

# Intersections

THE NEWSLETTER OF THE SYLVIA RIVERA LAW PROJECT

March 2007 \* Issue 9

## SRLP Victory for Trans Youth in Juvenile Justice!

On December 20, 2006, we reached a very exciting culmination to a lawsuit SRLP, Lambda Legal, and Debevoise & Plimpton, LLP brought on behalf of a young Latina transgender woman who was denied the right to express her gender identity while held in custody in the NY juvenile justice facility system. Our client entered into a settlement agreement with the defendants in the case, officials of the Office of Children and Family Services (OCFS). We are hoping that this agreement will help pave the way for all youth in state custody to be treated with the dignity and respect they deserve.

Alyssa Rodriguez, the plaintiff in this case, is now 20 years old. She first reached out to SRLP at age 17, seeking legal assistance after almost two years in OCFS custody. While Alyssa was in OCFS custody, she was held in boys' facilities, deprived of her prescription hormone medication and punished for expressing her femininity in ways like crossing her legs, leaving her hair down, or having nail polish. When Alyssa first entered OCFS custody, she had been on hormone therapy for several years. The sudden discontinuation of this care was severely damaging, emotionally and physically. Even with a doctor's prescription, her mother's written consent, and her own repeated urgent requests, OCFS would not allow her to take her medication.



What Alyssa wanted most of all was to prevent other transgender youth from experiencing what she did while in custody. With determination and courage, she has pursued justice for many years. As a part of the settlement agreement, OCFS has agreed to meet with SRLP and Lambda Legal over the next five years to discuss its policies around transgender youth. Also, OCFS has agreed to distribute information about SRLP and Lambda to all transgender youth in their custody, which we believe will give youth more access to the resources they deserve. Alyssa will receive \$25,000 through the settlement.

SRLP is hopeful that by working with OCFS, we can deepen their understanding of the need to provide respectful, affirming services to the trans youth in their care. In addition, we hope that these dialogues provide an opportunity to bring to the table the voices of those most affected by OCFS policies regarding trans youth. The Direct Services Team at SRLP is extremely excited to continue to collaborate with our Organizing Support Team, Public Education Team, and other community members to advocate for trans youth in the NY juvenile justice facilities.

## CONTEST UPDATE

### *Thanks for naming our newsletter!*

Thank you to all who helped to give us inspiration for a new name for our newsletter. We had 14 fantastic entries overall, which were presented to the collective for a vote this past February. It was a tight race with many creative and poignant entries. Congratulations to Naomi Clark for having the winning entry!

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Dear Friends of SRLP,

Hello and welcome to a new year with the Sylvia Rivera Law Project. 2006 was a great year for our work with many groundbreaking accomplishments and victories. We hope that 2007 will prove to be just as transformative. We are excited to welcome our new Organizing Support Coordinator, Gael Guevara, and a new member to our Fundraising and Finance Team, Development Coordinator, Daniel McGee.

We are also thrilled about a recent Family Court Decision regarding the right of transgender youth in foster care to access appropriate medical treatment while under City custody. A favorable ruling has just been granted in a lawsuit against the Administration for Children's Services, which refused to provide sexual reassignment surgery for a transgender youth when the young person's healthcare was an ACS responsibility. The decision in this case states that transgender youth in foster care have the same right to access medical treatment as any other youth in City care. SRLP is very excited about this landmark decision, which reaffirms that government institutions must be accountable for the health of people in their care, and recognizes that this responsibility must include trans people and trans-related health care. SRLP staff along with Lambda Legal and other organizations wrote an amicus curiae brief (which can be viewed on our website, [www.srlp.org](http://www.srlp.org)) describing why surgery is a recognized and safe treatment for trans people. The judge's favorable decision is also available for view on our website.

In line with the principles we struggle for in the community, each year SRLP strengthens our commitment to creating a fair, just, and respectful organization internally for all staff and collective members. Our commitment has been realized through our internal anti-racist work, which drives and pushes every aspect of the organization. We are committed to create an organization that models the way in which we would like to see the world. In that vein, this year we have attempted to further tackle the inadequacies of health care coverage to ensure that all SRLP employees have access to necessary and vital health care.

Not only does SRLP attempt to cover the costs of vital health care services not covered in traditional

health plans, such as mental health, alternative medicines, and preventative health care, SRLP is proud to announce the introduction of our Fund for Gender Identity Related Healthcare. After years of hard work by collective members, we have drafted a policy that will attempt to cover gender identity related healthcare expenses for SRLP employees as these expenses are almost always excluded from health care policies.

