

Sylvia Rivera Law Project  
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SRLP NEWSLETTER  
AUGUST 2004

# Sylvia Rivera Law Project

NEWSLETTER

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## SRLP Trains Manhattan Civil Judges!

In May of this year, SRLP teamed up with Manhattan Civil Court Judge Deborah Samuels to plan a training for the borough's civil court judges. For years, transgender litigants in New York's civil courts have faced misunderstanding and bias in judicial proceedings, especially name changes. Transgender litigants have frequently been held to a higher standard of evidence when proving that our name changes are not for fraudulent purposes. We've been asked to provide evidence of surgeries or other medical procedures, psychological evaluations, or other additional evidence as part of our petitions. This information is not only often difficult to provide for community members who lack access to medical care, but also violates our privacy, and is outside the requirements set forth by the law.

### Background

In October 2003, SRLP and Judge Samuels made headlines when Judge Samuels reversed her prior decision denying a transgender woman a name change based on her marital and genital status (see [http://srlp.org/in\\_re\\_guido.pdf](http://srlp.org/in_re_guido.pdf)). As SRLP advocates appeared before Judge Samuels on more than one occasion with transgender petitioners, a dialogue about transgender issues in the civil courts grew between the Judge and the organization, culminating in an invitation to train the Manhattan Civil Court judges on transgender awareness and legal issues confronting transgender communities.

The groundbreaking training was a great success, attended by court attorneys as well as civil court judges. In addition, Judge Samuels has generously invited SRLP to train the civil court judges of all five boroughs at their annual gathering in Long Island in October 2004. SRLP looks forward to the opportunity to work closely with Civil Court judges and attorneys to reduce bias and discrimination faced by transgender petitioners.



### mission

The Sylvia Rivera Law Project (SRLP) works to guarantee that all people are free to self-determine our gender identity and expression, regardless of income, and without facing harassment, discrimination or violence.



## from the founder

Welcome to SRLP's third newsletter! We're delighted to be reporting to you from our wonderful new office



space, and to bring you another newsletter full of the incredible work of our amazing volunteers and collective members.

This fall, we'll be welcoming two new staffers, Rickke Mananzala and Z Arkles. Rickke was awarded a two-year New Voices Fellowship

to work with SRLP in strengthening our support of and connection to trans and queer people of color organizing projects in New York City. His important work will help build stronger bridges for our clients to meaningful political participation, and enhance our collaboration with community based organizations that need legal support to do their vital movement-building work. We're excited to have Rickke joining us as staff! Z is an Equal Justice Works fellow who will be joining SRLP's Direct Services Team as our second full-time attorney. As our caseload continues to increase as news of our work travels around the country, we're more than ready to welcome Z's amazing advocacy skills and passion for providing vitally needed assistance!

In other big news, we're working with the law firm Skadden, Arps, Slate, Meagher and Flom LLP, to develop our precedent-setting law suit challenging New York State's exclusion of "sex-reassignment related care" from Medicaid coverage. This case will address a terribly discriminatory policy that contributes to the dangerous and often life-threatening lack of

health care available to our community, and we hope with its success we will be able to work to replicate it in other states.

Finally, SRLP has seen major progress in all of our New York City policy reform campaigns in the last 6 months. After years of struggle with the Department of Homeless Services over their refusal to place trans people according to gender identity rather than birth gender in shelters, they've finally agreed to create a working group with us to determine a more equitable and safe policy. Additionally, our negotiations with the Bureau of Vital Statistics about NYC's discriminatory policy for birth certificate sex designation change has moved much closer to a fair resolution after recent meetings. Finally, our continued struggle to get the Commission on Human Rights to enforce the City's ban on gender identity discrimination was stepped up a notch after a recent hearing generated many positive media stories, and we are anticipating that Compliance Guidelines may be issued this fall. Additionally, as a result of testifying at the hearing, SRLP was contacted by Equal Employment Opportunity Officers and Liasons from several City agencies, many of which are now using our video Toilet Training, and our other training materials to train tens of thousands of city employees about gender identity discrimination.

It's been a very exciting time—watching our development into a collective organization with multiple staff members and dozens of dedicated volunteers, and watching many of our most significant efforts begin to take root and produce vitally needed change. Throughout all of this, the support of our friends and donors has been constant and essential! I hope you'll look at our website (which is getting a makeover soon, thanks to our Public Education team!) to find out more about all these amazing developments. And please, come by and see our new space!

