



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

HOUSE COMMITTEE ON FINANCE

HB 2227 HD1, Relating to Birth Certificates

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.

Director of Health

February 28, 2012

1 **Department's Position:** The Department of Health respectfully opposes HB2227 HD1 but appreciates
2 the social justice implications of its intent.

3 **Fiscal Implications:** Unquantified but likely substantial costs for implementation as well as system-
4 wide fixes to other systems dependant on vital records data.

5 **Purpose and Justification:** The Department recognizes what HB2227 HD1 is trying to achieve but
6 must oppose strictly on practical grounds, and concurs with the findings of the House Committee on
7 Health that the numerous legal issues require a review by the House Committee on Judiciary.

8

9 "Sex" and "gender" are not interchangeable from a practical and legal standpoint. Sex, a biological
10 characteristic, is determined by a physician at birth. Gender is a social construction acquired through a
11 person's experience and subject to cultural expectations. The birth certificate documents the birth event
12 and the physical characteristics at that time, and should not change based on most subsequent life events.

13

14 Furthermore, the proposal permits a physician's note as sufficient to initiate a change to the birth record.

15 If gender were part of a birth certificate, the appropriate and established practice would be to have a

1 court order to re-open and alter the vital record as with other changes of similar magnitude such as
2 adoptions.

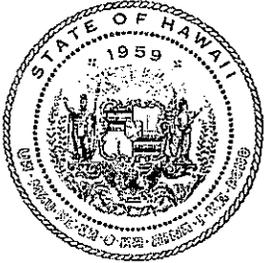
3

4 The Department of Health requests this bill be recommitted so that the numerous legal implications may
5 be vetted.

6

7 Thank you for the opportunity to present testimony in opposition to HB 2227 HD1.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

ELENA CABATU
ADRIENNE KING
ARMILLE LIM
MY MONK
LISA ELLEN SMITH
CAROL ANNE PHILIPS

Executive Director
Catherine Betts, Esq.

Email:
DHS.HSCSW@hawaii.gov
Web:
www.hawaii.gov/dhs/women/
HSCSW

235 S. Beretania #407
Honolulu, HI 96813
Phone: 808-586-5758
FAX: 808-586-5756

February 27, 2012

Testimony in Support of HB 2227, HD 1, Relating to Birth Certificates

To: Representative Marcus R. Oshiro, Chair
Representative Marilyn B. Lee, Vice-Chair
Members of the House Committee on Finance

From: Catherine Betts, Esq., Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in Support of HB 2227, HD 1

On behalf of the Hawaii State Commission on the Status of Women, I would like to thank the committee for this opportunity to provide testimony on such an important issue. I would like to express my strong support for HB 2227, HD 1, which would amend HRS 338-17.7 by allowing for the establishment of new birth certificates for transgender individuals.

A statutory requirement for an actual surgical gender change is outdated and unnecessary. The majority of transgender people do not choose to undergo sex reassignment surgeries for various reasons, including prohibitive costs and other medical and personal reasons. Under internationally accepted clinical standards, transgender individuals may opt for hormone therapy and other treatments. The international medical community recognizes that surgery may be appropriate for some, but not for all. HB 2227 attempts to modernize HRS 338-17.7 and recognize the need for transgender individuals to live their lives in their new gender, without retaining an outdated notion of what it means to be transgender.

Additionally, this bill makes it less arduous for transgender individuals to request a new birth certificate by allowing an individual to request one from the Department of Health rather than petitioning a court to order the change. This is especially vital to the everyday lives of transgender individuals and allows them to more readily amend their legal documents, including driver's licenses and other forms of identification. These individuals are more subject to harassment and discrimination when their birth certificates, and thereby, their identification, do not "match" their lived gender. This bill remedies that problem.

The Commission respectfully asks that this Committee pass HB 2227, HD 1.

Thank you for this opportunity to testify.

Catherine Betts, Esq.
Executive Director, Hawaii State Commission on the Status of Women

UNIVERSITY OF HAWAI'I AT MANOA

LGBT Student Services

TO: House Finance Committee
House Conference Room 308

DATE: February 28, 2012, 1:00 pm

RE: IN SUPPORT of HB 2227

Aloha Chair Oshiro and Members of the House Finance Committee:

Mahalo for this opportunity to submit written testimony in strong support of HB 2227.

