

May 24, 2011

Senator Cynthia Stone Creem
Joint Committee on the Judiciary
State House Room 405
Boston, MA 02133

Counsel

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

Re: An Act Relative to Transgender Equal Rights

Dear Senator Creem, Representative O'Flaherty, and Members of the Committee:

I am writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764). This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

This bill is important to me because I need this protection from discrimination because I am a transsexual man. I have experienced employment discrimination on two separate occasions. I am a 53-year-old who has lived in Massachusetts since 1974. I finished high school and attended two colleges in Massachusetts where I received two degrees. I also got married here in 2007. I ran my own business for ten years before changing my career to information technology. My life has improved in many ways since I transitioned my gender more than seven years ago; I am more comfortable being myself and no longer wake up wishing things were different because I was living as the wrong gender—I am now living as my authentic self. I want to live a full and productive life with dignity and without discrimination as any other citizen of the Commonwealth.

Transgender people throughout the Commonwealth are often harmed by harassment, discrimination, and violence. For example, Bay State employers have fired transgender people either before or after transitioning their gender, while many other transgender people in the state remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are. This legislation, therefore, is vital to our community. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very

different message by passing "An Act Relative to Transgender Equal Rights" Bill. This bill makes it clear that we value our transgender residents and will protect them against discrimination and violence. I urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for the Commonwealth of Massachusetts to join 13 other jurisdictions, including Washington D.C., and the hundreds of municipalities, including Boston, Cambridge, Northampton, and Amherst, that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Sincerely,

A handwritten signature in black ink, appearing to read "August Guy Sanders", with a long horizontal flourish extending to the right.

August Guy Sanders
50 Wells Road, C12
Lincoln, MA 01773

Carleton A. Williams

*9 Rio Grande Drive
Chelmsford, MA 01824-4443
Home: 978-256-1930, Cell: 603-566-5846*

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
Room 136
State House
Boston, MA 02133

Dear Representative O'Flaherty:

Please release "An Act Relative to Transgender Equal Rights" from the Joint Committee on the Judiciary with a favorable recommendation.

As one who lives and works in Massachusetts, I am offended that our state has not yet ensured equal rights and protections for our transgendered neighbors.

As a seven year old child, I was puzzled, intrigued and disquieted by the sensation around Christine Jorgensen. I understand that gender is absolutely central to our personal identity, and that gender anomalies can be deeply disturbing. In the 60 years since, I have known several people for whom that discomfort has been constant and inescapable, as they realize that their identity is at odds with their physical characteristics and expected social roles.

Medical science is still far from a complete understanding of the complex genetic and hormonal interactions that guide fetal gender development and the subsequent effects on psychological development of imposed parental and societal norms. For most of us, this all works out fine. But for some of our fellow citizens, the result is a life of hidden torment, a debilitating conflict that interferes with their ability to be fully contributing members of our communities. When, through bravery or desperation, or the all-too-rare support of family and friends, a transgendered person is able to adopt a truer expression of their inner reality, they deserve the support and protection of an enlightened community, not the discrimination and rejection of the ignorant and fearful.

Among the 6 or 8 transgendered persons I have become acquainted with over the last 60 years, two instances are particularly instructive. One of my closest friends from college has found acceptance and appropriate medical care only by moving to Germany. She is finally comfortable in her own skin, after living almost 50 years as a restless and tortured man. The other example is of a young woman who has recently, and very successfully, completed college and is entering upon her

career. As an adolescent boy, suicide seemed like the only option. With the support of family and her church community, she got help, including reassignment surgery (in Thailand, because in the U.S. it was considered "elective cosmetic surgery" and not covered by insurance!).

The time is now to extend the protections theoretically guaranteed to us all to the transgendered people among us. The fact that they are few, or that some of us may be uncomfortable, is no excuse for failing to safeguard their rights.

Sincerely,

A handwritten signature in cursive script, appearing to read "Carleton A. Williams".

Carleton A. Williams

May 12, 2011

Senator Cynthia Stone Creem
Joint Committee on the Judiciary
State House Room 405
Boston, MA 02133

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

Re: An Act Relative to Transgender Equal Rights

Dear Senator Creem, Representative O'Flaherty, and Members of the Committee:

I am writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764).

This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

I want you to know how much this law means to me. You see, I have a son. He is wonderful, smart, funny and loving. He gave me a card at Mother's Day this year – as my husband said "this is a card a parent lives for." My son thanked me and he thanked me for loving him and supporting him. For me, finding the 'right' card to give someone is important – it takes time, thought. In the past, my son only gave funny cards – only used a letter for a name. This year he not only gave me a card with such loving sentiments but he handwrote his love, his thanks and his name.

My son is transgender. His name is changed. His body has changed. His comfort in his own skin has changed. Being wonderful, smart, funny and loving – his core - has not changed.

If you met him you would know how important it is to him, to me, to my husband that he not be discriminated against and that the law protects him. If you met him, you would say of course he cannot be discriminated against. He deserves the same protection as any other citizen in this Commonwealth does, as any other child does, as any other human being does.

As I write this letter, so many feelings come to mind. Does it raise so many emotions, yes. Do the tears flow as I write these words, yes. But the words do not give justice to

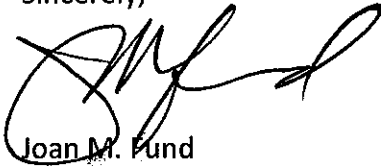
the pain in my soul that transgender and gender variant people are not protected. Come to the Transgender Day of Remembrance. Talk to those wonderful parents that lost a child because he could not find happiness in his body. Talk to the wonderful parents that have a transgender child and the unconditional love they have for their children. And talk to a person who has transitioned and see how they deserve the same rights as you and me.

I wrote a letter last year. I read it again. And here is how the letter ended:

I used to say when my child was young I wish I could put him in a bubble and protect him forever so nothing would hurt him. I could never do that. Now he is grown and I fear for his safety - that someone will try to hurt him whether physically or verbally – and I cannot be there to protect him. I still cannot put him in that bubble. But I will do whatever I can to make sure no one hurts him. And I ask you to help me protect my child and all the others in the Commonwealth. They cannot wait and we cannot wait.

Once again I ask - please pass "An Act Relative to Transgender Equal Rights" (H.502/S.764).

Sincerely,

A handwritten signature in black ink, appearing to read 'Joan M. Fund', written over a circular stamp or mark.

Joan M. Fund
136 Evelyn Road
Newton, MA 02468
508 878 6830 (cell)



Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON, MA 02133-1054

AARON MICHLEWITZ
STATE REPRESENTATIVE
3RD SUFFOLK DISTRICT

Committees:
Transportation, Vice Chair
Ways and Means
Personnel and Administration

ROOM 134, STATE HOUSE
TEL: (617) 722-2400

June 8, 2011

Senator Cynthia Creem
Representative Eugene O'Flaherty
Joint Committee on the Judiciary
State House, Room 130

Dear Chairmen Creem and Chairmen O'Flaherty:

I am writing in opposition to H. 482, **An Act relative to a woman's right to know**. I am against this bill.

This bill reduces women's rights by unnecessarily restricting access to abortions. Many women who seek abortions do so in distressed circumstances such as rape, incest, or domestic violence. Erecting further barriers to abortions would needlessly increase the pain and suffering endured by these women. Not only would the additional wait time be psychologically damaging, but a woman's physical health could be in danger as well.

Further, this bill is not an attempt to give people information. Rather, it is a thinly veiled attempt to restrict access to abortion, a procedure that has been legal in the United States since 1973. By forcing doctors to provide voluminous amounts of additional information and by forcing patients to wait twenty-four hours, the bill serves to impede rather than inform medical procedures.

I urge the committee to give the bill an unfavorable report. Thank you for your consideration on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Aaron Michlewitz".

AARON MICHLEWITZ
State Representative
Third Suffolk District



AIDS Action Committee of Massachusetts, Inc.
75 Amory Street
Boston, MA 02119

Our mission: Stop the epidemic by preventing new HIV infections and optimizing the health of those who are already infected.

