



**National Gay and Lesbian
Task Force**

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Committee on Judiciary Proceedings

In Support of Raised Bill No. 6452, An Act Concerning Discrimination

March 19, 2009

I am submitting this testimony in support of House Bill 6452 as the Director of the Transgender Civil Rights Project at the National Gay and Lesbian Task Force, headquartered in Washington, DC. The Task Force is the oldest lesbian, gay, bisexual, and transgender national political organization.

As the Director of the Transgender Civil Rights Project, I study, track, and draft local, state and federal legislation that prohibits discrimination based on gender identity and expression. In fact, I have worked in this capacity for over 7 years and in the process have assisted upwards of 50 localities and 9 states with successfully passing legislation similar to the bill before you today.

This testimony shares information that we have learned from other states with similar laws covers and also covers what the bill does and does not do.

First, laws in other states. Thirteen states have statewide prohibitions on gender identity/expression discrimination. Minnesota was the first state to enact these provisions in 1993. Colorado, Iowa and Vermont enacted their laws in 2007. In addition, California, Hawaii, Illinois, Maine, New Jersey, New Mexico, Oregon, Rhode Island, Washington. In addition to these 13 state laws, over 100 local jurisdictions have enacted nondiscrimination ordinances that protect people on the basis of gender identity/expression; 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. Collectively, if you add up all the people that live in these jurisdictions, 39% of the population is covered by one of these laws.

Because the first law passed in 1975 and because nearly 40% of the population is covered with a law today, we are able to say a lot about how these laws have and have not been interpreted. The short version is that there are no problems in the implementation of these laws. 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, nearly no court cases have been filed under these laws at all. Speaking with attorneys and enforcement agencies, I have learned that instances of discrimination are resolved informally when the business is made aware of the law or, more rarely, at the human relations commission level.

Similar outcomes are expected with House Bill No. 6452 and let us now turn our attention to its provisions.

First, the bill straightforwardly adds “gender identity and expression” as a protected characteristic to the employment, education, housing, public accommodations and credit nondiscrimination laws. It joins existing characteristics such as race, national origin, sex, or sexual orientation, etc.

Gender identity and expression is already in Connecticut law as a hate crimes statute, making it an offense to harass or intimidate a person because of their actual or perceived gender identity or expression. Both your Senate and House passed the law with overwhelming support: the Senate with 33 votes Yea and none against and the House voting 139 votes Yea with four against. House Bill No. 6452 sensibly extends gender identity/expression your state’s nondiscrimination law, using the same definition that appears in the hate crimes law.

House Bill No. 6452 has a number of exceptions. Employers may discriminate where there is a bona fide occupational qualification or need. Labor and employment organizations may terminate membership where there is a bona fide occupational qualification or need. And, the standard religious exemptions that allow religious organizations to discriminate remain intact.

In sum, House Bill No. 6452 is in line with laws in other states that have been implemented successfully and should be adopted in your effort to create a more free and equal state where everyone has equal opportunity.

I am available to answer any questions you have about discrimination based on gender identity and experiences in other states with laws like House Bill No. 6452. I can be reached at (202) 639-6308 or lmottet@thetaskforce.org.

Thank you.