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# Sylvia Rivera Law Project

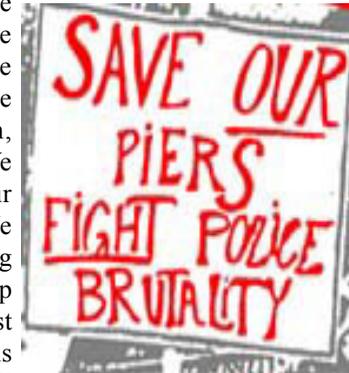
NEWSLETTER

Vol. 3 / No. 2 ... August 2005

## ***FIERCE! takes on the NYPD 6th Precinct!***

On June 21st the LGBT Subcommittee meeting of Community Board 2 held an important meeting last night between FIERCE! (Fabulous Independent Educated Radicals for Community Empowerment!) and the NYPD's 6th precinct. Over 60 people attended and an estimated 45 of the LGBT youth of color! The

have experienced police really powerful and all the after our presentation, were truly courageous. We sense of the power our we come together. We cops left that meeting unity and demand to stop youth of color in the West York City. We can win this stop now. FIERCE will harassment surveys in the West Village so we have the documentation to back up the potential legal action we may take against the 6th precinct to stop the racist, homophobic, and transphobic policing. If you want to help FIERCE do surveys in the West Village, find out more about our work or to donate online visit [www.fierceny.org](http://www.fierceny.org) or call 646.336.6789. –Rickke Mananzala



60+ people in the room were testimony from youth who harassment & violence was other youth that spoke up demands, and testimony all left that meeting with a community really has when know the NYPD 6th precinct caught off guard by our the harassment of LGBT Village and all over New demand together. We can't continue conducting police

Below is an excerpt from the testimony of Andra Horgan, one of the youth who came to the meeting to present their testimonies.

*Hello. I'm just a little nervous. This is what I wanted to say. I was on Gay street rolling a cigarette that had loose tobacco and left the bag that I had on a stoop because I was going into the bar. 4 minutes later cops come into the bar. My first reaction was, this is a joke, why was I getting picked up, it just didn't make any sense to me but they assured me that it was very real and were like "Where's your ID?" When I went inside to get my things the woman was trying to search through my stuff and I had to tell her "No". If I didn't know my rights, they would have been violated. It was my first encounter with the police. I didn't know how to act. I was like, "This is wrong. I don't know what you are talking about." The probable cause was the tobacco that I had had. She was like "you need to keep your fat mouth shut, you know you are acting*

*Continued on page 2*

### mission

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



## from the board

I am excited to share exciting news and updates with all of you who support the work of the Sylvia Rivera Law Project! Your support translates into drastic improvements in legal rights and social policy, as well as developing leaders within our community.

April 1 marked our first year anniversary as an independent collectively-run organization. Congratulations to the entire collective for their tireless work, beautiful vision, and incredible tenacity. Moreover, we're experiencing tremendous organizational growth. We have welcomed several new collective members, filled out our teams and brought on these talented community members to continue our important work.

SRLP's organizational growth has led to impressive recent accomplishments. The Commission on Human Rights has issued its Compliance Guidelines for New York City's prohibition on gender identity discrimination. These guidelines are the product of two years of hard work by SRLP and our allies and help interpret the new law that protects trans and gender non-conforming communities. In addition, we're developing new litigation in conjunction with various law firms to challenge discrimination against transgender adoptive parents, sue corrections officers and institutions for sexual assault and violence suffered by transgender prisoners, and oppose the denial of trans healthcare to youth in the juvenile justice system.

SRLP has participated in and provided legal support for numerous actions and demonstrations this year such as the 10th Annual Racial Justice Day, a response of the communities directly affected by NYPD police brutality. Over 400 people attended the march including many grassroots organizations.

However, an organization cannot claim to be dedicated to social justice work without learning how to examine its own internal dynamics. To that end, we have begun a year-long partnership with ChangeWork, a consultant that leads organizations through developing an anti-racist practice to effectively begin to dismantle racism. In this way, we deepen our focus to do anti-racist work within every level of SRLP.