June 8, 2011

The Honorable Eugene O'Flaherty, House Chair
Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

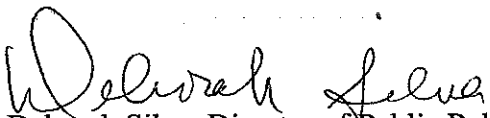
The Honorable Cynthia Creem, Senate Chair
Joint Committee on the Judiciary
State House, Room 405
Boston, MA 02133

Re: AIDS Action Committee Testimony in Opposition to H1353, "An Act to Establish an HIV Testing Procedure in Correctional Institutions in the Commonwealth"

Dear Chairman O'Flaherty and Chairwoman Creem,

Enclosed please find AIDS Action Committee's testimony in opposition to H1353, "An Act to Establish an HIV Testing Procedure in Correctional Institutions in the Commonwealth"

Sincerely,


Deborah Silva, Director of Public Policy

Enc.



AIDS Action Committee of Massachusetts, Inc.
75 Amory Street
Boston, MA 02119

Our mission: Stop the epidemic by preventing new HIV infections and optimizing the health of those who are already infected.

Testimony in Opposition to H1353:
“An Act to Establish an HIV Testing Procedure in
Correctional Institutions in the Commonwealth”
Submitted by the AIDS Action Committee of Massachusetts

*Submitted by Deborah Silva, Director of Public Policy, AIDS Action Committee
Before the Joint Committee on the Judiciary
June 8, 2011*

Introduction and Summary of Testimony:

AIDS Action Committee of Massachusetts submits this written testimony in opposition to H1353, entitled “An Act to establish a HIV testing procedure in correctional institutions in the Commonwealth.” AIDS Action Committee of Massachusetts (“AIDS Action”) is New England’s first and largest AIDS service organization, assisting the greater Boston area by providing services to men, women, and children infected by, affected by, and at risk for HIV and AIDS. AIDS Action also works to educate the public about prevention, and advocate for equitable policy at the state and federal level.

AIDS Action supports the presumed intention of this bill, which is to increase routine screening of inmates for HIV. However, **AIDS Action opposes H1353** because it will actually deter rather than encourage inmates from HIV testing. The proposed bill does not protect inmates’ privacy in several important respects and it does not provide the necessary support systems for inmates who test positive for HIV—a crucial aspect of HIV health. The testing method proposed in the bill will also inhibit necessary HIV related health care for both inmates and correctional institution staff.

Testimony:

H1353 purports to provide inmates with “the opportunity to participate in voluntary anonymous HIV testing programs upon verbal request at least one time within a one year period....” The bill then describes the

manner in which this “voluntary anonymous HIV testing program” is to be administered. Under the provisions of the bill, home testing HIV kits are to be provided to inmates upon their verbal request. The used kits would then be placed in mailboxes located in areas frequented by all inmates and “marked with a red cross” and “clearly labeled” with the words “HIV TESTING KITS TO BE DEPOSITED HERE.” The results of the test would then be published on a secure bulletin board equally visible to all inmates. Finally, the bill also provides for sentence reductions for certain eligible inmates; who participate in this “voluntary” testing program. However, reductions would be forfeited in cases where there is evidence (via blood tests or photographic evidence of hypodermic needle use) of illicit drug use. Where such evidence exists, the bill would mandate HIV testing.

The presumed purpose of H1353 is to increase HIV screening rates and reduce the spread of HIV/AIDS in correctional facilities. AAC fully supports the principle of increasing voluntary HIV testing. However, the methods of testing and distribution of information set forth in this legislation are problematic in several important ways. The inmate is not provided with any information about HIV, the purpose of an HIV test, or the meaning of a negative or positive test results. Nor is the inmate offered the opportunity to ask questions. This exchange of information is necessary so that the individual may make a fully informed decision regarding testing as well as to prevent any future transmission of HIV/AIDS.

The method of administering the HIV testing program is also troubling because it fails to protect the privacy of inmates seeking to be tested and also fails to keep their test results confidential. Individuals who utilize the at home test kit are subject to identification when they place the used kit into the clearly labeled boxes. Due to the stigma that still surrounds an individual’s status as HIV positive, this kind of public exposure would serve as a strong disincentive to inmates thinking about getting tested.¹ It is for this reason that

¹ McCroy, Winnie. Putting HIV on Lockdown: HIV Testing and Prevention Behind Bars. Available from <http://www.amfar.org/community/article.aspx?id=7176>.

the CDC also recommends that prisons and jails avoid identification of HIV-related health clinics.² Similarly Massachusetts current HIV testing law provides that in cases where an individual is being tested by a health care facility, physician or health care provider, the identity of the subject of the test cannot be disclosed to any other person without the subject's written informed consent.³

The privacy of the subject of the HIV test is further compromised by the provisions of H1353 which require that the results of the test be posted in an area accessible to all inmates. Not only does this measure encroach on individual privacy, but it also limits mental and emotional support systems for an inmate made aware of his or her positive status. This again contradicts with the CDC recommendations which state that the results of an HIV test should be given in a private, secure area. And again, it is also contrary to the policy underlying Massachusetts law, which requires written informed consent for a health care facility, physician or health care provider to disclose an individual's HIV status to a third party.⁴ However difficult privacy may be in a correctional facility it is essential to make these results as protected as possible.⁵ This provision of H1353 is not only a breach of privacy for the inmate, but it also places the individual at risk for verbal and physical abuse, which again creates a barrier to HIV testing.⁶

The provisions of H1353 also create a number of missed opportunities for inmate education about HIV management and prevention. Clearly, HIV positive identified individuals will need guidance on how to manage their diagnosis and how to protect future partners. For some inmates this may be their first experience with the health care system and they will need additional assistance on medication administration and the associated health burdens. At the same time, individuals with a negative test result also need appropriate counseling. This

² Amfar. "HIV in Correctional Settings: Implications for Prevention and Treatment Policy." *Issue Brief*. 5. March 2008.

³ M.G.L. c. 111, § 70F

⁴ Id.

⁵ See Amfar at 1.

⁶ Boutwell, A. and Rich, J.D. HIV Infection Behind Bars. 2004. *Clinical Infectious Diseases*. 38(12): 1761-1763.

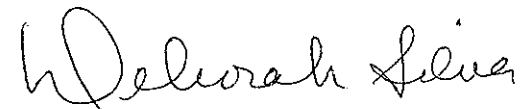
counseling is an educational opportunity that could provide inmates with the resources for future testing as well as information about how to protect themselves from becoming infected with HIV in the future.

Finally, although one presumed purpose of H1353 is to protect correctional officers when there is an occupational exposure to an inmate's bodily fluids, the provisions of H1353 may actually provide a dangerous sense of false security to officers and potentially discouraging them from beginning post-exposure prophylaxis ("PEP") when there is an occupational exposure. If an inmate participated in this program and tested negative for HIV and a correctional officer was later exposed to that inmate's bodily fluids, he might elect to do nothing. However, the inmate may have become infected with the HIV virus in the time that elapses between the test and the occupational exposure. Furthermore, even where the inmate is tested immediately after an occupational exposure, the test results may be misleading since for most people, it takes six weeks to three months (although it can, rarely, take up to six months) after exposure to HIV for detectable antibodies to appear in an HIV test. In short: a negative test result does not necessarily mean that the test subject is HIV negative. The individual could be tested during the "window period" between exposure and development of antibodies and return a negative test result because he has not yet developed antibodies to the infection, even if he or she is in fact HIV positive. Ultimately, the best course of action when confronting a potential exposure is to take recommended standard precautions, assess the actual risk of transmission with a health care professional, begin PEP where indicated, and continue to ensure access to counseling and voluntary HIV, hepatitis B and hepatitis C. Established public health protocols have proven to be extremely effective at responding to these types of exposures, and are certainly better suited than the inconclusive testing of others, especially since, contrary to popular perception, studies have shown that the risk of transmission of HIV in an occupational setting is nearly zero.⁷

⁷ CDC (2006, December) "Surveillance of occupationally acquired HIV/AIDS in healthcare personnel, as of December 2006." CDC Fact Sheet.

