 by Miranda Stevens)

Case 2. Violence and Harassment

(This individual is a hermaphrodite in her late 40's. All her life she has been subjected to discrimination on the basis of her appearance. Earlier this year she was physically assaulted because of her indeterminate gender)

A hermaphrodite is a person who has both organs of both sexes. There are extremes of it. There are people that have both ovaries and a penis but no breasts. Then you have just the opposite. Breast development; physical changes like any other woman; without the ovaries. In my case basically I had the breasts; I had the ovaries and I had the other thing and I went through hormonal changes just like any other woman went through.

Going back to the early days of grammar school, I was discriminated against. Discrimination for how I acted, as far as my mannerisms, how I talked, my attitude because it wasn't the same as other kids. There is just a stereotype of what a little boy should act like and be and interests. When I was in high school many times I was called pansy, a faggot, and a few times it resulted in getting in to a fight, when I would sooner run from a fight than to stand there and fight. High school was very turmoil because as I grew up my body was developing more as a woman and I was going through hormone changes and development; physical development and it was very confusing to me and to a lot of the people that I was friends with that noticed the different changes in and they couldn't understand it.

When I was going to Nashville North, which is a country and western bar, where I learned to line dance, I had harassment from the help there, I had harassment from the people that went there, and as a matter of fact I learned later on that the people there were not using the bathrooms because even though they never saw me not dressed as a woman, they came up to the management and said, "We're not going to use the bathroom as long as she's using it." I was appalled. You know, I just couldn't figure it out. I said, "Wait a minute, this is the first I heard about it. Why don't they come up to me, to my face, and have the decency to approach me and ask me, 'are you a woman or not?'" If they at least had the courtesy, and the key word here is courtesy, if they had the courtesy and respect to show me that, "Okay, there's a question in my mind," I would have told them. I would have said, "Yes, I'm a woman. So if that makes it easier, now you can use the bathroom."

I was raped a year, a year and a half ago. The guy that raped me, his father was a police commissioner in Maywood. I was only three blocks away from the police station in Elmhurst where I got raped and beaten up. It took them 6 minutes to get the gas station where it happened. The ambulance was there before the police. When they asked me what happened, I told them, "He ripped my clothes off. He tried to attack me. A couple of people pulled him off." My neck was so bad that they had to haul me off to the ambulance on a board.

And when I got to the hospital, they took pictures of the bruises and everything. The nurses came in, asked what happened, and I told them what happened. The cops came in and I kept telling them, "This guy ripped my clothes off. This guy tried to attack me." It didn't phase them. It didn't phase them at all. They could care less. I sat in that hospital room for three hours without no one from the rape place, they're supposed to come down. With not even a sedative. I sat there like some piece of crap.

Then when the doctor came in, she didn't even look between my legs. She just went with the X-rays and everything else. She ended up doing the examination and I got discharged that day, that same night, as bad as my neck was. And I ended up with permanent nerve damage.

When I got the copies of the medical reports, the medical reports reflected the right pronoun as she and her, by the doctor's report reflected that this is a 47 year old transsexual that was allegedly beaten up. When I confronted the hospital, they didn't have an explanation. Now, this doctor did not even examine me, did not look between my legs to see if I had a penis or not. She just assumed that I was a transsexual because of my height and everything.

When I went back a couple of weeks later for follow up treatments because of heart problems, that doctor asked my friends to leave, and then he confronted me, with the heart monitor hooked up to my heart and everything, he came out and said, "There seems to be a misunderstanding in your medical record here. Were you born with a penis? Are you a guy?" And I said, "It doesn't matter what I am. I was beaten up and raped, and I came in here for medical help, and you left me to sit there for three hours. You make an assumption..." I got so mad, I pulled my panties down and I said, "Does that look like there's a dick there?" He looks and his eyebrows raises, and he says, "No, it looks like you've always been a woman." And I said, "Well get me out of this monitor, and get me out of this hospital, because I don't want no part of you, and your bigotry and prejudice and insults.

It turned out that the guy that did the raping and all that got 14 days preliminary jail sentence. That means very simply he can go to jail any time he wants to serve the 14 days. And there was no mention of him tearing my clothes off.

(From an interview recorded 11/6/95 by Carole Abrams)

Case 3. Employment Discrimination

(This individual a MTF transsexual in her mid 30's, living in Chicago. She was fired from her job in 1993 shortly after she started transition.)

I started going through the gender transition when I was 34 years old. I was working at a major Chicago hospital in the housekeeping department. I was working with several people that I thought were my friends. I started to tell them how I felt and everything. They were telling me things like it was all in my head, that I shouldn't be telling anybody because its nobody's business. And then after a while my boss found out. I'm not too sure how he found out. It was probably from my co-workers that he found out. Then they just started treating me real badly. They started going against me.

They started putting a lot of work on me. More work than was meant for 3 people. I explained to my boss that I couldn't handle all the work because I was on hormone therapy and I would be losing my strength. He made a remark that I would need a note from my doctor explaining the situation, but then on the other hand I was told again not to tell anybody because it was nobody's business.

Each employee has a certain area to clean. The hardest area was the basement. I takes three people to clean the basement the way they wanted it. The wanted me to make the basement almost dust-free. By myself. The whole basement. And that was mostly offices and a few patient areas. And I also had to wash some mops. I had to get all the dirty mops that were in a big bin, and I had to push it about a block. I had to run up a ramp. I was trying to explain to my boss that it was hard for me, that I would need somebody else to help me. He said that whoever worked in the basement had to do it, because that was part of that area. They just kept on

pushing all this work on me. I just couldn't handle it anymore. Which they knew because I was going through a gender transition.

This all started about three months after I was put on hormone therapy. The thing is that to them I was still a man. They told me that as long as I'd been working there, and as many years as I'd been working in housekeeping, I should have been able to do the work. Which I told them would have been impossible, because the hormones change the body structure.

I stood it for 3 months, and then they let me go. My manager told me that they were going to check my work every so often, about once a week or something like that, and that they were going to grade me on my work. I was supposed to do at least 60% of what I was supposed to do. They told me that I was doing less than 60%. I was doing a lot more than 60%. Some of the other employees, some of my co-workers told me that the work was easy, and I said, yes the work is easy but they were not doing as much as I was. They were not told to do all the work that I was told to do. The other people that worked on my days off were not told to do all the work that I was supposed to do.