While this testimony does not reflect the official stance of the University of Hawai'i at Mānoa nor the University of Hawai'i, the sentiment, logic and reasons contains within are my personal sentiments based on over thirteen years of professional experience working for Lesbian, Gay, Bisexual and Transgender (LGBT) young people in Hawai'i and as tenured faculty at UH Mānoa.

The entire University of Hawai'i system has a Board of Regents policy of nondiscrimination that specifically covers "gender", and "gender identity/expression". Streamlining the process to change one's birth certificate will ease the burden on many transgender students who already face many obstacles along their path to degree completion.

Simplifying the process to change, or as many students assert "*correct*" the language of their birth certificate will strengthen the ability for individuals to **maintain access to: education, housing, employment, financial aid and financial security.**

This is the beginning of the list of day-to-day tedium that most gender normative individuals take for granted.

Many students struggle to "make ends meet", keep their life in balance while they earn the grades they desire. Please don't make life more difficult for those who are transgender.

I truly believe that we can work together to ensure that all students have access to a just educational system governed by sound laws. Thank you for this opportunity to testify.

Thank you for your thoughtful consideration, and listening to my hope for your vote in support of HB 2227.

Mahalo.

Respectfully,
Cameron Miyamoto,
Coordinator of UH Manoa's LGBTI Student Services
UH System-wide Commission on the Status of LGBTI Equality

Hon. Rep. Oshiro, Chair, FIN Committee
and Members Thereof
February 28, 2012
Page 2 of 3

may have trouble even cashing a check at the bank if the sex/gender displayed on their driver's license does not reflect their appearance. Law enforcement is impeded too when individuals' identification documents fail to reflect their appearance and lived sex/gender.

National survey data from the World Professional Association for Transgender Health indicate that transgender people who are unable to obtain sex/gender-congruent identity documents are less likely to be employed and more likely to face discrimination in employment and housing. Transgender people commonly report experiencing harassment (40%) and being asked to leave a place of business (15%) as a result of showing identification that does not match their lived sex/gender, and significant numbers have also experienced physical violence as a result. Transgender people of color experience these adverse outcomes at substantially higher rates.

Accordingly, the American Medical Association advises that "transgender persons should have access to identity documents consistent with their gender identity and expression," and recommends that "those permanently socially transitioned to another gender role" not be made to "involuntarily disclose their status as transgender." The American Association of Motor Vehicle Administrators has also endorsed policies that would permit transgender drivers to obtain sex/gender-congruent driver's licenses without proof of surgery.

H.B. 2227, HD1, conforms Hawaii's laws to those set by the United States Department of State for federal birth certificates given to U.S. citizens born outside of the U.S. (known as Consular Reports of Birth Abroad) as well as for gender marker changes on U.S. passports. In addition, a growing number of states have stopped requiring surgery for changing the gender marker on a driver's license.

Policies that follow these best practices are easy to understand and administer, ensure consistency in application, and most importantly, eliminate needless and harmful barriers for transgender people. Identification that reflects an individual's lived sex/gender will also make it easier for law enforcement, customs, and other officials to quickly and accurately identify individuals in the course of their daily business.

Hawaii counties will soon consider similar changes to county ordinances that regulate the process to amend the sex designation on driver's licenses. We anticipate that those amendments will be heard in public hearing soon. Amending these laws and ordinances through the

American Civil Liberties Union of Hawai'i
P.O. Box 3410
Honolulu, Hawai'i 96801
T: 808.522-5900
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www.acluhawaii.org

Hon. Rep. Oshiro, Chair, FIN Committee
and Members Thereof
February 28, 2012
Page 3 of 3

legislative and administrative hearing processes will avoid litigation like that recent brought in Alaska and Illinois by ACLU affiliates.²

With the increasing demand for identification since September 11, 2001, it is particularly important that transgender persons have access to accurate identity documents. Without accurate identification, transgender persons have limited ability to work, vote, travel, enter buildings, or otherwise participate fully in society. Transgender people need birth certificates that accurately indicate their true sex/gender and reflect the individualized nature of transgender health care and experience.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Sincerely,

Laurie A. Temple
Staff Attorney

² See <http://www.aclu.org/lgbt-rights/alaska-requirements-correcting-transgender-drivers-licenses-are-unconstitutional-says> and <http://www.aclu-il.org/grey-v-arnold22/>.

