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Testimony in Support of Intro. No. 0024  
**A Measure to Extend Explicit Non-Discrimination Protections  
to Transgender Persons**

Ralph Wilson, Program Director - Empire State Pride Agenda

April 23, 2002

Good afternoon, I am Ralph Wilson, and I am Program Director for the Empire State Pride Agenda, New York's statewide lesbian and gay civil rights and political advocacy organization. On behalf of our 25,000 members across New York State, I am pleased to be here and speak in support of Intro. 24, the measure which will add specific protections against transgender discrimination to New York City's human rights ordinance.

Before I begin my testimony, I would like to thank the City Council for holding this hearing, and to thank the many members of the City Council – the majority of Council members, in fact – who have stated their support for the measure. The Pride Agenda is proud of our role working with city government, alongside our allies in the transgender community, to get Intro. 24 to where it is today.

I am not going to talk today about why this measure is so needed in the city of New York. You have heard and will hear from those who are most directly affected by transgender discrimination who can speak best to that. I do, however, want to give some context to the political realities regarding this important ordinance.

First, I think it is appropriate to shade these discussions today with the recognition of just how far the city of New York has come in just over 15 years on lesbian, gay, bisexual and transgender issues. Remember, it was only in 1986 that the city finally extended non-discrimination protections to its lesbian and gay citizens. As many people here can recall, that measure was passed only after a bitter 16-year struggle that began in the early 70's. Over that time, year after year, our community had to endure ugly and degrading public hearings, only to have the bill voted down in committee, and then on the Council floor again and again.

During those debates, we heard countless times that the City would fall apart, the sky would fall and council members would lose their jobs if they supported an extension of civil rights to lesbian and gay New Yorkers. Fortunately, through the leadership of many treasured allies on the Council, the bill did finally pass, and the sky did not fall. In fact, I daresay even our opponents would agree that the City is a better, stronger place for protecting gay people from discrimination. This lesson is important to remember today: that the naysayers were wrong when they warned of political Armageddon as the result of an extension of civil rights. It is a lesson that the Pride Agenda is still trying to impart to our state legislators in Albany.

Fast forward to today. A community united with the lesbian and gay community, yet with its own distinct needs and aspirations, is now before the City Council seeking the

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same basic protections in employment and housing. Some are still playing chicken little. Fortunately, many more, including 3X of the XX members of the City Council co-sponsoring this legislation, recognize that outlawing discrimination on the basis of gender identity and expression is the right thing and the politically smart thing to do. Clearly, the atmosphere in city government and in the city as a whole, has permanently changed in terms of dealing with issues of gender and sexuality. We should all be proud of this evolution.

The City Council should keep this history lesson in mind as it considers Intro. 24. For just as the City was strengthened when it protected its gay and lesbian citizens, so too will it be a better place when it does the same thing for transgender people. If anything, this logical extension of human rights is overdue. 2 states, 6 counties and 33 other cities across the country, including 2 here in New York State (the City of Rochester and Suffolk County), have adopted explicit protections from transgender discrimination. Unfortunately, even if New York City passes this ordinance tomorrow, it must be content to be a follower, not to serve its traditional role of civil rights leader.

In our discussions around this ordinance, I know there are some who have stated that transgender persons may already be covered by existing law. In fact, the Pride Agenda believes there may be some validity to that assertion. Nonetheless, we still strongly call for passage of this ordinance.

The City's Human Rights Commission does not have any specific policy on coverage for transgender people. It has not been welcoming to cases of anti-transgender discrimination brought before it in the past. And to date there has not been one brochure, one poster, one forum, or one public comment made to address the issue of transgender discrimination. The Commission needs a clear directive from this body. Whatever the status of the law on this issue, it deserves to be addressed explicitly in law in a way that can't be changed by administrative interpretations or court decisions.

To that end, I would like to close by reminding the committee that these hearings can not be just a political exercise. We need Intro. 24 to be brought for a prompt vote before this committee and the whole Council, and to be passed into law. We were told by some that the measure could not be voted on in 2001, an election year. That excuse is now off the table. We emphatically urge the Council to take up this issue and assure that all New Yorkers can reach their full potential and not be stymied by discrimination that is irrelevant to their roles as employees, tenants and citizens. Thank you.