I went and filed for unemployment. I explained to them what happened. I had to go through a deputy's office, which is what they call it at the unemployment office. I explained my situation to them. They told me that I was qualified for unemployment, because according to them it was a medical problem. The hospital tried to take it away from me. The hospital tried to take my unemployment away from me. There was a hearing, and I think it was downtown somewhere, and I was told, they sent me a letter stating that I was still qualified.

It took me a long time to find a job. Another job. It took me a long time. I'd been going to other hospitals, I'd been going to hotels, trying to apply for the same thing that I'd been doing for 15 years; housekeeping. And with all the experience that I had, nobody asked to hire me, not once.

(From an interview recorded on 11/17/95 by Miranda Stevens)

Case 4. Employment Discrimination

(This individual is a MTF transsexual in her early 30's, living in Chicago. Although hired as a woman, she was fired from her job after her employer discovered her transgendered status.)

I'm a male to female transsexual. I had at the time been living full time as a woman two to three years. At the time that this happened I was 29. I was working at a firm that made film to be sent to printers. I got hired there in the summer of 1991. They hired me as a woman, that's all they ever knew of me. I was a proofer over there. I worked there over a year.

In early 1993 they started going through some money trouble. They were asking employees to take their vacation time for the coming year, to start using it up now. I had just gotten into the point where I would be allotted vacation time, and I was at the low end so I had just one week, maybe two weeks. At this point I had kind of figured that if things kept going right for the rest of the year I might be able to save up enough for my surgery later that year. I was worried because if I didn't have any vacation time it would be kind of hard perhaps to get time off for surgery.

I figured I'd speak to someone there about this, inform them of my situation finally, and ask them if I had to use my vacation time up, would I'd still be allowed time off for surgery. So I went to the guy who ran the company. I informed him of the situation. He acted sympathetic, and I

thought that was that. Well, as it turned out, my department never got slow, never had to use vacation time, so it almost seemed kind of pointless that I put myself in that jeopardy.

It turns out that pretty soon they hired someone else for the department claiming they were going to go three shifts. At the time they were only running two shifts. I trained him. One weekend I was asked to come in on a Saturday at a certain time. I came in about an hour after that. This was on a Saturday, a time that I volunteered to come in. They got all mad, saying that by me coming in late, this caused the job to be late. It was actually two weeks late, so that was ridiculous.

So they wrote me up. I was the only person I ever heard of who got wrote up over there. I was quite upset because basically, one, they asked me if I could make it. I said I could. And two, even if I had come in that hour early, I would not have been able to let them run, make the deadline. There was just way too much work than they had assumed that there would be. It was just one of those mess of a jobs that they needed a fall guy, and I ended up being it.

The next week, I came in late one day, and they let me go, saying that I had been late 30 or 40 times. A week before I was given a semi-review by my supervisor. He informed me they were cracking down on lateness. Up to this point, it had been okay for me to come in late. I would come in somewhere between 5 and 15 minutes late, but I would stay, I would not leave after 8 hours. Basically, I made sure all the work was cleaned up so when people came in in the morning there wouldn't be jobs hanging around. They knew I was good for that. So before this the fact that I would come in a little late was always fine with my boss, it was okay with them.

It was early February that I told them about my situation. By the time March comes around, I was let go from my job.

(From an interview recorded on 11/17/95 by Miranda Stevens)

Case 5. Employment Discrimination

(This individual is a MTF transsexual who had worked for many years in the service department at an automobile dealership before she began her transition. She was fired shortly thereafter.)

I was living semi-full time, still working as AI. One of the fellas I used to work with knew about what I was doing, where I was heading. He had lunch with several of the managers and brought it up. When I approached him about it and asked what he told them he couldn't tell me because it was a cocktail lunch. At that time I was a mechanic, but I had also been a service writer, a dispatcher and a warranty clerk for them. So I handled several different jobs; they knew my experience. They knew I could handle any of them. I had all the credentials.

I decided to confront my service director about this conversation he had to find out what he knew and let him know where it was all heading. There was no putting it off any more. I took a letter with me and I sat down and talked with him. Initially he said that it didn't matter what I did outside of work. I brought up the situation that eventually I planned to go full-time and it would. So we sat and talked about it and I explained the whole scenario and where I was heading and gave him my letter. He didn't see any reason that we couldn't still do the job. I could transfer into either a service writer or back in to the warranty office and make the transition and go on and work. Because they were expanding anyway; putting in another car line and they needed to expand both of those departments.

About a week later, the general manager stopped me in the hall and says he wanted to have a meeting with me because he read the letter. We sat and talked for over an hour and discussed the problems that probably would arise, especially with the other women in there and the restroom situation and everything. We discussed how we'd handle it, what would be done about it. He said he'd see no problem with it. He was sure we could do it, again, because they had to expand both the warranty office and the service aisle. He wanted to give the letter to the owner. I said "Fine." He gave the letter to the owner. The owner read the letter and discussed it with him and he came back to me. He said "He doesn't see any problem. "

The owner thought everything was feasible but he wanted two letters. One letter, I was resigning as a technician; the other letter requesting a position as a service advisor or dispatcher or warranty office or wherever I thought that would be feasible. I then wrote two letters filling in all the details that I was asking for leave as a technician to proceed with this other, and only to proceed with this other; and I requested positions in any of three different areas: Service Writer, Service Warranty Office, or in the Parts Department which I also have a background in. They said the letters were fine. Everything was going on.

We decided on a date, Memorial Day weekend, was going to be the transition date. The service director was going on vacation. So I approached him; I says, "Okay everybody better sit down; we better figure this out before you go on vacation.". He says, "Yeah, I'll call the owner and we'll get a date set up." About an hour and a half or two hours later I was called in to the owner's office with the service director and the general manager of the store. We sat down and the owner explained that he never dealt with the situation before but he understood where I was coming from and he could see from the letter that I was serious and committed and he felt for me. But, he didn't think that at that time they had any way of putting me in any of these positions because they weren't going to increase the service writers; they weren't going to do anything. They were not going to increase the warranty office or the parts department. They weren't doing anything; so it wouldn't work. I came back and said, "Fine, I'll continue on as I am, as a mechanic, as AI, and we'll address it further down the road or whatever." He came back and said "No, I don't think that's feasible either, I think you should leave here and go find a job where you can deal with it and get out of here." In other words, that was it.