American Civil Liberties Union of Hawai'i
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Committee: Committee on Finance
Hearing Date/Time: Tuesday, February 28, 2012, 1:00 p.m.
Place: Room 308
Re: Testimony of the ACLU of Hawaii in Strong Support of H.B. 2227, HD1, Relating to Birth Certificates

Dear Chair Oshiro and Members of the Committee on Finance:

The ACLU of Hawaii strongly supports H.B. 2227, HD1 and thanks this committee for the opportunity to present testimony today regarding proposed amendments that will eliminate barriers to the issuance of new birth certificates for transgender persons.

H.B. 2227, HD1 seeks to modernize and simplify Hawaii law with regard to the process to amend the “M” or “F” designation on birth certificates¹ and will require only minimal administrative costs.

Current law presents numerous barriers to transgender individuals who seek to correct the sex designation on his/her birth certificates, including requiring that transgender individuals undergo costly and potentially dangerous surgical procedures without regard for whether that person wants or has any medical need for the surgeries.

A birth certificate is a vital document needed to obtain identification such as a driver's license or passport, to prove eligibility for employment, and to apply for many types of social services. Transgender persons face serious obstacles in accessing these necessary identity documents without a birth certificate that accurately reflects their current sex/gender. Incorrect sex/gender identification may lead to bias, harassment, or discrimination, and makes it more difficult for government officials or agencies to accurately identify transgender people.

For transgender individuals, identification documents can frequently function as a kind of scarlet letter, with the “F” or “M” designation contradicting the individual’s appearance and expressed sex/gender identity and outing him or her as a transgender individual. Transgender individuals

¹ The ACLU of Hawaii defers to the Department of Health’s preference to use the term “sex designation” in this legislation to refer to the “M” or “F” designation on identification documents, rather than the term “gender marker,” which is also popularly used to refer to the “M” or “F” designation on identification documents. This legislation does not seek to make a scientific distinction between “sex” and “gender”; it seeks only to improve the process whereby a person amends the “M” or “F” designation on a birth certificate.

American Civil Liberties Union of Hawaii
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1350 S. King Street • Suite 309 • Honolulu, Hawaii 96814 • www.pphi.org • Phone: 808-589-1156 • Fax: 808-589-1404

February 28, 2012

Testimony in Support: HB 2227 HD1

To: Chair Marcus Oshiro, Vice Chair Marilyn Lee, and Members of the House Committee on Finance
From: Katie Reardon Polidoro, Director of Government Relations & Public Affairs
Re: Testimony in Support of HB 2227 HD1, Relating to Birth Certificates

Planned Parenthood of Hawaii (PPHI) supports HB 2227 HD1, which streamlines the process for individuals to change their birth certificates to reflect their true gender and removes burdensome medical requirements.

We have a core set of beliefs at PPHI, and among them is the belief that the free and joyous expression of one's own sexuality is central to being fully human. The ability to express one's gender without fear is crucial to every person's well being. In 2011, in recognition of the need for quality and reliable health care for transgendered individuals, PPHI will begin providing transgender health care services at our Honolulu Health Center. It is our goal to expand these services to all of our health centers in the near future. We provide safe and compassionate preventive healthcare and screenings as well as hormone therapy.

Currently, the requirements for changing the gender on one's birth certificate include medical sex reassignment procedure. This requirement is outdated and unnecessary. Transgendered individuals opt out of sex reassignment surgery for many reasons. For many, the cost of surgery is prohibitive. Others choose not to have surgery for more personal reasons. Especially in Hawaii, transgendered individuals have great difficulty in finding affordable and safe medical care. The current requirements are a significant barrier for transgendered people to obtain birth certificates and other identifying documents that accurately reflect who they are. Therefore, PPHI encourages this committee to pass HB 2227 HD1. Thank you.