¡Además, estamos ofreciendo nuestros servicios en español! Muchísimas gracias a todos los voluntarios

que ayudan a interpretar para clientes que son hispano-hablantes, y para su ayuda con nuestro sistema de teléfonos y otros folletos de información. Thanks to wonderful volunteers and collective members, we are able to provide services and information in Spanish.

With your continued support, we will win future struggles for gender self-determination and build leaders in our community!

Thank you,  
Margarita Guzman  
SRLP Board Chair

*Continued from page 1*

*like a bitch." That was pretty much my experience and that was probably one of the luckier situations.*

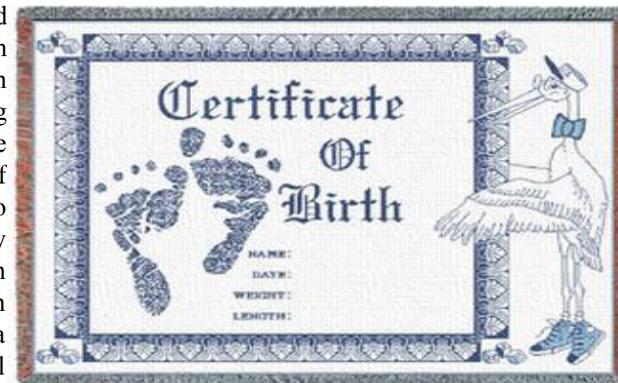
*I have been going to the piers for 5 years. It is a space where I can meet other people who are like me. It has been around since the 80s and I have seen the increase of policing and the lack of services. Historically it has been a common place where people and youth can come, predominately youth of color, but everyone knows that this is a spot where you can come to meet your friends regardless of time of day. That's because we are a transitional group of people, we don't have cell phones, we aren't at home. We don't have places where we can go freely to express ourselves. The Center as one of those places is not reaching out to everyone because not everyone is a Center person. I also wanted to say that considering that's the only drop-in center and a lot of the services that were helping were pushed out, I think folks were thinking that that would keep us away from that area, from the pier. It didn't work and people still came and people still made community and even to this day when the services are starting to slowly come back, those services still have harassment from residents. This is an issue, that we are coming down here, we are trying to build community, we are trying to be safe and we are being criminalized and being targeted and it is something that we can't have happen anymore because it is too dangerous and we are just here to say that we are not going to take this anymore – not that we are threatening, I am not threatening you – but we can not take this as a community. It is not healthy, this is abuse.*

## Creating a Just NYC Birth Certificate Policy

Since 1971, NYC has allowed transgender people to change our birth certificates only if we can prove we have had vaginoplasty or phalloplasty, and then only by removing the gender marker from our birth certificates. This policy has created barriers for trans people to obtain housing, employment, and in other areas that require identity documentation. Many trans people cannot afford or do not want sex reassignment surgery, nor will Medicaid in most US states or most private insurance plans cover it. Additionally, having an unusual birth certificate with no gender marker can bring scrutiny and unneeded attention from those reviewing a birth certificate, possibly outing a person as trans. In the fall of 2002, SRLP staff began an initiative to change NYC's policy regarding sex designation change on birth certificates, by drafting a letter to the Bureau of Vital Statistics, co-signed by over a dozen other civil rights organizations, asking for a review of the policy. In February 2003, staff attorney Dean Spade and representatives from Lambda Legal, the Callen-Lorde Community Health Center, and the LGBT Community Center met with members of the New York City Department of Health's Bureau of Vital Statistics to begin discussing change. The community advocates explained that the current policy is based on cultural misunderstandings of trans health, and that NYC needs a policy based on the reality that trans health care is individualized and the majority of people don't have phalloplasty or vaginoplasty but still need a birth certificate that accurately reflects their gender.