The service director and general manager both looked at me startled and I was startled because none of us expected that scenario. They gave me a couple of weeks to get organized and move out. They didn't fight me about unemployment; they didn't fight me about any resumes or anybody calling and asking for references; they gave me wonderful references to anybody who called in there and gave them to me as Alison. When I applied for my retirement funds from them and stuff, they didn't fight me about that; I did get them, so I didn't address it or fight it.

This whole thing happened over a period of 3 to 4 weeks after the initial word came out. Well by the time I was found out and I was let out of my job it was about a month.

(From an interview recorded on 11/19/95 by Carole Abrams)

Case 6.
Violation of Civil Rights, Denial of Due Process

(This individual is a 47 year old MTF transsexual, currently living in Deerfield, IL. As a result of an incident in 1987, and subsequent discrimination against her transgendered status, she lost custody of her child. The incident took place while she was living in Colorado.)

In 1987, my 7 year old daughter was attacked. At that time, I had a business relationship and a quasi-personal relationship with a woman who was an alcoholic. She was gone for about 5 days. She came back late at night and she was drunk. She was very depressed, wanted to kill herself. My daughter was in bed and she went to get my daughter. She was trying to attack her. I had to physically restrain her, tie her up and give her to the Sheriff's department. She knew about me and she did in point of fact tell them about the transsexualism.

Under ordinary circumstances, and it is at the discretion of the District Attorney's Office, when a child has been attacked, by and large, Social Services is informed. But the report was not forwarded to the Social Services Department once they found out who I was. I had stated in the report that I wished to prosecute and that was also sidestepped. No prosecution ever occurred.

The woman was let out the next morning. She began death threats against both myself and my child. I moved to put a stop to it. She came back and I picked up a gun to put a stop to it. I didn't shoot anybody, but I did do that to put a stop to it. I was arrested, my child was picked up, and without any kind of hearing at all, custody of my child was taken away. She was removed from the state and returned to her mother who lived in Florida. That time I was in jail for two weeks.

I finally got a hearing for the custody of my child. The Social Services Department filed false reports with court. They were devastating. They supplied the information to the judge but they did not give it to me. In other words, I was being tried for things I didn't even know existed. I filed an appeal with the State Appeals Court. I won the appeal and it was remanded back to the same judge. He stated that the information had absolutely no effect on his decision.

I petitioned the Governor's Advocacy Office, and the Governor of Colorado. They referred me to the State's Attorney General, who refused to become involved, stating there was nothing they could do. The County District Attorney also refused to involve himself in the case. I petitioned the Federal Bureau of Investigation. They refused to become involved. I petitioned the Justice Department through the offices of my United States Representative. The Justice Department refused to involve themselves in the case.

It ended two summers ago. They claimed that the woman was married to me and that, in the divorce hearing, they managed to manipulate it in such a fashion that they took my house. They took everything I owned, with the exception of one truck. Subsequently, being with her mother, there are two recorded cases of my daughter herself filing charges against her mother's husband for sexual activities.

I lost my child, I lost my home, I was thrown in jail, I spent thousands upon thousands of dollars. And the child was sent to a place where she was abused, and the State will do absolutely nothing even to this day. I have gotten the run around that you cannot possibly imagine. I have all the documentation to prove this.

(From an interview recorded 11/1/95 by Miranda Stevens)

Case 7. Sexual Harassment, Hostile Work Environment

(This individual is a MTF transsexual in her early 40's, living in Arlington Heights. She was working as a man at the time that she was fired from her position. Although her transsexual gender identity was not specifically known by her employer, she had been on hormones for several years and the changes were apparent. The situation she describes could be interpreted as sexual harassment.)

I'm 41 years old, and I'm transsexual. I've been taking hormones for a period of years. I worked as a driver at a pizza restaurant from May 1994 through November of this year, 1995. During that time I went through a lot of changes, obviously the physical manifestations that hormones bring on, perhaps some changes in terms of my behavior.

I noticed that over the course of the year and a half that I worked there, there were increasing references to my gender and my appearance. Kitchen help mostly. One individual, his name was Carlos, for the last 6 months at least used to comment on my behind all the time, at least 2 or 3 times a week. In fact, the way he'd say it to me was almost not joking, sometimes I thought that he was actually making advances at me. And he would say things like, "You have a nice ass, Bob", walk up behind me, pinch my butt and say, "Nice butt" and things like that. On one occasion, I went into the bathroom and he followed me in. He didn't do anything, but it was again kind of a message. Carlos would comment on my breasts occasionally, and a few times grabbed my breasts and twisted them rather painfully.

As far as harassment, I could probably go on all night with other incidents. Like the picture Jose drew of me once, which was a caricature of my head with a pair of boobs. There were a lot of things like that, a lot of other little things, besides what I told you. One of the other drivers said he couldn't believe I put up with it. And I was the target a lot. And I was easy going about it. It almost seemed like they knew even if they didn't officially know about me.

Management occasionally made any jokes like this as well although the owner or the number two man never said anything. My supervisor would say things sometimes, like somebody brought in a Playboy and maybe I picked it up and looked at it, and he'd say, "Bob, what are you doing with that?" or comment like, "We're talking about girls, Bob, nothing you'd want to hear."

This same supervisor once saw me dressed as a woman, a few months before I was fired. That was an occasion when I was on my way to electrolysis last October. We were driving in opposite directions on a residential street, which curves to the right, and I would have been on the inside of that curve, and he came around on the outside. We both had our windows down. He would have been totally familiar with my car. We both looked eye-to-eye directly at each other as we passed along the curve. It wasn't a glance, it was a long look at one-another.

About a month and a half ago, I was late. It was the first time it ever happened, I overslept. The owner immediately jumped on my case. He said, "I might have to get someone else on these Wednesdays." I feel that he had some kind of a problem with me, but I didn't know at the time. I felt the handwriting was on the wall when he did that.

The final incident that got me fired, I had a very busy high-pressure night. The apartment building that I was delivering to has a security phone. You have to call them on their home phone for them to buzz you to let you in. I called up and I get an answering machine. In order to hang up this phone you have to hit the pound sign. I forgot that, so I just put the phone back on the hook. I turned around and spread a whole bunch of expletives around the room. Well all this apparently was recorded on the answering machine. No one said anything to me until the end of

the night when the number two man, said he had talked to the owner on the phone and he thinks I might be fired. And I thought he was joking.