Honolulu Health Center
1350 S. King Street, Suite 310
Honolulu, HI 96814
808-589-1149

Kailua Kona Health Center
75-184 Hualalai Road, Suite 205
Kailua Kona, HI 96740
808-329-8211

Kahului (Maui) Health Center
140 Ho'ohana Street, Suite 303
Kahului, HI 96732
808-871-1176
(A Maui United Way Agency)

EQUALITY HAWAII

Tuesday, Feb. 28, 2012 • 1 p.m. • House Conference Room 308
Testifying in Support of HB2227 On Behalf of Equality Hawaii

Aloha, Chair Oshiro, Vice Chair Lee & Members of the Finance Committee:

On behalf of Equality Hawaii, the state's largest LGBT advocacy organization, we testify in strong support of HB2227, relating to birth certificates.

This bill represents critically important legislation to our community. It seeks to remove unfair requirements that encumber a transgender individual's ability to change the gender marker designation on his or her birth certificate. It also attempts to align policy with contemporary medical knowledge and practice.

Barriers imposed by existing legislation which this bill seeks to remedy include: the requirement to undergo a sex change operation; lack of explicit language that prohibits government officials from requiring additional documentation not specified in policy; and the absence of a clear mechanism by which individuals can update their names concurrently with or before or after they update their gender.

This bill appropriately defers to personal physicians - rather than to state officials - the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. To deem surgery the singular and exclusive requirement for a corrected gender designation reveals a misunderstanding of the multi-dimensional and highly individualized process of treatment and therapy. In some instances, surgery is infeasible, ill-advised and can be life-threatening.

The proposals in this bill are not unprecedented as evidenced by policies enacted in numerous states and by the U.S. Department of State. This bill does not task the Department of Health of Health with the responsibility of defining gender, but asks that it update the gender marker ("M" or "F") on birth certificates according to clinical - not bureaucratic - assessments and expertise.

HB2227 will give transgender individuals more privacy and control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition ... recognition we take for granted that fosters dignity and enables us to participate as full citizens in society.

Equality Hawaii asks that you please pass HB2227.

Mahalo,
Valerie Smith, Board Member
Scott Larimer, Co-Chair



PRIDE@WORK Hawai'i

Lesbian, Gay, Bisexual, and Transgender Workers and Allies

February 28, 2012

House Committee on Finance
Chair, Rep. Marcus Oshiro
Vice Chair, Rep. Marilyn Lee

Testimony in STRONG SUPPORT of HB 2227 HD1 relating to birth certificates

Pride At Work Hawai'i, an affiliate of the Hawai'i State AFL-CIO which works to mobilize lesbian, gay, bisexual, and transgender (LGBT) workers and their supporters for full equality and to build mutual support between the labor movement and the LGBT community, strongly supports HB 2227 HD1, which would expand the reasons to change gender on state birth certificates.

Current state law requires that a doctor certify that someone has undergone sex reassignment surgery in order to change gender on a birth certificate. However, surgery can be prohibitively expensive (and, like other transgender-related treatments, is not covered by Hawai'i health insurance plans), and many people who live as a different gender than their birth certificates show do not want or shouldn't have surgery. Having an important government document like a birth certificate showing a different gender than how a person lives can create many problems, especially as governments and employers require identification for many purposes. Without the consistent identification (whether on drivers licenses, birth certificates, or passports) that many non-transgender people take for granted, it can be embarrassing - if not impossible - to travel, open a bank account, or apply for a job. It can also create many difficulties when dealing with government agencies and law enforcement.

This bill, by adding "hormonal or other treatment appropriate for that individual for the purpose of gender transition" to surgery as the allowable requirements to get a new birth certificate with a new gender designation, is an important step toward full inclusiveness for transgender and gender-non-conforming people, as is language requiring the State to seal the original birth certificate and not allow the new document to show that it is a replacement.

We strongly urge you to stand up for equality, dignity and fair treatment for all those born in Hawai'i by supporting this bill.

February 28, 2012

RE: SUPPORT FOR HB2227

Dear, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

I speak today with an open mind and an open heart. My name is Adam Chang and I testify in strong support of HB2227, relating to birth certificates and the right to choose one's gender. As a community organizer and law student, I see only positive results for our transgender brothers and sisters with the passage of HB2227.

