



COMMISSION RECOMMENDATION
HUMAN RIGHTS COMMISSION

Recommendation Number: 20160328-5a: Policies for Identification of Transgender Individuals
Who Are Crime Victims

WHEREAS, according to the Human Rights Campaign 2015 marked the highest number of murders against transgender people on record; and

WHEREAS, Austin resident Monica Loera was the first transgender murder victim in the United States in 2016; and

WHEREAS, almost a week after the homicide occurred several media outlets began reporting that Monica Loera had been misidentified; and

WHEREAS, this misidentification created a delay for neighbors and community members to be made aware of Monica's death; and

WHEREAS, there is no standardized process within the State of Texas for legal name and gender marker change, making it considerably more difficult and costly for transgender people to navigate; and

WHEREAS, the National Transgender Discrimination Survey reported from individuals they surveyed that one-third of respondents were not able to update any of their IDs or records to reflect their gender identity; and

WHEREAS, according to the National Center for Transgender Equality, lack of identification exposes people to a range of negative outcomes, from denial of employment, housing, and public benefits to harassment and physical violence; and

WHEREAS, according to the National Center for Transgender Equality, more than one in four transgender people has faced a bias-motivated assault, with rates higher for transgender women of color; and

WHEREAS, a national survey of transgender individuals published by the National Center for Transgender Equality and the National Gay and Lesbian Task Force revealed that forty-six percent of respondents were uncomfortable seeking help from the police; and

WHEREAS, the Human Rights Campaign found that under-reporting and misidentification obscured the severity of disparities and bias-motivated violence against transgender people; and

WHEREAS, many police agencies including Philadelphia, Los Angeles, Worcester (MA), Chicago, and Washington D.C. police departments have implemented specific policies to better serve transgender persons; and

WHEREAS, a 2015 FBI Law Enforcement Bulletin on Law Enforcement and Transgender Communities stated that training resources exist pertaining to police interactions with transgender communities, consistent with recent efforts by the U.S. Department of Justice's Community Relations Service (CRS); and

WHEREAS, the City of Austin wishes to seek clarity and consistency in the identification of individuals for public safety purposes and recognizes that legal documents may not always align with this goal; and

WHEREAS, ensuring people are identified by their chosen name and pronouns upholds respect for transgender and gender-nonconforming individuals;

NOW, THEREFORE, BE IT RESOLVED that the Austin Human Rights Commission recommends to the Austin City Council to direct the City Manager to:

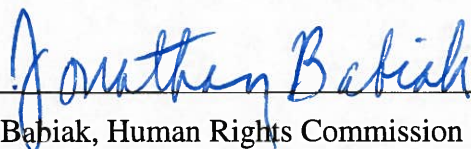
Require the Austin Police Department (APD) and the Office of Community Liaison to meet and work with community stakeholders, including but not limited to Transgender Education Network of Texas, Equality Texas, allgo, and representatives from the Human Rights Commission and the Public Safety Commission, to develop a new policy and associated training to improve how transgender and gender-nonconforming individuals are identified by APD in internal and external communications, taking into account how accurate identification of transgender and gender-nonconforming individuals can improve current APD interactions with LGBTQ and gender-nonconforming individuals and reporting of bias-motivated crimes; and

Require APD to promptly present recommended changes and proposed implementation in policy and training (if any) along with stakeholder comments to City Council upon completion of the stakeholder process.

Date of Approval: March 28, 2016

Record of the vote: 8-0 (Commissioners Casas and Royall absent)

Attest: _____



Jonathan Babiak, Human Rights Commission Liaison

City of Austin Human Resources Department