For all of the foregoing reasons, AIDS Action Committee of Massachusetts opposes H1353 and urges the Judiciary Committee to give it an unfavorable report.

Respectfully submitted,

A handwritten signature in cursive script that reads "Deborah Silva". The signature is written in black ink and is positioned above the printed name.

Deborah Silva, Director of Public Policy
AIDS Action Committee of Massachusetts

GLBT Caucus of the Young Democrats of Massachusetts



June 8, 2011

Chairman Eugene O'Flaherty
Chairwoman Cynthia Stone Creem
Joint Committee on the Judiciary
State House, Room 136; 405
Boston, MA 02133

Dear Chairman O'Flaherty and Chairwoman Stone Creem,

Sincerely,

We are writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764). This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It also adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender and gender non-conforming people.

This bill is important because transgender people throughout our state are often harmed by harassment, discrimination, and violence. For example, Commonwealth employers routinely fire transgender people either before or after transitioning their gender, while many other transgender people in the Massachusetts remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are. Widespread prejudices about how "real men" or "real women" should look or act often lead to harassment and unfair treatment in public accommodations, housing, and credit transactions.

This legislation, therefore, is vital to our community. As has been shown in several national surveys, transgender people face overwhelming obstacles in many aspects of their lives, many of which we take for granted. They are often subject to heightened scrutiny just because of who they are. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very different message: by passing this the Transgender Equal Rights Bill, the Legislature makes it clear that we value our transgender residents and will protect them against discrimination and violence.

We urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for Massachusetts to join 15 other states, including Washington D.C., and 136 jurisdictions that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Warmest Regards,

Wesley Ritchie, Chairman

GLBT Caucus

Young Democrats of Massachusetts



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON, MA 02133-1007

Room 313A
TEL. (617) 722-1206
FAX (617) 722-2821

KATHERINE.CLARK@MASENATE.GOV
WWW.MASENATE.GOV

SENATOR
KATHERINE M. CLARK
MIDDLESEX AND ESSEX DISTRICT

JOINT COMMITTEE ON
PUBLIC SERVICE,
CHAIR

JOINT COMMITTEE ON
COMMUNITY DEVELOPMENT
AND SMALL BUSINESSES,
VICE CHAIR

JOINT COMMITTEE ON
EDUCATION

JOINT COMMITTEE ON
PUBLIC HEALTH

JOINT COMMITTEE ON
PUBLIC SAFETY AND
HOMELAND SECURITY

JOINT COMMITTEE ON
VETERANS AND
FEDERAL AFFAIRS

SENATE COMMITTEE ON
POST AUDIT AND OVERSIGHT

June 8, 2011

Honorable Cynthia Creem, Senate Chair
Joint Committee on the Judiciary
State House, Room 405
Boston, MA 02133

Honorable Eugene O'Flaherty, House Chair
Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

Dear Honorable Committee Chairs:

I am writing in support of **Senate Bill 764 – An Act relative to transgender equal rights**. This legislation adds “gender identity and expression” to existing Massachusetts civil rights laws, which presently forbids discrimination on the basis of age, race, creed, color, national origin, sexual orientation, sex, and marital status in the fields of employment, housing, public accommodations, education, and credit.

Senate Bill 764 is a civil rights bill that protects against offenses for hate crimes against gender identity or expression. It protects the rights of citizens who face discrimination trying to work, support their families, and obtain adequate education and housing.

Providing equal rights for our transgender population is long overdue. Currently, 15 other states have already passed bills protecting from discrimination against transgender people. These states have not reported any problems with similar legislation as contended by opponents of this bill.

We must protect all our citizens from discrimination. I respectfully request that you release this important civil rights legislation, **Senate Bill 764**, favorably from your committee.

Sincerely,

Senator Katherine Clark
Middlesex and Essex



COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON, MA 02133-1007

Room 109C
TEL. (617) 722-1350
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THOMAS.McGEE@MASENATE.GOV
WWW.MASENATE.GOV

SENATOR
THOMAS M. McGEE
THIRD ESSEX AND MIDDLESEX DISTRICT

CHAIR
COMMITTEE ON TRANSPORTATION

VICE CHAIR
COMMITTEE ON
VETERANS AND FEDERAL AFFAIRS

VICE CHAIR
COMMITTEE ON
ECONOMIC DEVELOPMENT AND
EMERGING TECHNOLOGIES

COMMITTEE ON
WAYS AND MEANS

JOINT COMMITTEE ON REVENUE

COMMITTEE ON
JUDICIARY

COMMITTEE ON
GLOBAL WARMING AND
CLIMATE CHANGE

June 8, 2011

The Honorable Eugene L. O'Flaherty
Joint Committee on Judiciary
State House Room 136
Boston, MA 02133

Dear Chairman O'Flaherty,

I am writing in strong support of S.764 An Act Relative to Transgender Equal Rights. As a co-sponsor of this legislation I feel that this bill is necessary to help support the non-discrimination of transgender individuals throughout the Commonwealth.

This bill adds "gender identity and expression" to existing Massachusetts civil rights laws. It would also include adding offenses regarding gender identity or expression to the list of offenses that are subject to treatment of hate crimes. Transgender people in Massachusetts can experience unequal treatment in employment, schools, housing, public accommodations, and access to health care.

I respectfully urge you to take action on S.764 and report it from your committee with a favorable recommendation. Thank you for your time and consideration. If you have any questions please do not hesitate to contact me.

Sincerely,

Thomas M. McGee
State Senator
Third Essex and Middlesex District



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

June 8, 2011

Senator Cynthia Creem
Chairwoman, Senate Committee on the Judiciary
Room 416-B, State House
Boston, MA 02133

Dear Chairwoman Creem:

I am writing to ask for your support for HB 502/SB 764, An Act Relative to Transgender Equal Rights, sponsored by Representatives Carl Sciortino and Byron Rushing and Senators Benjamin Downing and Sonia Chang-Diaz. This bill seeks to prohibit discrimination in employment, lending, housing, education, and public accommodations on the basis of a person's gender identity or expression.

In 2002, I signed an ordinance for the City of Boston protecting people against discrimination based on "gender identity or expression." All citizens of the Commonwealth deserve equal protection against discrimination, and I hope that you will help spread that message by supporting this legislation.

Already, ten other states and the District of Columbia have included gender identity and gender expression in hate crime laws. Massachusetts has long been a leader nationally in its protection of the rights of individuals, and this bill is a natural extension to include the rights of transgender individuals.

I urge you to expeditiously report this bill with a favorable report, and I look forward to working with you to secure its passage before the full Legislature. If I may be of any assistance on any matter, please do not hesitate to contact me.

Sincerely,

Thomas M. Menino
Mayor of Boston



CITY OF BOSTON • MASSACHUSETTS

OFFICE OF THE MAYOR
THOMAS M. MENINO

June 8, 2011

Representative Eugene O'Flaherty
Chairman, House Committee on the Judiciary
Room 136, State House
Boston, MA 02133

Dear Chairman O'Flaherty:

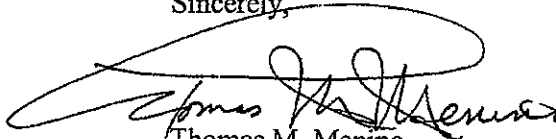
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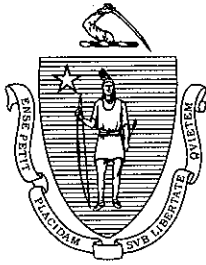
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I urge you to expeditiously report this bill with a favorable report, and I look forward to working with you to secure its passage before the full Legislature. If I may be of any assistance on any matter, please do not hesitate to contact me.