Too much of society does not understand the need (and it really is a need) to have one's preferred gender-pronoun acknowledged and recognized as how the individual truly believes himself or herself to be. This bill is at the heart of a person's identity, and being that one's identity should never be imposed, we are thus dealing with a matter of civil liberty and human right.

Do this just thing in voting in support of HB2227, and you will bring order to chaos. Chaos exists when a law enforcement officer reads an I.D. that states the person before them is male, when she in facts portrays herself as female. Chaos exists when colleagues and family members cannot accept a transgender person because the government does not acknowledge or accept a transgender person without him or her first undergoing expensive and painful surgery.

HB2227 appropriately defers to personal physicians and their patients the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. HB2227 merely seeks to have the gender marker ("M" or "F") on birth certificates match the assessments and expertise of our medical professionals and their patients.

HB2227 will give transgender individuals more control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition. May we all strive to foster dignity and participation of all people in society.

I respectfully request that this committee pass HB2227.

Sincerely,

Adam Chang
Community Organizer
Lambda Law Student Association
2515 Dole Street, Honolulu, HI 96826

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Heath Hathaway Wyld, and I testify in strong support for HB2227, relating to birth certificates. In a courageous act of justice, the House Committee on Health unanimously passed HB2227 HD1, related to birth certificates, on February 3rd, 2012. I strongly urge you to do likewise. I would like to thank you with the most heartfelt appreciation for your consideration of this bill.

I have some very personal testimony, which I would plead you to consider. The fact is, that it is truly essential, on an emotional and on an official legal level, for TS/TV individuals to achieve legal confirmation of their perceived gender status. Among other things, this legal recognition serves to correct their own personal sense of gender dysphoria. I am a male, and I identify as male; however, my permanent partner is a male TS/TV individual, who self-identifies as female. I have known a great many TS/TV individuals, in the USA, in Mexico, and in SE Asia. I have personal knowledge related to this issue, and I most humbly plead that it be heard. I will not be able to attend in person, and so I beg you to accept my written testimony.

In the first place, I would like to say that it can be harmful for transgendered individuals to have identification which does not match their appearance. My permanent partner and I are now involved in a long-distance relationship, as my partner is not a US citizen, and not officially female, such that she does not qualify for a spousal or fiancée visa. My partner is a Lao national, living in Laos. Although she has now been undergoing hormonal therapy for approximately eight years, her official documentation states that she is male. Although she passes for female, the Lao police required her to affect a masculine appearance for her national ID card and passport photos. She was required to take off her padded bra, she was required to wear a man's shirt, and she was also required to pull her hair back and tie it behind her head, with the result that, in her official ID and passport photos, she appears to be a man with short hair. Whenever she is required to present her identification, people become visibly confused, which makes her extremely uncomfortable. I have no doubt that transgendered residents of the State of Hawaii experience similar problems, when required to present ID. In fact, I have no doubt that the problem is much more severe in Hawaii than in SE Asia, as a large percentage of the Thai and Lao female population is actually composed of transgendered males. The sad fact is that transgendered individuals commit suicide at much greater rates than the population at large. And one of the main reasons they do that is because they feel that they don't fit in, or because they are afraid that men see them as somehow less valuable than "real" females. And unfortunately, I know for a fact that my own partner has attempted suicide on at least two occasions in her life, both times because she felt belittled by the careless comments of others. Transgendered individuals everywhere are susceptible to severe emotional harm as the result of the careless comments and behavior of others. And in some cases, they are the victims of deliberate abuse and violence. Right here, right now, today, you highly esteemed and appreciated legislators have the opportunity to do something to protect this highly vulnerable population.