After two years of negotiating, the Bureau of Vital Statistics agreed to convene a panel of experts to create recommendations for a new policy in 2004. The panel, appointed by the Bureau and including SRLP staff, representatives from Callen Lorde and the Center and other medical experts in transgender health care met several times in spring 2005. Through lengthy

discussions the group came to a consensus and provided their recommendation that the standard for sex designation change on birth certificates should be based on assessment by the treating providers of applicants, not an arbitrary standard determined by the Bureau. According to the recommendations, a new birth certificate should be issued with the gender marker changed to the new gender when appropriate medical treatment, as medically determined for the individual patient, has been undertaken. With this recommendation, the working group pointed out that the Bureau of Vital Statistics should not dictate specific medical procedures, but should instead trust the documented determination of medical providers as to whether the individual has undertaken such treatment.



The Department of Health is currently evaluating the panel's recommendations and pending their approval, the Board of Health will review the changes. When the Board of Health convenes to

consider changing its regulations, there will be a comment period and trans community members will have an opportunity to lend their voices to the discussion. We hope that SRLP supporters will display their encouragement for the policy change by making a comment to the Board. Those wanting to make a comment can get in touch with SRLP for more information. The panel of experts was told to expect that the policy change, if it goes through, will take at least 9-12 months.

Currently, NYC has one of the worst birth certificate sex designation change policies in the country, but if SRLP's initiative is successful, NYC will become a national leader with the best policy in the US. Most states still require some form of surgical intervention to change gender on a birth certificate, despite the fact that the majority of trans people live in their new gender without such medical treatment. SRLP is hopeful that NYC will follow the recommendations, and we can continue to push for changes like this across the country to allow trans people to access basic documentation that is essential to day-to-day life.

## Trans March Interview with Imani Henry

When TransJustice, a political group created by and for Trans and Gender Non-Conforming people of color requested a march permit for the 1st Annual Trans Day of Action for Social and Economic Justice, the police department told them there was no way they would get 14th Street or have a turnout of 500 people. Yet on Friday, June 24th over 1,000 people marched down 14th street, with over 100 endorsers from different movements, coasts, and countries. From the anti-war movement to the immigrant rights movement, from California to New York, from Canada to Puerto Rico, a spectrum of voices were heard in a show of solidarity so huge that Imani Henry, Program Coordinator of TransJustice, said “I, as an organizer in the progressive movement for over 12 years, have never seen such a huge multi-issued, multi-national show of solidarity on Trans issues.”

TransJustice, an almost year-old group was born, raised, and supported through the Audre Lorde Project. Imani Henry received the OSI fellowship and established TransJustice but explains that TransJustice was a long time coming and a true collaborative that came from the community and the work of many people. Over 85 people are involved in TransJustice with approximately 20 - 30 active members. In the organizing process, essential resources such as legal aid, sound, security and logistics were supported by a variety of groups. Imani said, “I was very moved by the level of political solidarity in the social justice anti-imperialist wing of the anti-war movement in New York and nationally.”

Imani stressed that every political movement has been struggling to get permits and to have their voices heard. Although a park permit application had been processed and the check for it cashed, the day before the march itself organizers were told that they in fact had no permit for Union Square, the final location and rally of the march. However, this would not be the final answer. Trans and gender non-conforming people of color organizers camped out at the police precinct and park department while city council office members called in the head of the parks dept demanding a permit be granted. “It was the pressure from allies and the community was how we got the permit,” Imani said. Marching down 14th street, a busy street of tremendous visibility, was a significant victory and display of overwhelming solidarity. As the march reached Union Square, the chants continued for everyone to hear: What do you want? Trans Justice! When do we want it? NOW!



## New SRLP Fellowships!

### Social Science Research Council Fellowship

Dean Spade has been awarded the Social Science Research Council Sexuality and Policy Fellowship. This fellowship provides an opportunity to pursue a one-year project, starting September 2005, creating model policies and activist tool kits designed to make many of SRLP's strategies more nationally replicable. Dean will be researching policies in the areas of identity documentation, state residential facilities (group homes, criminal justice facilities, shelters), and health care access for people relying on the state for health insurance, focusing on a handful of sample states. He will collaborate with trans activists across the country and create activist tool kits aimed at helping people work toward implementing model policies at the state level. The goal of this work is to support local efforts to change the policies that affect the most vulnerable trans populations nationally: people in state custody, poor people, and people who get health care through Medicaid. SRLP is excited to have this opportunity to broaden the reach of our work by focusing on distributing policy reform strategies we've used successfully in New York State.