Sincerely,



Thomas M. Menino
Mayor of Boston



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

SARAH K. PEAKE
STATE REPRESENTATIVE
4TH BARNSTABLE DISTRICT

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Sarah.Peake@MAhouse.gov

Chair
Tourism, Arts & Cultural Development

June 8, 2011

Eugene L. O'Flaherty, House Chair
Cynthia Stone Creem, Senate Chair
Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

RE: Committee Hearing, June 8, 2011

Dear Chairman O'Flaherty and Chairwoman Creem,

I am writing to you regarding a bill that I have co-sponsored that is being heard by the committee today and would like to voice my support of:

H502: An Act Relative to Transgender Equal Rights

This bill would include gender identity and expression to the Massachusetts General Laws non-discrimination statute and amend existing hate crime laws to explicitly protect people targeted for violence and harassment.

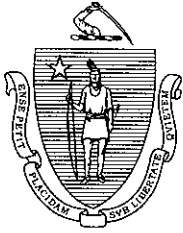
Currently, 13 other states, Washington D.C. and 81 counties and cities including Boston, Cambridge, and Northampton have laws that that protect transgender people. In fact, as recently as yesterday, the House and Senate in Connecticut passed a bill protecting transgender rights. Individuals who are transgender often face prejudice, violence and acts of hate with no consequences to the perpetrator. This bill will make the protection of transgender people explicit, uniform, and visible to the general public.

I respectfully request that this bill be considered during the next executive session and reported out favorably. Should you have any further questions or comments, please do not hesitate to contact my office.

Very truly yours,

A handwritten signature in black ink that reads "Sarah K. Peake".

Sarah K. Peake



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON, MA 02133-1054

JAMES J. DWYER
REPRESENTATIVE
30TH MIDDLESEX DISTRICT

June 7, 2011

Chairman Eugene O'Flaherty
Chairwoman Cynthia Creem
Joint Committee on the Judiciary
State House, Room 136
Boston, MA 02133

Mr. Chairman and Madame Chairwoman,

I am writing to you today to express my opposition to House Bill 502, *An Act Relative to Transgender Equal Rights*, in its current form.

First and foremost, I would like to make clear that I do not support any forms of discrimination or any assault on equal rights. However, I believe that this legislation, while addressing much need inclusions of gender identity and expression in our hate crimes statute, goes beyond what is needed to protect transgendered people from discrimination.

Secondly, I would argue that section 18 could have a large impact on local businesses such as health clubs, spas, the YMCA, etc. The language that I have concerns with is as follows:

Notwithstanding the provisions of this section or any other special or general law to the contrary, all otherwise lawfully sex-segregated facilities, accommodations, resorts, and amusements shall grant persons admission to and the full enjoyment of such facilities, accommodations, resorts, and amusements consistent with their gender identity or expression.

Lastly, I would ask that you consider the ramifications of this legislation being very narrow with regards to prosecution. After working in the Trial Court for over 34 years, I strongly believe that we must give judges and district attorneys guidelines for adjudication. However, if we make those guidelines too stringent, we will tie the hands of presiding judges and the District Attorney's offices when it comes to determining the criminality of charges brought on someone with respecting to the violation of one's civil and equal rights.

In conclusion, I would like to stress that I am supportive of legislation that would protect transgendered people under our current hate crimes statute by including "gender identity" and "gender expression" to our current laws. However, the current form of this legislation, House Bill 502, *An Act Relative to Transgender Equal Rights*, raises more concerns and questions than it does protections.

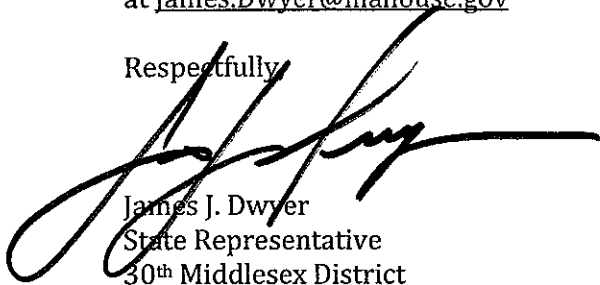
I thank the Committee for its attention to this matter and for their consideration of my concerns relative to this legislation.

Committee:
Ways & Means
Financial Services
Public Safety
Steering, Policy & Scheduling

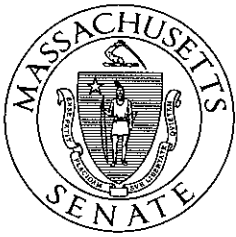
ROOM 254, STATE HOUSE
TEL: (617) 722-2220
FAX: (617) 626-0831

If you have any questions, please do not hesitate to contact my office at 617-722-2220 or via email at James.Dwyer@mahouse.gov

Respectfully

A large, stylized handwritten signature in black ink, appearing to read 'James J. Dwyer', written over the word 'Respectfully'.

James J. Dwyer
State Representative
30th Middlesex District
Woburn, Reading, and Stoneham



SENATOR
DANIEL A. WOLF
CAPE AND ISLANDS DISTRICT

June 8, 2011

Senator Cynthia Stone Creem
Senate Chair of the Joint Committee on the Judiciary
State House
Room 405

Representative Eugene L. O'Flaherty
House Chair of the Joint Committee on the Judiciary
State House
Room 136

Dear Chairman O'Flaherty:

Thank you for the opportunity to testify in support of **Senate Bill 764, "An Act Relative to transgender equal rights."** This bill quite grants the civil rights provided in existing Massachusetts civil rights laws to transgender individuals.

I believe that one of government's most important tasks is to protect the rights and liberties of all citizens. And so I feel strongly that guaranteeing equal rights to transgender people in the Commonwealth is the right thing to do.

Thirteen states, including our neighbors in Maine, Vermont and Rhode Island, offer these protections. And many prominent employers based or operating in Massachusetts have already adopted non-discrimination policies that include gender identity and expression.

The company I founded over 20 years ago, Cape Air/Nantucket Airlines, prohibits discrimination against any applicant or employee on the basis of sex including transgender and prohibits harassment based on an individual's sex, including transgender. We have transgender employees at Cape Air and they are valued members of our team.

Cape Air has proudly sponsored an annual weekend in Provincetown for the transgender community. All of these measures are part of our commitment to creating a supportive and inclusive company and a key component of Cape Air's success.

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON, MA 02133-1007

STATE HOUSE OFFICE
STATE HOUSE ROOM 511B
BOSTON, MA 02133
TEL. (617) 722-1570
FAX (617) 722-1271

DISTRICT OFFICE
HYANNIS, MA
TEL. (508) 775-0162

DANIEL.WOLF@MASENATE.GOV
WWW.MASENATE.GOV

JOINT COMMITTEE ON
LABOR AND
WORKFORCE DEVELOPMENT,
CHAIR

JOINT COMMITTEE ON
MUNICIPALITIES AND
REGIONAL GOVERNMENT,
VICE CHAIR

JOINT COMMITTEE ON
ENVIRONMENT, NATURAL
RESOURCES AND AGRICULTURE

JOINT COMMITTEE ON
HEALTH CARE FINANCING

JOINT COMMITTEE ON
PUBLIC SERVICE

JOINT COMMITTEE ON
TOURISM, ARTS AND CULTURAL
DEVELOPMENT

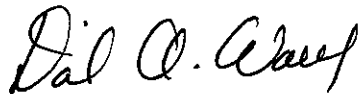
JOINT COMMITTEE ON
VETERANS AND
FEDERAL AFFAIRS

SPECIAL JOINT COMMITTEE ON
REDISTRICTING

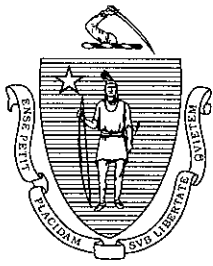
I firmly believe this policy can and should be applied with equal success in the public sector.

Thank you in advance for your consideration, and I respectfully request that the Committee report favorably on this legislation. If I can provide any further assistance or information, please do not hesitate to contact me.

Sincerely,

A handwritten signature in cursive script that reads "Dan A. Wolf".