This bill is essential for various reasons. For one thing, not all TS/TV individuals can afford gender-reassignment surgery. For another, the fact is that MTF gender reassignment surgery frequently results in severe scarring, and usually if not always results in an unnatural anatomical configuration. Furthermore, many post-op transsexuals are unable to achieve orgasm. And I do know of one post-op transsexual in Laos who was so disappointed in the results of her surgery, that she committed suicide. Moreover, the surgery itself is inherently dangerous, in that serious complications can and do occur either

during surgery or post-operatively, including fistulas, etc, and fatalities have been known to result. It is crucial to note that many TS/TV individuals from all countries, including the USA, elect to have their surgery in Thailand. And it has been alleged that, in Thailand, some people with no medical training whatsoever have successfully passed themselves off as doctors, and performed MTF gender-reassignment surgery under unhygienic conditions in their own offices. A policy which requires the actual completion of gender reassignment surgery prior to the issuance of a new birth certificate, ID card or passport, is a policy which needlessly endangers lives. No one should have to put her life on the line simply in order to bring her legal gender identity in line with her perceived identity. It's just dead wrong!

I know for a fact that my permanent partner in Laos would like nothing more than for her official gender to match her perceived gender, but I also know that she fears that having MTF gender reassignment surgery would place her life in severe and unnecessary danger. Under no circumstances would I want her to undergo the risk. My partner and I know various transsexuals who have completed the surgery safely, but she and her friends also know of other individuals who were not so lucky. Frankly speaking, even if same sex marriage were legally permissible at both the state and federal levels, here in the USA, I know for a fact that my partner would not want to enter into marriage as a male. She has been taking female hormones for eight years, she does not consider herself to be male, and it pains her when government requires her to pose as a male.

I most humbly request this committee to follow the courageous example of the House Committee on Health. I most humbly and respectfully request that this committee pass HB2227.

Thank you so much for your time and consideration.

Again, my name is Heath Hathaway Wyld. My mobile phone number is (808) 729-0801. My Hawaii Driver License number is H01241626, expiration date 01/13/2019. My mailing address on Maui is 2020 Main St, PMB 1103, Wailuku 96793. I am currently and temporarily residing at 12-5321 Ala Lokelani, Kalapana, Pahoia 96778, a fully-permitted house built atop the 1990 Kalapana Gardens lava flow. There is no USPS mail delivery here, but I can receive mail at my Maui mailing address, or at General Delivery in Pahoia, 96778.

Most respectfully yours,

Heath Hathaway Wyld.

Testifying in Support of HB2227

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Stacy Salas and I testify in strong support of HB2227, relating to birth certificates. I'm a Queer Chamoru student at the William S. Richardson School of Law. In my experience, I have always expressed my gender in different ways, so I've felt the denial of access to peace of mind because I was expressing a gender identity that is outside of the norm.

I think that it is a basic human right to be able to express one's gender and have a birth certificate reflect that expression. Gender identity is not and should not be solely contingent on a person's body parts or the fact that they underwent gender reassignment surgery. Despite the fact that there are financial barriers to attain the surgery, so many cannot get the surgery, whereas, other people don't wish to get a surgery. Gender identity should be based on just that-HOW A PERSON IDENTIFIES THEIR OWN GENDER.

As a matter of justice, everyone should have that right to make that determination for themselves rather than get approval from someone else. Thank you so much for your time, I definitely appreciate it.

Sincerely,

Stacy

February 27, 2012

Aloha Chairman Oshiro, Vice Chair Lee and members of the House Finance Committee,

My name is Darcianne Ernce and I support of HB2227, relating to birth certificates.

The psychological and emotional trauma that transgender individuals face is significant. More than 50% of transgender individuals will have attempted suicide at least once in their lifetime. By replacing unfair requirements in the current legislation, HB2227 will provide more protection of transgender individuals' private and personal health information and help to promote dignity, respect and unbiased treatment of transgender individuals.

I kindly request that this Committee recognize the life struggles of transgender individuals and pass HB2227.

Thank you for your time and consideration.

Sincerely,
Darcianne Ernce
437 Manono Street
Kailua, Hawai'i
808-266-6200

*"At the end of the day, we are all human. And the ability to enjoy this life is innate."
- Prem Rawat*

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 10:09 AM
To: FINTestimony
Cc: Jheidel@hawaii.rr.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Rev. Dr. John Heidel
Organization: Individual
E-mail: Jheidel@hawaii.rr.com
Submitted on: 2/27/2012

Comments:

Current practices toward transgender people who cannot obtain a birth certificate that matches their identified gender are discriminatory and unkind. Please pass this bill out of committee and give these members of our community the justice and compassion they need and deserve.