SRLP is currently searching for a new attorney to work with Z providing direct legal services as Dean moves into his new role. Please help us spread the word! We are happy to be growing and eager to welcome a new member to our Direct Services Team.

### Open Society Institute Fellowship

SRLP is also thrilled to announce that our former intern, D. Horowitz, has been awarded a fellowship from the Open Society Institute's NYC Community Fellows Program! D.'s work will focus on SRLP clients who are incarcerated or otherwise caught up in the criminal justice system. SRLP has served over 500 clients in the past 3 years, and 40% of those have some criminal justice issues in their cases. The abuse that trans, intersex and gender non-conforming people face in the criminal justice system is exceptionally severe, and very few organizations exist to address these issues. We are delighted that D. is joining us to focus on this vital aspect of our work. Welcome, D.!!

## SPOTLIGHT ON SRLP'S ORGANIZING SUPPORT TEAM

What is the mission of the Organizing Support Team?

To provide community organizing support to campaigns and individual members of organizations that work with trans and gender non-conforming people of color in New York City. We also seek to build relationships with our clients and to make direct connections to community organizing opportunities.

Why is this work important?

We believe that providing basic means of survival for our community members enables their ability to participate in opportunities to change the conditions of their lives. We also believe that as a legal organization often times services are seen as separate from community organizing. While we don't do community organizing we believe that we have a very particular role in supporting those efforts. We want to make sure that the opportunities we provide aren't disconnected from the larger strategy for justice and liberation.

Looking at what history has taught us, the Black Panthers Party and Young Lords, along with different organizations that were part of different racial and economic movements, particularly in the 70s, combined service programs with community organizing and while we still see organizations doing that successfully now, we've seen a major divide in services and advocacy in community organizing. For long term change we need to support community organizing efforts by people that are most directly affected by systems of oppression that we are trying to fight.

What activities has the Organizing Support Team recently been involved in?

We just founded and started this year and the Team has been in the process of development since last fall. A lot of our work has been developing the capacity of our team members to understand organizing, what SRLP believes its role is, in skill share and political education. For example, what is a campaign, what is organizing, why is organizing an effective strategy for

long term change and liberation, and we are also looking for other members who are interested in learning the skills to support community education. Lately we have been recruiting and looking for other trans and gender non-conforming people of color and women of color that are looking to either learn the skills or that have the skills and want to contribute them to the team. We have been coordinating our direct services team in providing support to the Audre Lorde Project and FIERCE. We have also been able to connect with a lot of our clients, low income and trans people of color, and a lot of our clients have been able to make the connections to organizing groups and have become members of TransJustice and involved in FIERCE.

What issues or problems has the Organizing Support Team had to face?

I wouldn't say that we've had many challenges but larger than our team challenge is the challenge of encouraging other legal organizations to see how much of an impact we can have in supporting community organizing efforts by being accountable to those constituencies, by doing policy work that has an impact and work that is about benefiting those who are most exploited by systems of oppression. Highlighting efforts that are happening on the ground as opposed to providing fewer and fewer direct services and doing more impact litigation and policy work that's not really connected to movements for change. We're trying to really communicate with all of the collective, and trying to serve a particular role within the legal advocacy and policy world around trans issues, and legal organizations in general, that historically we have seen play good and bad roles in the larger movements.

What do you find rewarding about this work?

Trying to set up alternative methods of work that focus first on leadership development and people participating that are interested in being a part of SRLP's Organizing Support Team. A shift in our method of work makes it easier for members of our community to stay involved. We focus on leadership development for those who have or want to have the skills and we especially value our clients' knowledge of the community and of the system.