In Solidarity,

*Dean Spade*  
Dean Spade

## THE RIGHTS OF TRANSEXUAL PRISONERS

By Jessica Maria Brooks

My name is Mark Louis Brooks. I was born April 23, 1969, and I am from Danbury, Connecticut.

On July 7, 1989, I was arrested for a crime that happened just over the border in New York State. Although I was innocent of the crime, I was convicted, sentenced to 37 ½ years to life, and placed in the custody of the NYS Dept. of Corrections. Within the first year of my incarceration I discovered my Transsexualism. I had known since childhood that I was a girl trapped in the body of a boy. In a small town like Danbury, there wasn't much exposure to transsexual people or issues, so I never realized what it was that I felt. I wrongly assumed my feelings of being a girl meant that I was gay, but I couldn't accept that, having little or no attraction toward boys or men. So I rebelled, keeping my feminine identity a deep, guarded secret. I lived my first 22 years as a male, in a role I was not suited for, learning to act like a person I never was. But after coming to prison and learning of my Transsexualism, I forever discarded the shallow costume of "Mark" the man, and became "Jessica Maria Brooks" the Girl.



It is ironic that I only became free after coming to prison, but that is what happened. I was in the prison yard one day and overheard a conversation about transsexualism, which sounded like they were speaking about me. I wasted no time in reading and researching everything I could find that had anything to do with the subject and, eventually, I realized that the only way I would ever find relief from the constant pain, depression, and anxiety, was to seek medical treatment. In 1998, I began requesting the prison's mental health unit to examine me and provide treatment.

I sent approximately 12 letters over a year without getting a response. I filed a prison grievance complaint and appealed, but lost. Now, I have a Federal Civil lawsuit in which the Court will eventually have to decide if I have a right to the sex change treatment even though I'm a prisoner.

Every Court of Law that has ever addressed the issue of Transsexualism has concluded that it is a serious medical need for 8th Amendment purposes, a classification that results in an automatic right to receive at least some type of medical treatment.\* One important standard is whether prison officials deny such treatment based on sound professional judgment or based on blanket policy applicable to all prisoners, which is unconstitutional. In my case, the prison officials have never disputed that I suffer from Transsexualism and have recently admitted that I have a right to receive some type of treatment, a fact noted by the Court. As a result, prison officials are obligated to have me examined by a competent and qualified medical

professional, even if they have to retain an outside specialist, and if that expert determines that sex change treatments are medically necessary for me, the prison and the Dept. of Corrections will be constitutionally obligated to provide such treatments.

I still have a long way to go, however; the fight is just beginning, but I have hope! And even without any treatment at all, nothing can ever again prevent me from being honest about who I am and living my life as the real me.

My name is Jessica Maria Brooks and my story is just beginning.

\*While this statement is strictly true, the law has been inconsistently applied and the majority of transgender prisoners still lack access to basic trans health care.

*Jessica Maria Brooks is transsexual prisoner in New York State and a friend and ally to SRLP.*

## WHAT KEEPS US AFLOAT?

### ... YOUR SUPPORT!

The Sylvia Rivera Law Project continues to grow in response to the great need facing our community. To finance our efforts, we have had a variety of successful fundraising events and activities, made possible by volunteer energy and community support.

The TransPositive Professionals' Networking cocktail party took place on March 26th at the home of SRLP supporters Robin Young and Sandy Russo. This party, our most successful yet, raised \$4900, due to the incredible work of our host committee: Katie Douglas, Darryl Hill, Samuel Lurie, Eleanor Neely, Leah Strock, and Barbara Warren. An especially big thank you to Katherine Rachlin who chaired the event.

In June SRLP sent out our second ever direct mail and with the help of over 17 volunteers, was able to get out our 1200 piece mailing and engage in a follow up phone bank to raise over \$1800! Thank you to everyone who helped fold, stuff, seal and call!!!

On July 27<sup>th</sup> SRLP held another successful fundraising party with a silent auction that despite the torrential rain was attended by over 80 people and raised a whopping \$4000. Thank you to all the members of the host committee and especially to Talya, Ryan, Jules, and Ryder who put in many hours to make this event successful.

If you are interested in serving on a host committee for SRLP, contact Sonja at [Sonja@srlp.org](mailto:Sonja@srlp.org) or 212-337-8550 ext 2.