Two days later I went in. Nobody called me or anything, and I saw the owner at the oven. And he looks at me and goes, "Bob, what's up?" I said, "They had their answering machine on." He didn't want to hear an explanation. He goes, "Well Bob, I've got Frank here." I said, "You mean I'm fired?" He says, "Yeah." I said, "OK," and turned to leave. He called me back and said, "Don't you want to hear my side of it?" He never asked me for any explanation, never talked to me about it, never discussed it in any way with me, and wasn't interested in discussing anything with me. But he very worried to make sure that his butt was covered. So he wanted to give me an explanation of his behavior. That's all he was worried about.

I felt, "Fine, see you later. I don't like your job anyway, or your people, and I am kind of sick of the treatment." As much as I took the treatment as not being really hostile, I was sick of it. That is true. I had reached a point where I was sick of it.

(From an interview recorded on 12/19/95 by Miranda Stevens)

Case 8. Discrimination in a Public Accommodation

(This individual is a MTF transsexual who was denied access to a public accommodation. There is no specific category in the Chicago Municipal Code for discrimination based on gender orientation. She chose to register her complaint on the basis of sexual orientation.)

On December 21, 1993, I was denied entry to (a night club) because of my sexual orientation. I was with three women friends of mine, and the doorman/bouncer commented to the manager standing next to him that I was a transsexual, and then the two men made slurs about my sexual orientation. (The bouncer) said if you're a transsexual shouldn't your name be Anthony, not Annette, to which (the owner) replied, "You're wasting your breath, I'm not ever going to let you in. I don't allow faggots in here." This was said so every one waiting in line could hear it. Finally, the allowed my three women friends to go in, but refused to let me in. I was humiliated and unfairly treated by (the night club) management. This is discriminatory because of my sexual orientation in violation of Chapter 2-160 of the Chicago Municipal Code and I am asking to be allowed to enter (the night club) when I wish and all relief available under the law.

(From a complaint filed 1/3/95 with the Chicago Commission on Human Relations, No. 95-PA-5)

Case 9. Employment Discrimination

(This individual is a MTF transsexual who was fired from her job as a food server. Her complaint was filed with the Chicago Commission on Human Relations under discrimination based on sex, sexual orientation, and disability.)

I was employed as a food server by (a restaurant) on December 27, 1992 and I was fired on February 5, 1993. I was told that the reason I was fired was that I did not fit the image (the restaurant) wanted. Based on the following circumstances, I believe that (the restaurant) did not want me to continue my employment because I am a transsexual.

On Feb. 1, 1993, after work, I unpinned my hair, which was long, changed into feminine attire, and left the restaurant. The store manager saw me leaving the restaurant. The next day, Feb. 2,

the manager advised me, after work, that I would have to cut my hair. I reminded him that the assistant manager had told me, upon my hire, that I did not have to cut my hair as long as it was pinned up and out of sight while I was on duty. I was never informed, prior to this meeting on Feb. 2, that the restaurant had any concerns about the length of my hair.

At the Feb. 2 meeting, the manger stated further that if I did not cut my hair by the end of the week, I would be fired. He also stated that it was (the restaurant) policy that I, as a food server, had to maintain my hair above collar-length. He claimed that I had signed a statement acknowledging this statement. Moreover, I had, throughout my employment, abided by (the assistant manager's) instruction to keep my hair pinned up and above my collar. In addition, (the restaurant's) female food servers are allowed to keep their hair long. The only policy as it relates to women is that their hair must be pulled back. At this meeting on Feb. 2, I tried to explain to (the manager) that I have extenuating circumstances, i.e., gender dysphoria. I am a transsexual and am in the process of becoming a woman. (The manager) interrupted me and reiterated that I had until the end of the week to cut my hair.

On Feb. 3, 1993, I telephoned the Vice President of Human Resources for (the restaurant), and explained to him that (the manager) had instructed me to cut my hair and that I had extenuating circumstances which prevented me from doing so. I then went on to explain that I have been diagnosed with gender dysphoria and that as part of my transition, it is imperative that I maintain a hairstyle that gives me the appropriate feminine appearance, thus allowing me to live as a female while not at work. (The vice president) instructed me not to discuss my situation with anyone other than him and requested statements from my physicians verifying my diagnosis. I agreed, and (the vice president) was immediately thereafter, on Feb. 4, "faxed" the requested documentation, including statements regarding the importance of maintaining my hair length as part of the treatment to becoming a woman.

On Feb. 5, I returned to work as scheduled. My hair was pinned up and above collar-length, as instructed by (the asst. manager). I attended the morning meeting with all the other employees, after which (the manager) instructed the others that in order to get their pay checks, they would have to sign and date the policy and procedure acknowledgment form. At the same time, (the manager) advised me that I was being terminated effective immediately. The reasons re gave were (a) I did not fit the image (the restaurant) was looking for; (b) I missed the mandatory meeting that Wednesday, Feb. 3; and (c) I had been late for work one day two weeks prior.

I do not believe these to be the real reasons in that (a) I had worked at (the restaurant) for over a month and had never been told previously that I did not fit the image; (b) I had been excused from the mandatory meeting and had the doctor's note as requested by (the asst. manager); (c) (the manager) had previously excused my tardiness, as I had explained that I had been delayed because I was stopped for speeding; and (d) I never received any progressive discipline, as outlined in the Policy Manual. In fact, I had never been told that my performance was unacceptable.

I believe that I have been discriminated against because of my sex, my sexual orientation, and a perceived disability. The above conduct is violative of Chapter 2-160-030 of the Chicago Human Rights Ordinance. I seek all relief available under the law.

(From a complaint filed 7/22/93 with Chicago Commission of Human Relations, No. 93-E-177)

**Case 10.
Denial of Legal Name Change**

(This individual is a MTF transsexual who was being prevented from transitioning at her job as a clerk at a supermarket. Her complaint was filed with the Chicago Commission on Human Relations on the basis of sex discrimination.)

I am a male going through gender transition. I am being denied the right to change my name from Joseph to JoAnne and to dress as a female at my place of employment, without having proof from my doctor that the surgery has been completed.

On April 25, 1995, I asked the resident manager if I could have my personnel file changed to reflect my new identity. In doing so my file would be changed from Joseph to JoAnne. (He) told me that it was okay with him, but he would have to check with personnel. Later that same day, (he) informed me that personnel had denied my request to change my name and also refused to allow me to come to work dressed as a female. When I informed (him) that the State of Illinois and the Social Security Administration issued new cards reflecting my new identity with the note signed by my doctor, he said I'm sorry but personnel said no. (He) further stated that personnel would approve the name change and permit me to dress as a female, only after my doctor verifies that the sex change operation has been completed.