## 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 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.*

### July Direct Mail Appeal

Thank you to the 20 SRLP Collective members and volunteers who helped fold, seal, stuff and send out 1900 letters to our supporters with an update about our work on identity documents and the Real ID Act. Thank you to all of you who have generously sent in checks to ensure that SRLP's work continues.



On the first sweltering day of summer, SRLP friends and supporters arrived at Allison Smith and Daphne Fitzpatrick's loft to party and work their checkbooks for SRLP. There was a beautiful

### Our gracious hosts!

spread of food, dessert, and drink as well as an exciting silent auction. At one point, there was even a rabbit hopping around and joining in on the celebration of our recent accomplishments. The event raised \$3,000 which enables us to continue providing these vital legal services. Thank you to all of our friends and supporters who helped plan this exciting event!



## DONOR HIGHLIGHT

Pooya Mosheni is an SRLP client and community member who has made a significant donation to our work. Pooya has a long history of working in the community, including work as an outreach worker for the New York Peer Aids Educator Coalition and work in harm reduction and safer sex education. She is a designer and studies massage therapy.

When an immigration issue arose for Pooya, the New York Supreme Court, a friend, and the GLBT Community Center, referred her to the Sylvia Rivera Law Project. "SRLP came to my aid when I thought there was nothing I could do and I got the help that I needed," Pooya explains.

SRLP thanks Pooya Mosheni for her generous donation in support of our work. "I'm in a position to make the donation to SRLP so that people who can't afford to, have access to these important services." It is community support such as this that sustains our work and allows us to continue providing vital services to those who daily face serious forms of oppression and violence. To find out more about becoming a SRLP Sustainer or about planned giving, contact [ryder@srlp.org](mailto:ryder@srlp.org).

### Legal Community and Advocates House Party

On April 4<sup>th</sup> advocates and members of the legal community packed the home of dedicated supporter, Mariette Pathy Allen, to network, learn more about the work SRLP does to fight for gender self-determination, and support the organization financially. The party raised \$5,600 to support our direct services, policy work, public education, and plugging our clients into community organizing campaigns. We were able to connect with new firms who have offered their pro-bono services and resources to the organization. Special thanks to the host committee for their hard work planning this event!



### Creative Contributions - Fundraising Auctions!

SRLP regularly holds fundraising auctions with exciting entertainment, gifts and skills at our renowned house parties! If you have a connection with a restaurant, travel agent, are a particularly exciting cook, or can help prep someone for a test, you could auction it off. Auction items at our most recent house party included Yankee tickets, an evening of cocktails, knitting lessons, guitar lessons, a home-cooked meal, help with resume-writing and more! Contact Ryder Diaz at [ryder@srlp.org](mailto:ryder@srlp.org) if you have an auction item to donate.