DANIEL A. WOLF
STATE SENATOR
Cape & Islands District



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

WILLIAM N. BROWNSBERGER
REPRESENTATIVE
24TH MIDDLESEX DISTRICT
ROOM 527A, STATE HOUSE

TEL. (617) 722-2800, x 7178
William.Brownsberger@MAhouse.gov

Committees:

Public Service
Bonding, Capital Expenditures and State Assets
Global Warming and Climate Change

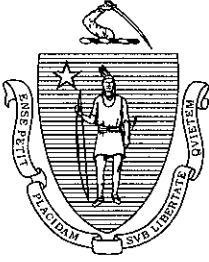
TO: Committee on the Judiciary
FROM: Representative William N. Brownsberger *W.N.B.*
RE: H502, An Act relative to transgender equal rights
DATE: June 8, 2011

I write in support of H502, An Act relative to transgender equal rights.

This bill simply adds gender identity and expression to the existing list of innate human qualities which must not be discriminated against and amends existing hate crime laws to explicitly protect people targeted for violence and harassment for this reason.

Enactment of this law would also strengthen the ability of schools to protect transgender students from violence.

H502 makes a clear statement of public policy that is necessary and important and I hope that the Committee will report this bill favorably.



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

WILLIAM N. BROWNSBERGER
REPRESENTATIVE

24TH MIDDLESEX DISTRICT
ROOM 527A, STATE HOUSE

TEL. (617) 722-2800, x 7178
William.Brownsberger@MAhouse.gov

Committees:

Public Service
Bonding, Capital Expenditures and State Assets
Global Warming and Climate Change

TO: Committee on the Judiciary

FROM: Representative William N. Brownsberger *WNB*

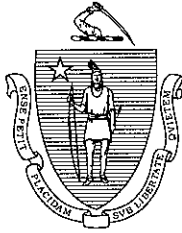
RE: H1336, An Act to protect privacy and personal data

DATE: June 8, 2011

I am writing in support of H1336, An Act to protect privacy and personal data.

This bill protects Massachusetts residents' privacy, personal data, and First Amendment rights in the context of government data collection. It prohibits law enforcement collection of information about individuals' political and religious views, associations, or activities without reasonable suspicion of criminal conduct. It also establishes practical standards to ensure that government collection of our personal information is conducted in a secure, accountable manner with appropriate transparency and oversight structures.

I hope that the Committee will report favorably on H1336.



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON, MA 02133-1054

KAY KHAN
REPRESENTATIVE

11TH MIDDLESEX DISTRICT (NEWTON)
ROOM 146, STATE HOUSE

TEL: (617) 722-2011
FAX: (617) 722-2238

CHAIR:
JOINT COMMITTEE ON CHILDREN, FAMILIES
AND PERSONS WITH DISABILITIES

June 7, 2011

The Honorable Cynthia Stone Creem
Senate Chairwoman, Joint Committee on the Judiciary
Room 405
Boston, MA 02133

The Honorable Eugene L. O'Flaherty
House Chairman, Joint Committee on the Judiciary
Room 136
Boston, MA 02133

Dear Chairwoman Creem, Chairman O'Flaherty, & Members of the Committee"

I am writing to voice my support of *H. 492, An Act Relative to the Reform of Archaic Laws Implicating Certain Private Consensual Intimate Conduct between Adults*, filed by Representative Byron Rushing. As a co-sponsor, this bill would reform the laws implicating private consensual intimate conduct between adults.

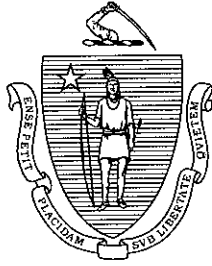
This bill would amend or repeal two laws from the General Laws of Massachusetts which were found unconstitutional under the 2003 U.S. Supreme Court case of *Lawrence v. Texas*. This bill will remove the two places in the General Laws where these are understood as "sodomy."

Thank you for your consideration of this important matter. I strongly encourage the Committee to adopt a favorable report for H.492 as expeditiously as possible.

Sincerely,

A handwritten signature in cursive script that reads "Kay Khan".

Kay Khan
State Representative, Newton



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

**JOHN W. SCIBAK
REPRESENTATIVE**

SECOND HAMPSHIRE DISTRICT
EASTHAMPTON - HADLEY - SOUTH HADLEY

ROOM 156, STATE HOUSE
TEL (617) 722-2240
FAX (617) 722-2774
John.Scibak@MAhouse.gov

Chairman
Joint Committee on Public Service

DISTRICT OFFICE
TEL. (413) 539-6566

June 7, 2011

Chairman Eugene O'Flaherty
Chairwoman Cynthia Stone Creem
Joint Committee on the Judiciary
State House, Room 136; 405
Boston, MA 02133

Dear Chairman O'Flaherty and Chairwoman Stone Creem,

I write today in order to raise objection to bill H 482, An Act Relative to a Woman's Right to Know. I do not believe that H 482 is necessary or appropriate. The Commonwealth of Massachusetts already requires that any patient seeking an abortion be given comprehensive and unbiased counseling, outlining the complete set of options available to them and explaining the potential risks of the procedure.

Further, I believe that forcing unnecessary amounts of information on a women before she is about to have a sensitive medical procedure is intrusive and objectionable. This view is also supported by the Massachusetts Medical Society, which objects to the state intrusion on the doctor-patient relationship that H 482 requires. The insensitivity of any legislation requiring rape or incest victims to listen to the heartbeat of the fetus should be abundantly clear to any objective observer.

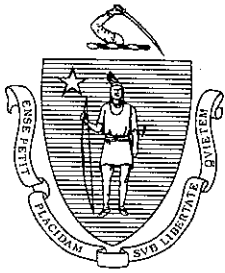
It is my recommendation that this bill, H 482, ought not to be passed favorably out of committee. The right to choose is clearly out of the purview of government and the potential requirements that this bill calls for should instead be left to individual consideration.

Sincerely,

A handwritten signature in black ink that reads "John W. Scibak".

Representative John Scibak
Chairman, Joint Committee on Public Service
Second Hampshire District

Cc: Michael Falcone, NARAL Pro-Choice



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

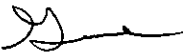
MARTIN J. WALSH
REPRESENTATIVE
13TH SUFFOLK DISTRICT

CHAIRMAN
COMMITTEE ON ETHICS

TEL: (617) 722-2020
FAX: (617) 722-2186
E-Mail: Martin.Walsh@MAhouse.gov

June 3, 2011

The Honorable Eugene L. O'Flaherty
Chair, Joint Committee on the Judiciary
State House Room
Boston, MA 02133

Dear Chairman O'Flaherty, 

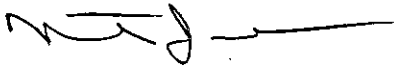
I am writing in advance of the Joint Committee on the Judiciary hearing on June 8, 2011.

Please note my support for the following legislation that will be heard:

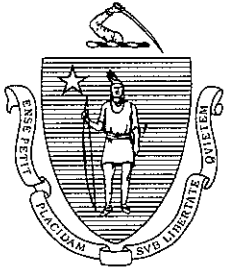
House Bill 523, An Act to require national background checks.

Thank you for your time and consideration. Should you have any questions or concerns, please feel free to contact my office.

Sincerely,



MARTIN J. WALSH
State Representative



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054


MARTIN J. WALSH
REPRESENTATIVE
13TH SUFFOLK DISTRICT

CHAIRMAN
COMMITTEE ON ETHICS

TEL: (617) 722-2020
FAX: (617) 722-2186
E-Mail: Martin.Walsh@MAhouse.gov

June 3, 2011

The Honorable Eugene L. O'Flaherty
Chair, Joint Committee on the Judiciary
State House Room
Boston, MA 02133

Dear Chairman O'Flaherty, 


I am writing in advance of the Joint Committee on the Judiciary hearing on June 8, 2011.

Please note my support for the following legislation that will be heard:

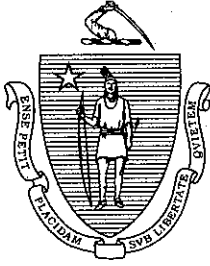
House Bill 524, An Act to increase access to information regarding drug overdose deaths.