**A very special thanks to** Mickey Lambert, Kristen Wenstrom, Erica Weinstein, Tom Leger, Temim Fruchter, Riley, Erin Small, Pam, Talya Husbands-Hankin, Ryder Diaz and Ryan Pryor, for moving us into our new office and all your work on the Independence Committee; to the May First Technology Collective for your ongoing technical support; to Xylor Jane for the beautiful painting of our new office; to Reid Williams for hosting our retreat; to Jey Born for cooking at our retreat, and to Nick Gorton, MD for incredible medical research support on our recent policy and legal work.



The SRLP Collective retreat on Fire Island (above). SRLP's July house party for friends and supporters of the organization (left). Our office warming party in May at our new space in Chelsea (below).



Volunteers mailing out all 1200 fundraising letters.

Our gracious hosts from our last two fundraising parties at their home.



## Collectives Rock

After a long and detailed consultation process with community leaders, organizational development experts,



and members of non-profit collectives all over the country, SRLP is finally ready to launch our wonderful new collective structure! We have gotten great input on what works and what doesn't, hammered out a detailed collective handbook, and put together a structure that we are all excited about.

We decided to move toward a collective structure as we have transitioned from a one-person fellowship project to a multi-staff, volunteer-heavy non-profit because we want maximum community governance of SRLP's work. We have designed a collective structure that we think will maximize community involvement and volunteer power, build leadership of trans people of color, resist educational, racial, class and gender hierarchies, and operate efficiently and determinedly to fulfill our mission. We are excited to share this structure with activists all over the country in hopes that it will be useful to other people seeking to create non-traditional frameworks for political activism.

SRLP's collective structure is comprised of six bodies: our Board, the Public Education Team, the Direct Services Team, the Policy/Organizing Team, the People Recruitment/People Support Team and our Fundraising Team, in addition to ad hoc committees like our Library Committee and our Independence Committee. If you're interested in finding out more about our structure, or becoming a collective member, have a look at our Collective Handbook on our website, or email us at [info@srlp.org](mailto:info@srlp.org). Special thanks to Holly from the Community Resource Exchange, and Soniya from Manavi, for all their work with us developing this new structure.

## The Story of our Independence

SRLP has taken yet another leap in its development – this time into a beautiful new office space in Chelsea. This move, which happened in April, coincided with the organization's move toward independence and autonomy. Here's how it all went down, Cliff Notes style:

As SRLP began its transition from a fellowship-funded project into a fully staffed organization, it became clear that we needed our own space – one where our community would feel comfortable and safe, and where we could expand the crucial work of the organization. The Independence Committee was formed soon thereafter, and quickly busied itself with the tasks of getting SRLP a new space, insurance, computers, and everything else needed to get the organization on its feet.

Once the space was located and we signed on the proverbial dotted line, the moving tasks got underway. A huge number of item donations were received from our incredibly generous volunteers and donors: desks, chairs, shelves, a TV/VCR, and the pink sparkly couch of our dreams. One very sweaty day in late March, we transported all our worldly possessions to the new office, and a community space was born.

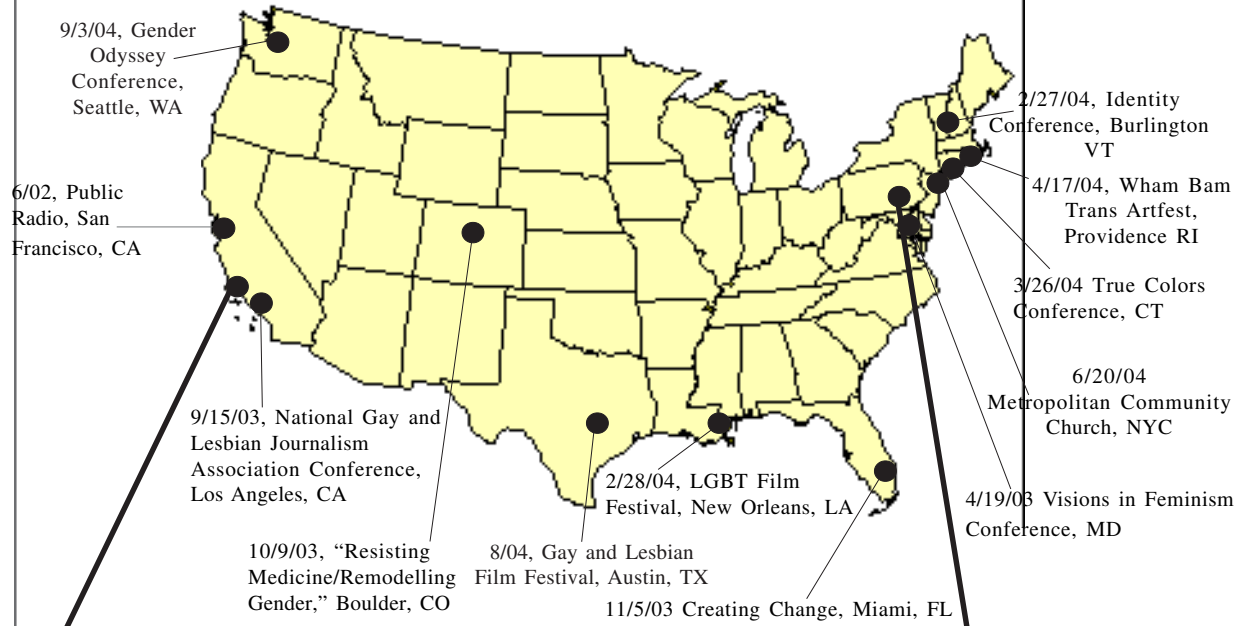
Well, clearly, this deserved a major fete. So the