The above conduct is in violation of Chapter 2-160 of the Chicago Municipal Code. The relief I seek is to: (a) continue to work as a service clerk; (b) dress as a female while at work; and (c) my personnel file to reflect my new identity.

(From a complaint filed 5/19/95 with the Chicago Commission on Human Relations, No 95-E-95)

Case 11. Employment Discrimination

(This individual is a MTF transsexual who was hired as a telephone interviewer. Upon arriving for work the first time, she was told that she could not have the position because of the restroom situation. Her complaint was filed under sex and disability discrimination)

On March 15, 1993, I applied for a job as a Telephone Interviewer with _____. I was hired and reported for work on March 17, 1993. I arrived for work on March 17, 1993 at 4:00 p.m. At 4:30 p.m., Mr. B. called me to his office for a meeting. Mr. H., the Night Shift Supervisor, was also present. Mr. B. opened the meeting by asking me if I was male or female. I explained that I am a transsexual. I was then asked if I preferred to use the male or female restrooms. I indicated that I use the female restroom. This choice was overruled. I was told by Mr. B. that I was not female. I asked Mr. B. if I could use the men's restrooms as an alternative to the women's restroom. Mr. H. said no, because the male employees would be uncomfortable, I then asked if there was another restroom available for my use. The answer was no.

Mr. H. asked when my operation was scheduled to be performed. I indicated that the procedure was scheduled a year from now. He indicated that was too long an interval for my job to be held for me. In other words, he was unwilling to let me work before the operation. I asked the two of them if I could keep my job if I did not use the restroom at all. Mr. H. responded, no. He said the other employees would be uncomfortable with me.

The only option offered to me was that I must come to work dressed as a man. I refused, indicating that it was part of my treatment to dress as a woman and that I consider myself to be a woman. Requiring me to dress like a man is discriminatory.

I believe that I was discriminated against based on sex by B. and H. because I am a transsexual. Furthermore, because they refused to accommodate my treatment by allowing me to dress as a woman, I was also discriminated against due to disability. Neither my gender choice, female, or

treatment to have a sex change effect or interferes in any manner with my ability to perform the job.

The above conduct is a violation of Chapter 2-160 of the Chicago Municipal Code. I am seeking all relief available under the law.

(From a complaint filed 3/19/93 with the Chicago Commission on Human Relations, No. 93-E-80)

Case 12. Violence, Murder

Man Gets 21 Years In Transgender Murder Case.

An uptown man has been sentenced to 21 years in prison for murdering a date after discovering that the date was biologically a man, and not a woman, as he had first thought.

Cook County Criminal Court Judge Richard Neville sentenced David Feikema, 54, of 809 W. Lakeside Place, after convicting him of first-degree murder in a bench trial.

The 21-year sentence is on the lower end on the 20 to 60 year penalty that first-degree murder carries. The Cook County State's Attorney's office had requested a 40-year sentence, said Reggie Preacely, deputy press secretary for the office.

"We're always disappointed when we don't get what we asked for," he said. "Each judge is different."

Feikema met his victim, Larry Venzant, 20, on the street near the corner of Wilson Avenue and Broadway on Dec. 19, 1993, according to Assistant Cook County State's Attorney Catherine Sanders. Venzant was wearing clothing traditionally worn by women. The two then arranged to have sex and went to Feikema's apartment, Sanders said.

When Feikema discovered that Venzant was biologically a man, he stabbed him repeatedly and castrated him, she said. Feikema then placed Venzant's penis in Venzant's mouth, shoved him in a closet, and called the police.

"The only threat that this victim posed was to the defendant's masculinity, and for that he made the victim pay with his life," Sanders said.

(An article in the Windy City Times, 11/9/95, written by David Olson)

Case 13. Murder

(From GenderPAC Press Release 4/11/96. Note that as of 2/97, there has been no progress in this case. Christian Paige's murderer has not been identified or apprehended)

In what appears to be one of the most brutal hate crimes in years, Christian Paige, a beautiful 24 year old transsexual woman, was found savagely murdered in her apartment, Friday, March 22, at 10 PM. Ms. Paige 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. 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. Ms. Paige's body was discovered when the Chicago Fire Department responded to reports of arson at her residence. The premises, which Ms. Paige shared with 2 friends, was also ransacked and valuables were stolen.

Chicago PD Detective Gildea, who was assigned to Ms. Paige's case, was interviewed over the phone by Deputy Sheriff Tonye Barreto-Neto of TOPS, the national group for transgender police officers. Gildea noted that all Ms. Paige's stab wounds were so deep and severe that any single one would have been sufficient to kill her. In addition, preliminary results showed no defensive wounds on her body, consistent with a theory that she was struck unconscious from multiple blows to her head prior to being strangled and stabbed.

Police told Windy City Time reporter Lisa Neff that the murder is not being investigated as a hate crime. Their initial report that the victim was a "white female" was later amended to that of a "white male."

Ms. Paige had apparently met her alleged assailant through a telephone dating service only a few days before. She told roommates she had spoken with him twice by phone on the Wednesday and Thursday prior to her murder, eventually making a date with him for 8:30 PM Friday evening, the 22nd.

Police discovered glasses in her apartment still on the table where the two of them had apparently shared a drink together before she was killed. Unfortunately, the fire destroyed any fingerprints and police are still trying to trace her alleged assailant through the dating service phone records,

Ms. Paige, a native of Nashville, TN, had only recently moved to Chicago where she was working to save money toward sex reassignment surgery. She was employed at Chicago's trendy downtown Baton Lounge, where she was well regarded. She had already had a highly successful career in clubs as a former Miss Gay Nashville and Miss Midwestern Continental.

Said one of her best friends, Marisa Richmond of Tennessee Vals, "Nashville is a community that is still in a state of shock. Everybody, whether they knew Christian or not, is crying either on the outside or inside. All of us cared about her because she was so genuinely likable. I'd be hard pressed to think of another person who enjoyed life and just like people. It's hard to fathom that somebody who like to see people laugh and smile so much could bring so many tears, but that is how much we were touched by her."

Case 14.
Employment Discrimination

(This individual is a 43 year old MTF (male-to-female) transsexual. She has been living full time as a woman since August 1996. She was terminated from her job in July 1996 while still working as a male.)