As an organization, SRLP believes that all people are entitled to accessible, affordable healthcare, including healthcare related to gender identity and gender transitioning. We are committed to working towards universal healthcare, and full coverage for all gender identity related care. We reject as discriminatory the exclusions of gender identity related health care in most health insurance plans, and will continue to explore strategies for challenging such exclusions and working with providers that cover gender identity related healthcare. Given the lack of adequate health care plans, SRLP is extremely excited to have adopted a policy to ensure that SRLP staff have reasonable access to gender identity related healthcare.

What is more exciting is that our work with this policy has spurred other organizations to engage this issue. The Committee in Solidarity with the People of El Salvador (CISPES), a national organization challenging the US government's intervention and oppressive practices in El Salvador, Latin America, and US communities, has just adopted a similar policy for its employees modeled after SRLP's fund. We hope that the just healthcare policies implemented by SRLP and groups like CISPES will galvanize more groups into recognizing that it is imperative to provide people with the necessary health care they are entitled to.

We are very excited about this upcoming year but we cannot reach our goals without your support! Sign up to become a SRLP Sustainer and make monthly donations to ensure that our important work continues. For more information contact [ryder@srlp.org](mailto:ryder@srlp.org). Looking forward to seeing you at future events!

Thank you for your support,

Fundraising and Finance Team

## SRLP Disseminating Strategies Nationally

This fall, SRLP started the next phase of our national Transgender Policy Strategy Project. Dean Spade was funded by the Social Science Research Council in 2005 and 2006 to gather model policies around the country



Dean Spade at The Southern Arizona Gender Alliance's Trans Awareness Week

in the areas of identity documentation (i.e. DMV and Birth Certificate policies), sex segregation (shelters, group homes, etc.), and access to health care for people relying on their care from the state (Medicaid, foster care, and prison policies), and analyze how the best policies got put into place and how bad policies came about.

From this research, Dean created a dense

three-hour workshop that includes a huge book of model policies and advocacy materials to help local and state activists advocate for change in their states. The idea of the project is that there are lots of changes to local regulations and policies that activists can make that make trans people safer. Lots of these projects don't require that local organizers have a non-profit with a budget, or lawyers. The main thing that is required is background research, strategy, and a willingness to enter a long negotiation with bureaucrats and wait them out, pushing for change consistently over time. These workshops help local groups assess the possibilities in their state and city, and share ideas about doing this work in a multi-racial, multi-gender framework. SRLP hopes that this project helps other activists around the country to try out some of the strategies that have worked for us.

This fall, Dean presented the workshop to activists in Colorado, Michigan, and Arizona, and he will be doing it again in Wisconsin this April. If you think activists in your community might find this workshop useful and informative, email Dean ([dean@srlp.org](mailto:dean@srlp.org)) to see about scheduling.

## Collective Retreat

Every six months the entire SRLP Collective gathers at a retreat to discuss and clarify the vision, mission, and priorities of the organization. These retreats, organized by the

Collective Development Team, serve as a welcoming of new collective members and a chance for everyone to come together to think strategically about

our work. They are also an opportunity for all teams to review the past year's work and get updates on program work for the upcoming year.

Our 6th biannual retreat was held November 17-19.



Gael Guevara initiates a SRLP birthday celebration



Elana Redfield facilitates a conversation about SRLP's vision

At this retreat, each team presented their work plans for evaluation and approval by the entire Collective. The work plans enable us to monitor our progress, stay true to the goals and vision laid out by our community, and be accountable to one another. We also engaged in our ongoing Racial Justice Organizational Development, strategizing ways to deepen our work towards

building a multi-racial, anti-racist collective organization whose mission, vision, and values are rooted in racial, economic, and social justice.

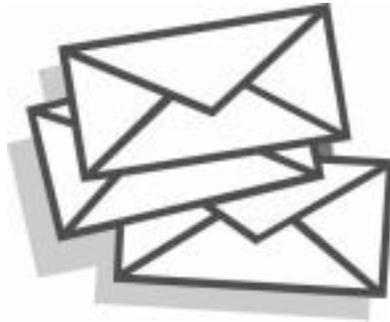
We are excited to report that the retreat was a great success! The energy, commitment and participation of everybody in the Collective was inspiring! Our Summer Retreat is now fast approaching and we are looking forward to another successful gathering.



Rapt SRLP collective members

## Introducing the Prisoner Pen Pal Project

SRLP is excited to announce the launch of our Prisoners Pen Pal Project (PPPP). The project hopes to provide ongoing communication and support for current prisoner clients through a community sustained pen pal project. The goal is to connect current incarcerated clients with other trans community member pen pals who have also been affected by the prison and jail systems. Through this vehicle, we hope to provide trans prisoners with ongoing support from the community. Moreover, the project aims to open an avenue where incarcerated clients can express their ideas and have an increased involvement in the prisoner's rights work that we do.