Independence Committee was reconvened to throw the warmest warming that ever warmed. Trimmed in pink sparkly fabric (sensing a theme, anyone?), the office was filled with friends and supporters of SRLP, who gave of their time and energy to ensure that the space would thrive for a long time.

So what's happening now? Well, stop by and find out! SRLP's doors have been opened to community organizations, volunteers, interns, and friends since day one, and we invite you to come by and see what we're up to.

# Presenting and participating nationally



## Incite: The Revolution Will Not Be Funded

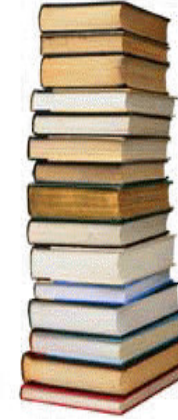
SRLP Collective Development team member Danny McGee recently participated in the 2004 Incite! conference, "The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex," held April 30-May 1 at the University of California at Santa Barbara. The conference brought together hundreds of activists and people from nonprofit organizations to assess how the 501(c)3 model of operation has affected social justice organizing. The 501(c)3 model is a way organizers can file as nonprofit and receive grant funding and tax cuts from the state. Speakers at the conference analyzed how this model potentially allows the state to co-opt social justice movements and discussed the inherent problems with working to effect change within the nonprofit framework, which often mirrors a traditional corporate structure and is antithetical to many community values. This conference was especially timely in light of SRLP's newly developing collective structure which directly challenges the traditional hierarchical model and strives to promote sustainability as well as leadership development in our communities.

## Lesbian, Gay, Bisexual, Two Spirit, Transgender Organizations (LGBTST) Against the "War on Terrorism"

May 14<sup>th</sup>-16, Dex Thompson and Dean Spade attended the 2<sup>nd</sup> National Strategy Meeting of LGBTST organizations against the "War on Terrorism" in Philadelphia. This exciting meeting, convened by the Audre Lorde Project, brought together LGBTST activists from around the country to discuss the impact of the "War on Terrorism" on our communities, and to coordinate strategies for resistance. Attendees shared examples of enhanced police misconduct in our communities, aggressive military recruitment strategies aimed at youth of color, rollbacks in trans legal rights and budget cuts undermining essential programs LGBTST folks rely on. SRLP is excited to be working with queer and trans allies all over the country to develop a clear analysis of the specific investment our communities have in opposing this racist war, and developing collaborative efforts to raise our voices in resistance. Check out for more info: <http://www.srlp.org/documents/wot.talkpoints.html>

## Terrence Trans Library

Announcing the debut of the Terrence Trans Library at the Sylvia Rivera Law Project! The Library presents an eclectic offering of trans titles for anyone interested in learning more about trans issues, trans lives, and trans activism. Look for this exciting new resource to be up and running in the near future. If you are interested in using the collection, or donating books, shelving or other library materials, please contact us at [library@srlp.org](mailto:library@srlp.org).



## SRLP Wish List

- a working water cooler
- 2 desks
- blank DVDs
- scanner
- a tool box
- a laminator
- scissors
- powerbook superdrive
- 81/2 X 11 reams of office paper
- a larger-than-mini refrigerator

**Newsletter editors, contributors and producers:**  
 Jules Chyten-Brennan, Mickey Lambert, Terrence McCafferty, Danny McGee, Sonja Sivesind, Dean Spade, Dex Thompson

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