I began my quest to transition as a woman in April 1993 by seeking out the services of a regional gender clinic. One of the primary obstacles that I had to overcome was telling my boss about my situation. I had worked for the same unit of local government since graduation from graduate business school in 1976. Since 1982 I had been the office manager, in charge of finance, personnel, data processing, purchasing, risk management, and legislative issues. I supervised a staff which averaged 25 employees. In my 20 years at the agency I had been promoted twice, received above average raises each and every year, and on numerous occasions fill in for the Executive Director whenever he was out or town. My current supervisor, who is the Executive Director of the agency, was the same one that hired me back in 1976.

Finally in January of 1996 I summoned the courage to tell my boss about my situation. This was done on Monday, January 17th. Although he appeared surprised by what I had told him (that I wanted to eventually come to work as a female) he appeared to take the news well and commented that "after all this is the '90's." With my formal written request of February 2nd, the agency was then going to review my request and let me know if they could accommodate my working there as a female starting on September 3, 1996.

Since the time that I first told my boss, he has hardly ever spoken to me except in the presence of other managers during meetings. I received a written reprimand in May, which was the first one that I had ever received. This reprimand was later rescinded. Also in May, I was notified that an audit was going to be done of all the departments to find ways to improve the work. Guess who's department was picked first. I subsequently found out that within minutes of telling him about me on January 17th, my boss called the agency's independent auditing firm, asking them to conduct an audit of any financial transactions that might involve me, apparently for the purpose of "digging up dirt on me." My boss would never express his opinion on my case. All he would say is that the attorneys are reviewing it.

During all this time, I faithfully kept doing my job. I was the first of all the managers, for example, to complete the documentation necessary to meet a timetable for installation of new computer software. I gave them no reason to discharge me. Eventually, almost six months went by. I know of no other transgendered individual that had to wait anywhere near six months to receive a decision on a request to transition at work.

All was to no avail, though, when on July 29th I was summoned into my boss' office and told that my situation was too much of a distraction and that my request was denied. They claimed that it was a distraction since other employees would talk about it, even though they never implemented my suggestion to notify the employees what was going on, thus leading to the grapevine effect, In addition, they also told me that I was terminated effective immediately. Within 15 minutes, I was out of the building, was not allowed to say good-bye to anyone, and was out of work.

Case 15.
Assault with a Deadly Weapon and Discrimination by Police/Paramedics

(This individual is a 30-year-old male-to-female transsexual who is currently living as a male. The report is from a telephone interview conducted by Miranda Stevens in October, 1996)

D.C. had recently moved to a new area in Chicago. Although she describes herself as transsexual, she is not living full time, and only occasionally goes out as a woman. At the time when this incident occurred, she was dressed as a woman, and was going out by public transportation to visit a friend in her old neighborhood.

She took a cab to the Loyola El (Thorndale/Granville station) at about 2:00 a.m. on October 6, 1996. When the train arrived, it consisted of 2 cars, both of which were packed, even at that time of early morning. Two young men in their late teens or early twenties sat directly across from her. She noticed them because they were staring at her and making rude comments.

D.C. got off the train at the Berwyn station, and just before the doors shut, the two young men jumped off as well. They pursued her down the stairs from the tracks, and at the bottom they grabbed her by the shoulders, and began to drag her around by her purse, saying "What are you, what are you?" She told them that she was a transsexual, a drag queen, and told them to take her purse... anything to get them to leave her alone. They said that they weren't interested in her purse, that they would get to that later. She managed to get away from them, losing her purse in the struggle, and she began to run away. She heard one or two shots as she continued to run.

It wasn't until she was further down the block, maybe a block away that she realized she was shot. She was able to run to her friend's house, but by then she had to crawl from the courtyard to the house. Her friend (or someone) called the police and the paramedics.

The police and the paramedics arrived a few minutes apart. Although she couldn't see them, because she was lying face down on the ground, she heard the police say over and over, "That's not a woman, that's a man." The police asked where she was shot, and she replied that she was shot in the back. When asked how she got there, she replied that she ran there from the El station. At that point, the police said, "If you can run here, you can get up in the chair."

Neither the police nor the paramedics would help her up into a stretcher. They did not even bring a stretcher over to her. With no assistance from the police or paramedics, D.C.'s friends had to help her get up and into a chair. With no assistance from the police or paramedics, her friends moved her the 30-80 feet to the stretcher and helped her onto the stretcher. She was taken by ambulance to Edgewater Hospital, where she was in the operating room for 5 hours repairing the internal damage.

(This case was reported as aggravated assault and was being investigated as such. The perpetrators have not been apprehended. After a call from It's Time Illinois reporting this as a hate crime, an investigator from the Civil Rights Division of the Chicago Police Department was assigned to the case. D.C. contacted the Chicago Commission on Human Relations and the Office of Professional Standards to lodge complaints against the Police Department and the Paramedics.)

Case 16.
Police Brutality, Medical Negligence,
Violation of Constitutional Rights and Wrongful Death

(The following is an article describing the wrongful death suit of a young intersexed man which appeared in Outlines, February 1997. Copyright 1997 by Lambda Publications Inc. All rights reserved. "What Killed Logan Smith? Life & Death in Hoffman Estates," by Mike Spitz.)

The life of Logan Smith seems almost as extraordinary as the circumstances surrounding his death. Whether or not the result of police abuse and negligence, the courts will soon decide how and why Logan died just hours after his emergency release from the custody of Hoffman Estates police in January of 1996.

Born a genetic male though with under-developed genitalia, Logan Smith was raised as a female, but decided, at age 15 and after surgical alterations, to be treated as a man. His medical condition was such that Hoffman Estates Village Attorney Richard Williams initially, and erroneously, reported that "Smith died not from trauma, but from complications arising from a sex-change operation."

Young and Black, Logan lived with his mother and brother within an encircling suburban community older and whiter. Located 29 miles northwest of Chicago's Loop and just off the Northwest Tollway, Hoffman Estates is one of the more prosperous area suburbs. Encompassing roughly 19 square miles and mostly residential, with more than three-quarters of its units owner-occupied, the village boasts a poverty level below 1% and per capita income well above the metropolitan Chicago and national average.