The PPPP came from the request of our present prisoner clients, who have wanted to exchange correspondence with regular pen pals. Transgender, intersex, and gender nonconforming prisoners often feel very isolated and receive little support from family or friends while incarcerated. Having contact with someone they can relate to and who is committed to working with them in fighting for justice, makes a big difference in their lives. Transgender, intersex, and gender non-conforming prisoners often face insurmountable obstacles, harassment and violence inside jails and prisons. They often are denied the right to proper medical care, are victims of physical, verbal and sexual violence, are subjected to solitary confinement for undetermined periods of time and often face unfair trials due to the systemic forms of transphobia that exist in society.

If you have been affected by the prison system and identify as transgender, gender non-conforming and/or have an intersex condition and are interested in becoming a Prisoner Pen Pal, please contact us at: 212-337-8550 x 114 and/or email Gael Guevara at [gael@srlp.org](mailto:gael@srlp.org).

All interested pen pals will receive an orientation regarding the project which will include an overview of the program, boundaries, and time commitments. We encourage people to send letters of support and other correspondence even if they cannot commit to being a pen pal on a continuous basis and/or do not fit the above criteria.

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## New Books to Check Out

*Transgender Rights* (ed. Paisley Currah, Shannon Minter, Richard Juang. University of Minnesota Press, 2007). This new book about transgender law and policy includes a variety of articles by different trans lawyers and activists and allies.

*Nobody Passes: Rejecting Rules of Gender and Conformity* (ed. Mattilda Sycamore. Seal Press, 2007). This anthology is full of interesting, accessible articles about identities that break the rules.

*The Revolution Will Not Be Funded: Beyond the Non-Profit Industrial Complex (INCITE!)* This new collection of essays stems from INCITE!'s 2004 conference by the same title that was an amazing discussion of the NPIC. The book is due out in March, don't miss it!

## Self-Defense for the Community

The Center for Anti-Violence Education offers self-defense and violence-prevention courses that focus on concerns specific to LGBT communities: dealing with verbal assaults, violence from strangers, violence from people we know and love, and ways we can get support. Participants learn ways to respond to physical & non-physical harassment while building violence de-escalation and conflict resolution skills to increase their sense of safety. Our on-site self-defense and martial arts courses are open to all transpeople and are appropriate for people of varying levels of ability. We also offer sliding fee scales, free classes for survivors of intimate-partner violence and sexual assault, and free on-site childcare. For more information, visit [www.cae-bklyn.org](http://www.cae-bklyn.org), e-mail [info@cae-bklyn.org](mailto:info@cae-bklyn.org) or call 718-788-1775.

## THE FIGHT FOR BIRTH CERTIFICATES CONTINUES!

The Sylvia Rivera Law Project has been fighting for the past four years for fair access to birth certificates for trans people born in New York City. SRLP and several other organizations, including the Callen-Lorde Community Health Center, the LGBT Community Center, and the Transgender Law and Policy Institute first reached out to the Department of Health and Mental Hygiene (DOHMH) in 2003. Since then, we have met repeatedly with officials from the DOHMH and educated them about the impact of their policies on community members.

With our help and with the help of a panel of experts that the DOHMH selected, DOHMH came to understand that requiring evidence of any one particular type of treatment was arbitrary, unnecessary, and harmful to transgender New Yorkers. As a result, they drafted and proposed a regulation that would allow for a more individualized standard and that would greatly increase the accessibility of accurate birth certificates to many transgender people born in New York City.

On October 30, 2006 a public hearing was held during which people could express their thoughts about the proposed regulation. Many transgender community members, advocates, and healthcare providers turned out to support the proposed regulations and to ask that they be amended to eliminate some continued unnecessary barriers. Everyone who spoke at the public hearing supported the move away from surgery standard.

After the public hearing and before the next Board of Health meeting, the proposal got a great deal of media attention, including many sensationalizing and inaccurate stories. Then, much to our dismay, at the Board of Health meeting on December 5, 2006, DOHMH completely reversed its earlier position and withdrew the proposal. The Board of Health did, however, approve for the first time, issuing birth certificates with a gender, and not a blank space, for transgender people who meet the criteria. This change is important, but still excludes most of the people in our community.

We believe that these events are an advance in our struggle. We educated many people and convinced a government agency to make a formal proposal that

surgery not be required for a change in birth certificate sex, which is a historic first. As a result of this work, and for the first time ever, at least some transgender people born in New York City are able to access birth certificates that actually show their current gender. More community members and advocates are energized about fighting for real justice on this issue than ever before.