### A huge thank you to all who have sent in financial support since February:

Michael Addams, Saodia Aleem, Patricia Allard, Chris Argyros, Kate Athins, Kate Atkins and Ali Kronley, Jess Averbach, Erich Baierl and Rudy Estrada, Lily Gene Baldwin, Ursula Batz, Adam Beckler, David Bennion, Molly Biklen, Michelle Billies, Jean Bleich, Ian Brannigan, Mystique Leilani Brent, Nina Callaway, Jack Carrel, Namita Chad, Stephanie Chang, Andrew Chapin, Max Choi, Naomi Clark, Chris Collins, Liz Collins, Lara Comstock Oramas and Tara Mateik, Elizabeth Cooper, Patricia Crawford, Melanie Cristol, Mary Lu Bilek, Paisley Currah, Rebecca Curtiss, Alexis Danzig, Jon Davidson, Allison Davis, Carrie Davis, Jean Del Colliano, Harley Diamond, Ivan Dominguez, Erin Dougherty, Ruthie Doyle, Emily Drabinski, David Duckworth, Dueker, Dulani, Lynne Echenberg, Esq., Emre Edev, Justin Ramolani and Racy Ramolani, Lynn Faria, Daphne Fitzpatrick, Makenna Ritter Flagg, Amy Fornan, Gabriel Foster, Alex Gino, Kok Kian Goh, Rachel Goldberg, Daniel Gonsalves, Nick Gorton, Bruce Green, Chelsea Green, Alicia Rosanna Grogan-Brown, Caprice Grossman, J Guerrero, Gael Guevara, Toby Gulick, Lissa Gundlach, Margarita Guzman, Drake B. Hagner, Christoph L. Hanssmann, Kris Hayashi, Steven Hecker and Kimberly O'Brien, Jennifer Hudson and Moon Vazquez, Charles Ihlenfeld, Kate Jerman, Liza Johnson, Mitchel H. Johnson, D.A. Jones, Robyn Jordan, Raha Jorjani, Dana Kaplan, Randi Kaufman, Cynthia Kern, Ann Marie Keyes, Kristin Kimmel, Sandhya Kishore, Kavita Kulkarni, R. Kunzel, Rosa Lee, Aubrey Lees, Donna Levinsohn, Nathan Levitt, Hanna Liden, Cayden Lovejoy, Ian Mackler and Debra Wolf, Johanna Malaret, Lee Marcroft and Christine Marcroft, Molly McClure, Chris McNally, Lisa Mellinger, Michelle Miles, Jeremy Mittman, Pooya Mosheni, Lisa Moore and Robyn Mierzwa, Rosa Morales, Ananya Mukherjea, Soniya Munshi, Antonia N. Loconte, Stephanie Nilva, Emily North, Michelle O'Brien, Lauren Odynecki, Michelle Pallak, Allison Palmer, Amy Pete, Kym Platt, Ryan Pryor, Sir Real, Donnie Roberts, Julie Robinson and Michelle Kline, Ethan Roeder, Franklin Romeo, Sandy Rosin, Abby Roza, Amy Russell, AV Ryan, Joelle Ruby Ryan, Jeremy Rye, Katrina Schaffer, Evan Schwartz, Shea Settimi, Tom Shanahan, Elizabeth Sher, Radhika Singh, Alex D. Smith, Allison Smith, Sharon Stapel, Marilee Stark, Lauren Steely, Rachel Steiger-Meister, Edward Stein, Amy Steiner, Sarah Steiner, Kate Suisman, Rania Sutton-Elbers Spade and Katrina Mogielni Spade, Jean Swieca, Ben Taylor, Dex Thompson, RJ Thompson, Emily Thuma, Susan V. Tipograph, Rachel Tiven, Sarah Tombolesi, Peter Travitsky, Jonathan Tressler, Farrah Trinker, Emily Utz, Urvashi Vaid, Veronica Vera, Mike Waldman, Marcus Waterbury, Michael Watters and Bradley Paul, Mike Walters, Erica Weinstein and Jack Aponte, Stan Weitzenberg, James Wellman, John Westfall, Ben Weston, Reid Williams, Craig Willse, Shannon Winnubst, Emily Woo Yamasaki and Cynthia Brink, Tony Zaragoza

**Anonymous Charitable Trust Administered by J.P. Morgan Chase Bank, Astraea Lesbian Foundation for Justice, Equal Justice Works, Gill Foundation, Kicking Assets, New Voices, New York Foundation, North Star Fund, Open Society Institute, Out Fund, Peace Development Fund, Paul Rapoport Foundation, Social Science Research Council, the Third Wave Foundation, The Gill Foundation, New York Foundation and Social Science Research Council.**

#### Special gifts:

In honor of the union of Kate Atkins and Ali Kromley  
In the name of Tom Schoenherr  
In the name of Sandy Rosin

#### Newsletter editors, contributors and producers:

June Brown, Ryder Diaz, Yasmine Chahkar Farhang, Margarita Guzman, Emily Izenstein, Rickke Mananzala, Sonja Sivesind, Dean Spade

### SRLP Wish List!

Polaroid JoyCam Film  
8 ½ x 11 reams of office paper  
Ink Cartridges for Printer, Fax, and Copier  
A handy person's volunteer hours