Thank you for your time and consideration. Should you have any questions or concerns, please feel free to contact my office.

Sincerely,



MARTIN J. WALSH
State Representative



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

BRUCE J. AYERS
REPRESENTATIVE
1ST NORFOLK DISTRICT
QUINCY • RANDOLPH

Committees:
Public Safety & Homeland Security
Elder Affairs

ROOM 167, STATE HOUSE
BOSTON 02133-1054
TEL. (617) 722-2230
FAX (617) 626-0118

June 3, 2011

Joint Committee on the Judiciary
Chairwoman Creem
Chairman O'Flaherty
State House Room 136
Boston, MA 02133

Dear Chairman O'Flaherty,

I am writing to express my support for House Bill 403 "An Act relative to criminal offender record information." which will come before your committee on June 8th @ 1:00PM in the in Gardner Auditorium.

This legislation would add specific language to § 172C of G.L. c. 6 to provide that all non-violent and/or financial crimes information shall be made available to agencies.

I respectfully request any consideration towards a favorable report by the committee. Thank you for your time.

Please feel free to contact my office if you have any questions pertaining to this proposed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Ayers", written over a large, stylized flourish.

Bruce Ayers
State Representative
1ST Norfolk District
617-722-2230



The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES
STATE HOUSE, BOSTON 02133-1054

BRUCE J. AYERS
REPRESENTATIVE
1ST NORFOLK DISTRICT
QUINCY • RANDOLPH

Committees:
Public Safety & Homeland Security
Elder Affairs

ROOM 167, STATE HOUSE
BOSTON 02133-1054
TEL. (617) 722-2230
FAX (617) 626-0118

June 3, 2011

Joint Committee on the Judiciary
Chairwoman Creem
Chairman O'Flaherty
State House Room 136
Boston, MA 02133

Dear Chairman O'Flaherty,

I am writing to express my support for House Bill 406 "An Act allowing local housing authorities access to criminal and other records of tenants and prospective tenants," which will come before your committee on June 8th @ 1:00PM in the in Gardner Auditorium.

This legislation grants local housing authorities access to the criminal records of current and prospective tenants. In addition to arrest and criminal records, local housing authorities will also be granted access to all information relative to any pending criminal charges, restraining orders in effect or previously in effect, and any protective or custody actions taken against such tenants or prospective tenants, by the department of social services.

I respectfully request any consideration towards a favorable report by the committee. Thank you for your time.

Please feel free to contact my office if you have any questions pertaining to this proposed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce Ayers".

Bruce Ayers
State Representative
1st Norfolk District
617-722-2230

May 26, 2011

Senator Cynthia Stone Creem
Joint Committee on the Judiciary
State House Room 405
Boston, MA 02133

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

Counsel

Re: An Act Relative to Transgender Equal Rights

Dear Senator Creem, Representative O'Flaherty, and Members of the Committee:

I am writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764).

This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

This bill is important to me because my partner is a transgender man. He has been able to create a supportive environment for his life but it is a constant worry that he may find himself looking for a new employer or a new apartment and could be turned away based on his transgender status. He is a wonderful man whose career is centered on helping others, particularly those suffering with HIV. Yet his basic right to not be denied housing or employment is not guaranteed here in Massachusetts. These issues are one of life and death for most transgender people.

Transgender people throughout the Commonwealth are often harmed by harassment, discrimination, and violence. For example, Bay State employers have fired transgender people either before or after transitioning their gender, while many other transgender people in the state remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are.

This legislation, therefore, is vital to our community. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very different message by passing "An Act Relative to Transgender Equal Rights" Bill. This bill makes it clear that we value our transgender residents and will protect them against discrimination and violence.

I urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for the Commonwealth of Massachusetts to join 13 other jurisdictions, including Washington D.C., and the hundreds of municipalities, including Boston, Cambridge, Northampton, and Amherst, that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Sincerely,


Shelley Jameson

40 Dayton Street #1L
Worcester, MA 01609

Counsel

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

Re: An Act Relative to Transgender Equal Rights

Dear Representative O'Flaherty and Members of the Committee:

I am writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764).

This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

My partner experienced transphobic discrimination while working for an agency in Boston that explicitly has a mission to welcome and serve people who don't have many other places to go, if any, where they will be treated with respect. This bill is important to me because it would protect my partner and many other transgender or gender variant people I know and love who have incredible things to contribute to Massachusetts communities and should not have to fear or experience discrimination that prohibits them from fully living out their work and their day-to-day lives.

Transgender people throughout the Commonwealth are often harmed by harassment, discrimination, and violence. For example, Bay State employers have fired transgender people either before or after transitioning their gender, while many other transgender people in the state remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are.

This legislation, therefore, is vital to our community. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very different message by passing "An Act Relative to Transgender Equal Rights" Bill. This bill makes it clear that we value our transgender residents and will protect them against discrimination and violence.

I urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for the Commonwealth of Massachusetts to join 13 other jurisdictions, including Washington D.C., and the hundreds of municipalities, including Boston, Cambridge, Northampton, and Amherst, that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Sincerely,

Jen Willsea
14 Lakeville Rd #8
Jamaica Plain, MA 02130

Senator Cynthia Stone Creem
Joint Committee on the Judiciary
State House Room 405
Boston, MA 02133

Council

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

Re: An Act Relative to Transgender Equal Rights

May 18, 2011

Dear Senator Creem, Representative O'Flaherty, and Members of the Committee:

I am writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764). This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

This bill is important to me because, as a Christian, I believe in the intrinsic worth of every human. When I was in grade school, the sexton of our prominent Springfield church left the country to pursue sex reassignment surgery. My parents, devout Christians and Republicans, explained what he was doing with honesty and acceptance. This reaffirmed for me one of the tenants of my faith- that we are all children of God, worthy of love and respect. When she returned to the country, she was welcomed back into her job at the church, and the church community, with open arms. Not every transgender person enjoys this same acceptance and security. As a mother of a young son, I want to raise my child in a community where equality is a given.

Transgender people throughout the Commonwealth are often harmed by harassment, discrimination, and violence. For example, Bay State employers have fired transgender people either before or after transitioning their gender, while many other transgender people in the state remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are. I have several transgendered friends with solid work histories and educations who are not able to find employment.

This legislation, therefore, is vital to our community. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very different message by passing "An Act Relative to Transgender Equal Rights" Bill. This bill makes it clear that we value our transgender residents and will protect them against discrimination and violence.

I urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for the Commonwealth of Massachusetts to join 13 other jurisdictions, including Washington D.C., and the hundreds of municipalities, including Boston, Cambridge, Northampton, and Amherst, that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Sincerely,



Nicole Baker-Foresta
59 Roosevelt Avenue
Springfield, MA 01118

cc: Representative Angelo Puppolo
Senator Gale Canaras

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

May 24, 2011

Council

Re: An Act Relative to Transgender Equal Rights

Representative O'Flaherty and Members of the Committee:

I am writing to ask you to support the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764).

This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

This bill is important to me for the reasons listed in the enclosed testimony

Transgender people throughout the Commonwealth are often harmed by harassment, discrimination, and violence. For example, Bay State employers have fired transgender people either before or after transitioning their gender, while many other transgender people in the state remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are.

This legislation, therefore, is vital to our community. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very different message by passing "An Act Relative to Transgender Equal Rights" Bill. This bill makes it clear that we value our transgender residents and will protect them against discrimination and violence.

I urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for the Commonwealth of Massachusetts to join 13 other jurisdictions, including Washington D.C., and the hundreds of municipalities, including Boston, Cambridge, Northampton, and Amherst, that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Sincerely,

Alicia Ouellette

165 Newbury St #3

Peabody, MA. 01960

An Act Relative to Transgender Equal Rights

Testimony

of
Alishia Ouellette
2011

Counsel

My name is Alishia Ouellette. I am a 14-year veteran on the Danvers Fire Department and was one of the recipients of the Firefighter of the year award in 2007. I am a Commissioner on the Massachusetts Commission of GLBT Youth. I am also a board member and highly active member of several organizations dealing with GLBT Youth and public safety.