With flight and freedom the goal of most inner-city youth, obtaining residence in such a community might seem like the American dream incarnate. However, with a Black population less than 4% of the roughly 50,000 total, and with a lengthy history of documented racial discrimination, the pretense for Logan and his brother Brian being pulled over for a minor traffic violation is perhaps open to more rigorous speculation.

According to a lawsuit filed last month in Hoffman Estates civil court by attorney Monica McFadden on behalf of Logan's mother, Bettijean Smith, Hoffman Estates police officer Gregory A. Polous made the initial contact. On Jan. 22, 1996, at approximately 7 a.m., officer Polous approached the Smith's vehicle, already parked in front of their residence on the 1900 block of Chelmsford, and alleged that the driver, Brian, committed two offenses: Failure to signal a right turn while turning from a secluded residential street into a dead end, and failure to display a license plate, in lieu of a temporary license plate clearly displayed in complete compliance with Illinois law.

With Logan, age 23, already in the townhome by this time, officer Polous reportedly maced Brian as he removed groceries from the back seat of the automobile. Logan then returned to assist his now-blinded brother, in turn taking him inside to wash his eyes with water. The complaint further states that officer Polous, still having yet to issue any traffic citations or make any arrests, followed the two into the Smith residence without justification or permission, and without having obtained a search warrant. Logan, reminding officer Polous of the unconstitutionality of this act, was placed under arrest for interfering with an officer's exercise of duties.

At this point, responding to a call from Polous, officers Paul S. Hansen and Harry J. Moore also violated the Fourth Amendment of the U.S. Constitution and entered the Smith home without authorization, the family's lawsuit alleges. Physically seizing Logan with allegedly "great and unreasonable force," kicking him in his abdomen and spraying him with pepper gas, the three police officers arrested and successfully brought into custody Logan Smith, who, according to Bettijean, did not understand the charges. She also said he offered no physical resistance.

Although the Hoffman Estates Police Department vehemently denies the use of excessive force, immediately following this alleged altercation Logan began to complain about severe pain he was experiencing in his abdomen, specifically and repeatedly requesting medical assistance. Finally transported by ambulance from temporary detention at the Hoffman Estates Fire Department to the Hoffman Estates Medical Center Emergency Room, Logan was diagnosed with a urinary tract infection and released, without the peculiarities of Logan's medical status, or the circumstances of his arrest, being communicated to the presiding medical technicians.

As attorney McFadden relates, emergency room professionals chose to ignore, arresting officers knew yet remained silent about, and the Cook County Medical Examiner later discovered, Logan Smith was the lifelong sufferer of a congenital anatomical anomaly: Born with an external bladder and vestigial genitalia, subjected throughout his childhood and young adult life to a series of corrective surgical procedures, Logan had what professionals call a "cecal reservoir," an alternate bladder made from a lower portion of his intestinal tract. The complaint asserts that the conflagration with police ruptured this surrogate receptacle, spilling urine directly into Logan's abdominal cavity, precipitating the septic infection that culminated in his untimely death.

Around 10 a.m. that same morning, Logan was put into the custody of officer Mark A. Laughlin, discharged from the Medical Center and, still complaining of acute discomfort, and having difficulty in walking and even standing upright, Logan was taken for processing and incarceration to the Hoffman Estates Police Station lockup. His verbal complaints continued, his physical status visibly deteriorated. Officer Polous, back on the scene, dismissed these attempts at communication as whining and troublemaking; other officers and even other prisoners within the lockup were aware of Logan's emphatic complaints and steadily deteriorating condition, which eventually included fever, vomiting, inability to move freely, rapid pulse, rapid and shallow breathing and extreme pain in all portions of his abdomen.

Logan remained in his cell. General police policy is reportedly to never re-admit any suspect for additional medical attention, rather, police wait for release of the suspect and thereby allay all further responsibility. Bettjean Smith, Logan's mother, arrived to post bond for her son at approximately 1 p.m.-she was informed by officer Polous and others of Logan's then-critical condition. Upon seeing her son, she insisted that 911 be called. Mrs. Smith was reassured by a police officer that they are 911.

An ambulance finally arrived on the scene, rushing Logan back to the Hoffman Estates Medical Center, this time to their Intensive Care Unit. Diagnosed with septic shock, Logan repeatedly informed the medical professionals that he was kicked in the abdomen by his arresting officers. Logan remained in critical condition until his death at approximately 11 p.m.

Suspicious of his treatment by the Hoffman Estates Police Department, Bettjean Smith sought and eventually obtained legal counsel with Monica McFadden of McFadden Law Offices. Meanwhile, an initial autopsy and toxicology analysis were conducted by Dr. Bryan R. Mitchell, M.D., from the Office of the Cook County Medical Examiner. Particularly sensitive to the dynamics of this complex case, the official report was not released until May of 1996: In a CHICAGO TRIBUNE article of May 17, Hoffman Estates Assistant Police Chief Robert Boynton was quoted as saying "as far as officers using excessive force, we feel the post-mortem indicates that never happened." According to Dr. Mitchell, however, his report neither affirms nor denies that possibility. In terms of any overt external evidence of injury, Logan sustained a visible injury to his left knee. When seeking evidence of internal injuries, standard procedure involves linear incisions placed over the back, buttocks, thighs, calves and wrists-not the abdomen. Although able to substantiate the septic infection through urine leakage into that cavity, the official manner of death remains "indeterminate."

Relying on Dr. Mitchell's investigation, Hoffman Estates Village Attorney Richard Williams states in a recent United Press International report that, "Smith died not from trauma, but from complications arising from a sex-change operation." Based on the Medical Examiner's post-mortem, this statement is false. According to McFadden, as far as she knows, the rumor was generated by the police as a kind of smoke-screen to detract from the significance of the case.

If true, such a rumor is perhaps demonstrative of an underlying homophobia-if the allegations of excessive force can be substantiated, perhaps the Village of Hoffman Estates assumes that less sympathy would be generated by a transgendered individual than by an otherwise "normal" person "merely" suffering from overt birth-defects. As far as Logan Smith's sexuality goes, McFadden emphasized its irrelevance to her case, although she has described elements of Logan's extraordinary medical and personal history.

Born a genetic male though with under-developed and subsequently surgically altered genitalia, Logan was compelled to urinate using a catheter. Prompted by his admittedly unique anatomy and the need for privacy, doctors and psychologists suggested that the Smiths raise him as a girl. As Logan matured and medical technologies advanced (presumably those utilized by men suffering from impotence and female-to-male transsexuals), plastic surgeons were gradually able to reconstruct his genitalia, hoping to

eventually make them not only aesthetically realistic, but functional. As such, the foundation of the “sex-change woes” rumor, however homophobic, opportunistic and factually incorrect, is conceivable. At age 15, however, given the chance, Logan chose to look, act, and be treated as a man.

