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Written Testimony in Support of House Bill No. 7006, An Act Concerning Birth Certificate Amendments

Good afternoon Senator Gerratana, Representative Ritter and distinguished members of the Public Health Committee. My name is David McGuire. As staff attorney for the American Civil Liberties Union, I am here in Support of House Bill No. 7006, An Act Concerning Birth Certificate Amendments.

The ACLU-CT has actively supported the rights of transgender people in the state of Connecticut. Connecticut was one of the first states in the country to tell the government, "You do not get to dictate a person's identity." Passing legislation allowing for transgender people to change the gender marker on their birth certificate was a major step in allowing people to be who they truly are. The ACLU-CT strongly supported the passage of that legislation but it is now time to modernize these laws.

Discrimination based on gender identity is abhorrent, immoral and illegal. Connecticut should take all the necessary steps to protect transgender people from the devastating effects of this discrimination.

This bill would do that by clarifying and modernizing the requirements for a transgender person to change the gender on their birth certificate. This bill requires that healthcare professionals make an evaluation of when a person's gender should be updated on their birth certificate. The bill requires applicants to produce a statement from a healthcare provider saying they have had "surgical, hormonal, or other treatment appropriate to the individual for the purpose of gender transition."

A birth certificate is an essential document that is required for a number of things throughout someone's life such as employment housing and medical care. Without a birth certificate that accurately represents their gender, transgender people are often required to disclose their transgender status which dramatically increases the likelihood of discrimination.

Gender transition is a highly personal process. Modern practices of gender transitions seldom include surgical procedures. Only 4% of transgender men and only 23% of transgender women have undergone gender reassignment surgery.¹ Many other treatments exist and are more widely used in the transgender community. The World Professional Association for Transgender Health recently stated, "no person should have to undergo surgery or accept sterilization as a condition of identity

¹ http://www.thetaskforce.org/static_html/downloads/reports/reports/ntds_full.pdf

recognition.”² Furthermore, the American Medical Association has called for “elimination of any requirement that individuals undergo gender affirmation surgery in order to change their sex designation on birth certificates.”³

Many states including New York, Vermont, California, Oregon and Washington have adopted legislation that eliminates the surgery requirement for changing the gender on a birth certificate.⁴ The Department of Health in Massachusetts and Rhode Island recently amended the process for changing the gender on your birth certificate by eliminating the surgery requirement. Federal policies for changing gender markers on U.S. passports and birth certificates issued by the Department of State for citizens born abroad do not require surgery. The language of these federal policies aligns with the language in the proposed bill. House Bill 7006 would bring our relevant laws in line with contemporary treatment practices and experiences of most transgender people.

We urge you to adopt this inclusive legislation that reflects the modern understanding of gender identity and protects the transgender community from discrimination.

² http://www.transgenderlegal.org/media/uploads/doc_579.pdf

³ <http://www.ama-assn.org/ama/pub/news/news/2014/2014-06-09-modernizing-birth-certificate-policies.page>