The fight is not over and we are not going away! A coalition of advocates, including an SRLP representative, has already met with DOHMH to follow up on their decision and to keep pushing for change. As we take our next steps, we need community support more than ever.

The old rule was:

A new birth certificate with the right gender would never be issued. A new birth certificate with **no gender** would be issued **only if** a trans person could provide:

- a name change order
- an original operative report from vaginoplasty or phalloplasty (specific types of sterilizing genital gender confirming surgery that some but not all trans people need)
- a post-operative psychiatric evaluation, and
- a physician's letter.

The current rule is:

A new birth certificate with the current gender (with the sex changed from F to M or M to F) will be issued if people meet all of the same criteria:

- a name change order
- an original operative report from vaginoplasty or phalloplasty
- a post-operative psychiatric evaluation, and
- a physician's letter.

Our vision is:

A policy without arbitrary medical requirements or time limits that allows all transgender people access to birth certificates that accurately reflect our current gender, that we can use to work, get benefits, or go to school.

# YOUR SUPPORT KEEPS US AFLOAT!

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*The Sylvia Rivera Law Project continues to grow in response to the great need facing our community. To finance our efforts, we rely on grassroots support from our community. While much of our funding comes from foundations, a large percentage comes from individual donors and is an essential component of our existence. Our successful fundraising events and activities are made possible by volunteer energy and community support.*

## SMALL WORKS FOR BIG CHANGE!

This past October, SRLP held its second annual Small Works for Big Change at Orchard in the Lower



Artist and planning committee member, Ulrike Mueller talking with art lovers and SRLP supporters

East Side. There were two exciting days of bidding frenzy on incredible artwork which turned out to be a huge success! There was an incredible outpouring of support from almost 40 artists who donated their work to the event. Artists who were featured in the event included A.L.

Stiener, Allison Smith, Carrie Moyer, Emily Roysdon, Fred Wilson, Ginger Brooks Takahashi, Onya Hogan Finley, Ridykeulous, and more. Many supporters, allies, and art enthusiasts packed into the small gallery to place bids on artwork, enjoy the party, and to learn more about the work of the Sylvia Rivera Law Project. With everyone's help we were able to raise over \$6,500 to support our work!

We were thrilled to be back in the Orchard space for a second year and are so thankful to all the folks at Orchard for graciously hosting the event again. Also, a giant thank you to all those who helped to put this event together, to the artists for their incredible generosity and to the planning committee for their tireless work in creating such a beautiful event.



Limited edition, Ariel Schrag designed tees at the event

## Valentine's Day Benefit Show

The basement of the Delancey was packed to the brim with SRLP friends and allies this past February 10th. Hundreds of people came to enjoy the amazing performances and to show their love and support for the work that Sylvia Rivera Law Project engages in year-round. Performances included the incredible dancing of Shila Momtaz, the captivating poetry of Victor Tobar, and the unbelievable musical talents of Luciar, Nomi, and The Shondes. After the show, dancing rocked the basement until the wee hours of the morning thanks to the talented DJ Tikka Masala. A huge thank you to all of the performers, volunteers and the Valentine's decorating crew! A very special thank you to the Shondes who designed and printed fabulous fliers and help to plan the event. We were able to raise \$2,600 to keep SRLP going strong. Thanks for the outpouring of love!

## Searching for ways to support SRLP?

You can help raise money for SRLP by simply surfing the web! A new search engine called GoodSearch will give proceeds to your favorite organization for every search you make using their search engine. Make the Sylvia Rivera Law Project the organization that you GoodSearch for! With just a click of the mouse, it's an easy way to help raise money for SRLP. For more information visit [www.goodsearch.com](http://www.goodsearch.com).

## Upcoming Reception for Attorneys and Summer Associates

On June 7, 2007 the Sylvia Rivera Law Project will be holding its second annual Law Firm Reception for Attorneys and Summer Associates at the offices of Cadwalader, Wickersham & Taft LLP. This event is an important opportunity for law firms to introduce summer associates and attorneys to the exciting developments going on in the realm of transgender law. The event is also open to special interest lawyers, at a discounted price. For more information about this event or to purchase tickets contact [ryder@srlp.org](mailto:ryder@srlp.org).