I want to talk about the importance of the Bill, An Act Relative to Transgender Equal Rights, (H502, S764).

A little over seven years ago I made the decision to transition from male to female while still on the job as a firefighter. This was an extremely difficult and frightening decision. I was putting everything on the line: friends, family, my career and retirement. I knew that I was not protected, my rights not secure. I also knew that as a transsexual woman my very life could be at risk. I was gambling everything in order to simply be who I am.

I made this decision because I had reached the point of not wanting to continue to live my life as a lie by following the standards and ideals set by others and by being forced into a mold that I did not fit. All of which resulted in my being a work-a-holic, alcoholic and dysfunctional husband and parent.

While I have been able to keep my job as a firefighter, my journey has been a difficult one. I continue to face discrimination in various ways every day. Once a doctor refused to examine me – just because I was transgender. I have been poorly treated or not served at restaurants. I have endured derogatory comments and even threats to my personal safety. There have been many times when I have had to worry about my safety and the safety of those with me. One of the untold stories of transgender discrimination is the way that it affects not just transgender people, but also our friends and loved ones. This frequent discrimination is not uncommon for anyone associated with a member of the trans community. They face the same harassment, discrimination and threats.

Working with various GLBT organizations involving youth and public safety, I have heard countless stories and have witnessed the horror, hardships and harassment that transgender people endure. Some have paid with their lives in the form of suicide, a result of the bullying and harassment they were subjected to until they could not take it any more. Some have been murdered.

Opposition to this Bill would have you believing in stories of hype, conjecture and nonexistent scenarios around the bathroom issue. None of which are based on fact, case or historical record. Please listen to people and organizations like the National Organization of women and Attorney General Martha Coakley and look at the record of Northampton, Cambridge and Boston to find the true facts.

I would like you to consider this. I took on a career as a firefighter and EMT to protect people and their families. All the while because I am transgender my livelihood and my family are not protected. I am also a veteran, as are many transgender people. I served my country willing to do whatever it took to insure the well being of this nation, so people could enjoy their freedoms, rights and protections and to this day, as a transgender person, I have not been able to fully enjoy the same freedoms, rights and protections. So I ask you. Are you willing to help secure my rights & freedoms? Are you willing to help protect me and others like me?

The Bill, An Act Relative to Gender-Based Discrimination and Hate Crimes, would go a long way to ensure the basic rights of transgender people, to protect a segment of the community that is often targeted for violence and harassment as well as those who support us. Therefore I ask, please help make this bill into law.



Alishia Ouellette
165 Newbury St. #3
Peabody, MA 01960



**National Gay and Lesbian
Task Force**

Senator Cynthia Stone Creem
Joint Committee on the Judiciary
State House Room 405
Boston, MA 02133

Counsel

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

**Testimony regarding H. 502/S. 764, "An Act Relative to Transgender Equal Rights"
For the Judiciary Committee**

My name is Lisa Mottet and I serve as the Transgender Civil Rights Project Director for the National Gay and Lesbian Task Force, located in Washington, DC. I have worked for almost ten years on non-discrimination protections for transgender people on the local, state and national level. On behalf of the National Gay and Lesbian Task Force, I am pleased to provide this statement of support for H. 502/S. 764, An Act Relative to Transgender Equal Rights.

As the Director of the Transgender Civil Rights Project, I study, track, and draft local, state and federal legislation that prohibit discrimination based on gender identity and expression. In fact, I have assisted upwards of 75 localities and 10 states with successfully passing legislation similar to the bill before us today.

To date, thirteen states have statewide prohibitions on gender identity discrimination, including Massachusetts' neighbors, Vermont, and Rhode Island. Minnesota was the first state to enact these provisions in 1993. Colorado, Iowa and Vermont enacted their laws in 2007. Additional states include California, Hawaii, Illinois, Maine, New Jersey, New Mexico, Oregon, Rhode Island, and Washington. Along with these 13 state laws, over 100 local jurisdictions have enacted nondiscrimination ordinances that protect people on the basis of gender identity; the first passed in Minneapolis in 1975. They have passed all over the country, including in places that some might consider unlikely, such as two counties and one city in Kentucky and nine jurisdictions in Utah. Collectively, if you add up all the people that live in these jurisdictions, 41% of the population is covered by one of these laws.

House Bill 502/Senate Bill 764 would add Massachusetts to this growing list by adding "gender identity and expression" as a protected characteristic to several provisions in state law, which prohibits discrimination in employment, public accommodations, housing, credit and services, education, and insurance, among other areas. In line with its New England freedom tradition, Massachusetts currently protects its citizens from discrimination based on their sexual orientation. In 1989, Massachusetts became the second state in the country to pass a comprehensive non-discrimination law prohibiting sexual orientation discrimination. Several Massachusetts cities and counties, such as Boston, Cambridge, Northampton, and Amherst, already include gender identity

and expression in their non-discrimination laws. This session it has the opportunity to better protect all Commonwealth citizens from wrongful discrimination, including transgender people.

We know from other jurisdictions that anti-discrimination laws which include gender identity and expression have been, and continue to be, successfully implemented. The knowledge of 35 years of implementation and enforcement shows us that government agencies charged with enforcement, such as human relations commissions, have been able to handle the small number of complaints that come in under these laws. Notably, only a handful of court cases have been filed under these laws over the past four decades. Speaking with attorneys and enforcement agencies, instances of discrimination are resolved informally when businesses and institutions are made aware of the law, having the positive effect of preventing discrimination. More commonly, when discrimination claims are handled at the human relations commission level, voluntary agreements are reached.

It is important to make gender identity and expression protections an explicit and formal part of Massachusetts law so that employers and other entities covered by the law are fully aware of the fact that the law is meant to cover anti-transgender discrimination. Without making the language of the statute absolutely clear, smaller employers will be unsure about the breadth of the law's coverage.

In conclusion, the Task Force urges you to adopt this measure in order to successfully combat discrimination against all people in the state of Massachusetts.

Thank you very much. If you have any questions, please feel free to contact me at (202) 639-6308 or lmottet@thetaskforce.org.

Sincerely,



Lisa Mottet, Esq.
Transgender Civil Rights Project, Director
National Gay and Lesbian Task Force
1325 Mass. Ave. NW, Suite 600, Washington, DC 20005
Phone: 202.393.5177 (main), 202.639.6308 (direct)
E-mail: lmottet@thetaskforce.org

FENWAY HEALTH

Counsel

May 18, 2011

Joint Committee on the Judiciary
Representative Eugene L. O'Flaherty
Room 136
State House
Boston, MA 02133

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RE: AN ACT RELATIVE TO TRANSGENDER EQUAL RIGHTS

Dear Representative O'Flaherty:

We, the undersigned, represent the healthcare professionals at Fenway Health in Boston, a Federally Qualified Health Center serving a client base of over 16,000 people from in and around the Boston metropolitan area. Our health center serves clients at multiple sites across the city and sees a diverse range of racial and economic groups in addition to serving our core focus areas of individuals who identify as sexual and gender minorities and persons living with HIV/AIDS. We have been serving these specialized populations for 40 years in the Fenway area of Boston in addition to our work internationally in research, prevention, and treatment of HIV infections and AIDS. Based on our local and international health care efforts accounting for a collective hundreds of years of experience, we can unequivocally say that discrimination based on any person's gender or sexual identity has devastating consequences on mental and physical health for the people being marginalized as well as for their families and loved ones.

In our Transgender Health Program, we assist transgender individuals as they follow a formal, medically monitored, gender transition that enables them to live their lives fully in the gender with which they identify. Throughout their lives transgender individuals often must travel great distances to receive adequate treatment and escape discrimination as they work to access safe housing, equitable employment, and competent health care. Fenway serves transgender people from all over the state of Massachusetts and beyond when they are rejected from care and subjected to discriminatory services in their local communities.