What remains most vexing is that such a unique person, after enduring so much, has been denied the opportunity for self-realization. Perhaps the upcoming litigation will shed both light and justice.

Case 17.
Aggravated Assault and Discrimination at Hospital Emergency Room

(This individual is a 35-year-old crossdresser. He has lived in the Chicago area since the early '70s, and has been openly crossdressing since about 1980. The report describes an incident that occurred in early December 1996, taken from a telephone interview conducted by Miranda Stevens on February 15, 1997.)

I had just gotten off work at Rockwell and Leland in Chicago, where I tended bar. I went home, changed real quickly into my femme clothes, put on some make-up, and took the bus back to the same area. I went to a bar called Loafer's at the corner of Rockwell and Lawrence where I had two beers. I left Loafer's and was heading back to the bar where I worked. I had crossed Lawrence and was going down Rockwell when I was brutally attacked from behind in a surprise attack. There were two men, one was really big, 6'2" or 6'3", and the other was a runt who was just there to act as the look-out. I had seen them in the bar (Loafer's) that I had just come out of. They followed me from the bar and brutalized me on the street.

They first broke my face with one mean blow. The big guy pulled my head back by my hair, and slammed his fist down into my face, breaking the bone in my face. Then he rammed my face into a pole a couple of times, smashing in the rest of my face.

I was dead to the world, I mean I must have passed out. I didn't know what was happening. Luckily I must have been screaming because two people came to my rescue and chased them away. They (the attackers) went back to Loafer's. The police found them at Loafer's, drinking beer, where they arrested them for assault. Imagine, they didn't even think that they had done anything wrong, and went back to celebrate with a beer!

Eventually the ambulance came and took me to the hospital (Swedish Covenant Hospital). I really had no problem until the hospital. I had major facial damage and trauma, but at the emergency room it took them 4 hours before they would even look at me. It was at least 4 hours before they took x-rays, and then they just sent me home. They didn't give me any treatment. The only thing they gave me was the name of another doctor to see.

The next morning, I did see the doctor who was recommended at the emergency room, who immediately sent me to Northwestern Memorial Hospital. At Northwestern, the doctor saw me and scheduled surgery right away. I had to have my face completely rebuilt. The doctor said that the bones in my face were so badly smashed that they "looked like the bottom of a potato chip bag."

At this point, I still have to go through several more surgeries before they will be able to finish reconstructing my face. I feel that I was discriminated against at the (Swedish Covenant) hospital. The people who could have done the most for me actually did the very least!

Case 18.
Discrimination in a Public Accommodation (Shelter)

(This individual is a self-identified gay male who was denied access to public shelters in Chicago on two separate occasions. His transgender status is unknown, but likely transsexual. The complaints which he filed with the Chicago Commission on Human Relations state that he was denied access because of his female appearance. According to sources within the Commission, he appeared dressed as a woman when he filed his complaints, and was addressed alternatively using either masculine or feminine pronouns. His complaints were filed on the basis of sexual orientation.)

(Case No. 96-PA-68) I charge that I was discriminated against because of my sexual orientation by the Pacific Garden Mission. I am gay. I went to the Pacific Garden Mission to request shelter

on July 28, 1996, after 10:00 P.M. with my cousin, S.T. I am a homeless person. A short black man sitting at the front desk (I do not know his name) refused me admittance to the shelter. I believe he did so because I look like a female. I believe they perceived me to be gay. I requested to be placed in the women's dorm. The person at the desk said I could not stay with the women. He also said, "You cannot be here. Get out." My cousin S.T. was admitted to the shelter. S.T. looks male so I do not believe they perceived him to be gay. He did not stay because I was refused admittance.

(Case No. 96-PA-67) I charge that I was discriminated against because of my sexual orientation by the Washington King Shelter. I am gay. I am a homeless person. I was taken to the shelter on July 30, 1996, by D.M., a driver from the Department of Human Services located at 10 S. Kedzie. I went to the shelter with my cousin, S. T., to request shelter for the night. A black man sitting at the front desk did not allow me in the premises. He said I could not stay there. I believe I was discriminated against because I look like a female. I believe they perceived me to be gay. My cousin was told he could stay at the shelter. S.T. looks male so I do not believe they perceived him to be gay. He did not stay as I was denied admittance to the shelter.

In both cases, the complainant stated, "This is a violation of Chapter 2-160 of the Chicago Municipal Code. The relief I seek is to be compensated for the humiliation suffered when I was denied admittance to the shelter and all other relief available under law."

Case 19.
Discrimination in a Public Accommodation (Educational Institution)

(This individual is a post-operative transsexual. The case came to the attention of It's Time, Illinois when she called seeking resources, and was referred to the Commission on Human Relations. She was discriminated against when she tried to enroll for a class at Harold Washington College in Chicago. She filed on the basis of sex discrimination.)

I am a female. The respondent treated me with discrimination and hostility, because she perceived me as male. On August 28, 1996, I was at the Harold Washington College registering for the Fall semester. Ms. P, female School Counselor was registering me. During the process with Ms. P, Ms. W, Chairman of the Counselor Department, came over to ascertain the status of the registration. Ms. W and I have known each other for a number of years. When Ms. W asked Ms. P about the status of my registration, Ms. P referred to me as he and him. I overheard Ms. W trying to correct Ms. P by referring to me as she, and her. Ms. P insisted on referring to me as he and him.

In no way should I have been perceived as a male. Ms. P continued to slander me, and told me that the class I wanted to take was closed. I went to another counselor that approved the class for me. When I concluded my registration, I stopped by Ms. P's station and asked her why did she insist on referring to me as a male? Ms. P replied, "That is my perception." Ms. P said that she has seen me come here over the years, and she has heard about me. She said, "You might fool a lot of the people around here ... but not me, I am fool proof." She stated, "I know who you are and what you are."

I am a female with the identification and credentials to support that. I feel that Ms. P treated me with discrimination because she perceived me as a male. The above conduct is in violation of Chapter 2-160 of the Municipal Code. I am seeking all relief available under the law. (Case No. 96-PA-80, filed 10/2/96)