## A HUGE THANK YOU TO ALL WHO HAVE SENT IN FINANCIAL SUPPORT SINCE OCTOBER:

Anonymous, M'Bwende Anderson and Jaime Grant, Jack Aponte, Beau Archer, Kate Atkins and Ali Kronley, Prithika Balakrishnan, Sienna Baskin, Tab M. Battle, Julie Batz, Allison Bellink, Molly Biklen, Michelle Billies, Terry Boggis, Travis Boyer, Cynthia Brink and Emily W. Yamasaki, Ginger Brooks Takahashi, Julienne Brown, Elizabeth Budnitz, Andrew Bulger, Aisha Burnes, Nina Callaway, Curtis Carman, Matthew Carmody, Yvette Choy, Joanna Cole, Lara Comstoch Oramas, Stosh Cotler, Patricia Crawford, Douglas Crimp, Jill Crouther, Carrie Davis, Jean DelColliano, Susan Dissler, Emily Drabinski, Anais Escobar, Sarah Flynn, Jamye Ford, Phyllis Freeman, Susan Freeman and Marvin Weingarten, Alison Gerig, Myles Gideon, Tierney Gleason, Mark and Isabel Goldberg, Sam Gordon, Nick Gorton and Daniel Gonsalves, Gael Gundin Guevara, Marc Gunther, Mary Elizabeth Guyton, Drake Hagner, Chris Hardig, Elizabeth Hay, Rebekah Heilman, Darby Hickey, Julie Hollar, Talya Husbands-Hankin, Jorge Irizarry, Emily Izenstein, Lily Jencks, Kevin Jennings, Kate Jerman, Celeste Kamoy, Kevin Kenneally, Melissa Kohner, Ludwig Kuttner, Mickey Lambert, Donna Levinsohn, Jeffrey Light, Ilana Lobet, Mathew Lyons and Virginia Claire Mcguire, LeRoy Marcroft and Christine Marcroft, Dennis McDonough, Tey Meadow, Vibhuti Mehra, Shila Rekha Momtaz, Rusty Mae Moore, Brian Morse and Carter Klenk, Suneela Mubayi, Ulrike Mueller, Marilyn Neimark and Alisa Solomon, Michelle O'Brien, Lauren Odynocki, Juli Owens, Allison Palmer, Doreen Pando, Ren Pilinger, Kym Platt and Lisa Pilato, Richard Pleak, David Prusko, Ryan Pryor, Rebecca Quaytman, Amanda Ream, Laura Reeds, Flavio Risech and Brian Horch, Marieve Robitaille, W. Rockwell, Sir Real, Ingrid Sandberg, David Serlin, Jessie Shafer, Josina Shields-Stromsness, Sriya Shresthra, Killer Sideburns, Stephen Sinclair, Jen Sinton and Shakti Jaising, Maxx Sizeler, Seton Smith, Katrina and Rania Spade, Rachel Steiger-Meister, Ahouva Steinhaus, Aleza Summit, Chiemi Suzuki, Michelle Tea, Polly Thistlethwaite, Harper Tobin and Lee McKeever, Donna Troka and Jes Hand, Rose Weber, Erica Weinstein, James Wellman, Stefanie Wess, Ben Weston, Rachel Wofsy, Janna Yisrael, **and thank you to the Foundations that support our work: Arcus Foundation, Astraea Lesbian Foundation for Justice, Child Welfare Fund, Gill Foundation, Kicking Assets, New York Foundation, Open Society Institute, Out Fund, The Paul Rapoport Foundation, Third Wave Foundation, and the Union Square Awards, a project of the Tides Center.**

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## SPECIAL GIFTS

In the names of Soniya Munshi, Harper J. Tobin, Lee McKeever, Kyle Orta, Lori Weingarten, Alison Aldrich, Katie Douglass, Nicole Avallone, Ray Carannante & Amy Dinnerman, Sue Deasy, Eric, Lisa, Sam & Max Davis, Herbert Davis, Karen Hutchison, Julie Johnson, Steven Keith & Roscoe Betsill

In honor of Hasan Shafiqullah

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## SRLP WISH LIST!

A safe

Filing cabinets

A coat rack

Rolodex

Polaroid JoyCam Film

8 1/2 x 11 reams of office paper

Ink cartridges for printer, copier and fax

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## SHARE YOUR SKILLS!

At our renowned house parties, SRLP regularly holds fundraising rousps where we bid off exciting entertainment, gifts and skills! If you have a connection with a restaurant or travel agent, are a particularly exciting cook, or can help prep someone for a test, we would love to bid off your skills to support SRLP's work. Past items have included Yankee tickets, an evening of cocktails, knitting lessons, guitar lessons, a home-cooked meal, help with resume-writing and more! Contact [ryder@srlp.org](mailto:ryder@srlp.org) if you have an item to donate.



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