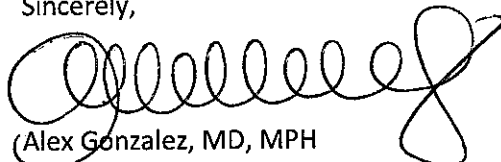
A shocking majority of the over 500 transgender patients we serve have experienced discrimination, loss of jobs or substandard employment opportunities, loss of housing, denial of basic care and services in public accommodations, and outright violence based on no other reason than their expressing who they are with regard to their gender. By refusing to stand against it, we knowingly allow this discrimination to continue on a

state level. It is utterly unacceptable for the state Legislature to remain silent any longer. The effects of refusal to protect these vulnerable citizens cost the victims their physical and mental health and ultimately cost people their lives.

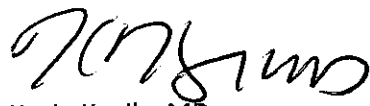
The Judiciary Committee again has an opportunity to make a real and lasting impact on the health of the citizens of the state by taking a firm stand against discrimination in any form and against any individual. The cities of Boston, Cambridge, Northampton, and Amherst are the only locations at present within Massachusetts where transgender people may live and work with less fear of discrimination. We must—you as our duly elected representatives must—ensure that this protection is now spread equally across the entire state by passing AN ACT RELATIVE TO TRANSGENDER EQUAL RIGHTS. It is incumbent on us all to uphold the ideals of equality of all people and to protect vulnerable people so they may live as who they truly are without fear of reprisal or discrimination.

Passing AN ACT RELATIVE TO TRANSGENDER EQUAL RIGHTS will enhance the ability of Fenway Health to assist people with getting their lives back in order, with improving their mental and physical health, with self-advocacy, and ultimately with supporting people to maintain healthy and productive lives as proud citizens of Massachusetts.

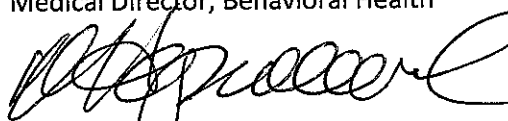
Sincerely,




(Alex Gonzalez, MD, MPH
Medical Director, Primary Medical Care



Kevin Kapila, MD
Medical Director, Behavioral Health



Ruben Hopwood, MDiv, PhD-candidate
Transgender Health Program Coordinator



Kelcie Cooke, LICSW
Violence recovery Program Coordinator

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May 31, 2011

Chairman Creem and Chairman O'Flaherty
Joint Committee on the Judiciary
State House
Boston, MA 02133

Council

Dear Chairman Creem and Chairman O'Flaherty:

On behalf of the Anti-Defamation League (ADL), we are writing to express our strong support for House Bill 502/Senate Bill 764: An Act Relative to Transgender Equal Rights.

The ADL was founded in 1913 with a mandate to fight the defamation of the Jewish people and secure justice and fair treatment for all. ADL has been combating anti-Semitism and bigotry of all kinds ever since. Today ADL is one of the country's leading civil rights organizations.

A critical element of ADL's mission of seeking justice and fair treatment for *all* people compels us to combat bias and discrimination in whatever form it takes and against whomever it may be directed, including individuals discriminated against simply because they do not meet societal expectations of what it means to be a man or woman. In our experience, discrimination against *any* individual or group of people not only hurts the individuals it targets, but negatively impacts the environment in which it arises and the community as a whole. Discrimination based on one's gender identity or expression is just as pernicious as discrimination based on those categories explicitly prohibited by current law such as race, sex and religion, and should receive equal and unambiguous protection under the law.

Although the Massachusetts Commission Against Discrimination (MCAD) has already interpreted state law to protect all people, including transgender persons, from discrimination based on gender identity or expression, the interpretation does not have the effect of clearly protecting transgender individuals by statute, and therefore fails to send a clear message to employers, landlords, educators and the community that discrimination based on gender identity or expression is impermissible. Extending explicit protection from such discrimination will deliver a powerful deterrent signal to those who may contemplate acting on their prejudices.

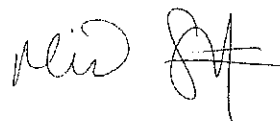
Thirteen states and the District of Columbia protect transgender people

from discrimination. We urge you to join them by supporting House Bill 502/Senate Bill 764 and making this simple change in the law that will send a clear message to employers, landlords, educators and the community that no one deserves to suffer discrimination because of their gender identity or expression.

Sincerely,



Derrek L. Shulman
Regional Director



Michael Sheetz
Regional Board Chair

cc: Members of the Joint Committee on the Judiciary.

Senator Patricia D. Jehlen
Senator Thomas M. McGee
Senator John F. Keenan
Senator Richard J. Ross
Representative Colleen M. Garry
Representative Kevin J. Murphy
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Representative Angelo J. Puppolo, Jr.
Representative Carlos Henriquez
Representative Christopher M. Markey
Representative Daniel B. Winslow
Representative Shelia C. Harrington

LGBT aging project

Counsel

Representative Eugene L. O'Flaherty
Joint Committee on the Judiciary
State House Room 136
Boston, MA 02133

Re: An Act Relative to Transgender Equal Rights

May 31, 2011

www.lgbtagingproject.org

555 Amory Street,
Jamaica Plain,
Massachusetts 02130

617 522 1292

info@lgbtagingproject.org

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supported by

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Massachusetts Department
of Public Health/Ethics

Massachusetts Executive
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Dear Representative O'Flaherty,

I am writing on behalf of the LGBT Aging Project in support of the passage of "An Act Relative to Transgender Equal Rights" (H.502/S.764). The LGBT Aging Project believes that all lesbian, gay, bisexual, and transgender older adults have equal access to the benefits, protections, services, and institutions that heterosexuals take for granted.

This proposed law would prohibit discrimination in employment, housing, education, credit lending, and public accommodations on the basis of a person's gender identity or expression. It adds 'gender identity or expression' to existing hate crimes statutes, which reflects the heightened level of violence experienced by transgender people.

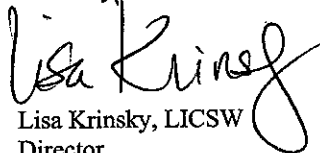
For the LGBT Aging Project, it is particularly important to emphasize the need for equal protections and benefits for transgender older adults. Recently, the LGBT Aging Project became involved with a transgender woman named KrysAnne. At 59, she was diagnosed with lung cancer, given a year and a half to live, and was aging alone. KrysAnne lived in constant worry of stigma in the medical community and discrimination by hospital caregivers because of her body.

Transgender people throughout the Commonwealth are often harmed by harassment, discrimination, and violence. For example, Bay State employers have fired transgender people either before or after transitioning their gender, while many other transgender people in the state remain unemployed or underemployed as a result of discrimination, hostility, and misunderstanding about who they are.

This legislation, therefore, is vital to our community. In countless dehumanizing ways, transgender people are denied opportunities and services for their basic needs, as well as the ability to be productive members of society. The Massachusetts Legislature has a chance this year to send a very different message by passing "An Act Relative to Transgender Equal Rights" Bill. This bill makes it clear that we value our transgender residents and will protect them against discrimination and violence.

I urge you to support this legislation, which represents an important step towards equality for all citizens of the Commonwealth. It is time for the Commonwealth of Massachusetts to join 13 other jurisdictions, including Washington D.C., and the hundreds of municipalities, including Boston, Cambridge, Northampton, and Amherst, that already protect their transgender residents in this country, and once again take its rightful place as a beacon of liberty, justice and equality for all people.

Sincerely,


Lisa Krinsky, LICSW
Director

June 8, 2011

I am a transsexual woman,
that is, I am a woman
with a transsexual past.

Years ago I transitioned.
I lost my job. As I had no
job protection at all, my
employer did not justify
my termination in any terms.

Subsequently my landlord
told me, "If you want to be
a woman, you can't live here."

To those who say H502 is
not necessary, they know
not of what they speak.

Please release H502 to a vote.

Renate Pyhel
58 Gilbert Road
Belmont MA 02478
857 373 9092
rpyhel@tomblast.com