Thank you for considering this bill.

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Tuesday, February 28, 2012 9:48 AM
to: FINTestimony
Cc: minister@unitariansofhi.org
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Rev. Dr. Jonipher Kwong
Organization: Individual
E-mail: minister@unitariansofhi.org
Submitted on: 2/28/2012

Comments:

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

I am in strong support of the passage of this bill to protect the rights of transgender individuals. Unitarian Universalists affirm and promote the inherent worth and dignity of every individual. Our values honor the diversity within our community.

This bill would ensure that current understandings of science and technology are incorporated into our legal understanding of the kind of access transgender individual needs.

Mahalo for your considering and for passing this important bill.

Aloha,
Rev. Dr. Jonipher Kwong
Minister
First Unitaria Church of Honolulu

FINTestimony

From: mailinglist@capitol.hawaii.gov
ent: Tuesday, February 28, 2012 3:22 AM
ro: FINTestimony
Cc: kloeb10@gmail.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Karen Loeb1
Organization: Individual
E-mail: kloeb110@gmail.com
Submitted on: 2/28/2012

Comments:

I support HB2227. Please pass this bill to ensure equality and dignity of all persons. Thank you.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Sunday, February 26, 2012 11:26 PM
To: FINTestimony
Cc: kahanakitty@gmail.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: Yes
Submitted by: Kahana
Organization: Individual
E-mail: kahanakitty@gmail.com
Submitted on: 2/26/2012

Comments:

The provisions in HB2227 represent the recommendations of the World Professional Association for Transgender Health as contained in the June 16 2010 Statement (http://www.wpath.org/publications_public_policy.cfm):

"June 16, 2010
WPATH Identity Recognition Statement

The Board of Directors of the World Professional Association for Transgender Health (WPATH), in the interest of the health and well-being of transgender and transsexual people worldwide, issued today, 16 June 2010, the following identity recognition statement:

No person should have to undergo surgery or accept sterilization as a condition of identity recognition. If a sex marker is required on an identity document, that marker could recognize the person's lived gender, regardless of reproductive capacity. The WPATH Board of Directors urges governments and other authoritative bodies to move to eliminate requirements for identity recognition that require surgical procedures."

The birth certificate is the single most critical document for anyone who lives in the U.S. It is the source document for establishing the legitimacy of one's identity.

For transgender individuals, the stakes are much higher. Without a correct gender marker, a transgender individual cannot obtain a correct state ID, Driver's License, or Passport. Without these documents, so many other basic life activities and functions are denied to us. Worse, inaccurate gender markers that do not match our gender identity can lead to discrimination, harassment, and violence.

For transgender individuals, having a correct gender marker on the birth certificate can mean the difference between completing a healthy, successful transition into society as a gainfully employed, contributing member of the community, and living a life of deception, lies, exposure to violence, and even death.

I respectfully request that the members of the House Committee on Finance support the passage of HB2227 HD1 Relating to Birth Certificates, including its adoption into law at the earliest possible time.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 7:14 AM
To: FINTestimony
Cc: don@equalityhawaii.org
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Donald Bentz
Organization: Individual
E-mail: don@equalityhawaii.org
Submitted on: 2/27/2012

Comments:
Testifying in Support of HB2227

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Don Bentz and I testify in strong support of HB2227, relating to birth certificates.

This bill represent critically important legislation to our community. It seeks to remove unfair requirements that encumber a transgender individual's ability to change the gender marker designation on his or her birth certificate. It also attempts to align policy with contemporary medical knowledge and practice.

Barriers imposed by existing legislation which this bill seeks to remedy include: the requirement to undergo a sex change operation; lack of explicit language that prohibits government officials from requiring additional documentation not specified in policy; the absence of a clear mechanism by which individuals can update their names concurrently with or before or after they update their gender.

This bill appropriately defers to personal physicians - rather than to state officials - the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. HB2227 also does not task the Department of Health with the responsibility of defining gender, but asks that it update the gender marker ("M" or "F") on birth certificates according to clinical - not bureaucratic - assessments and expertise.

Furthermore, the proposals in the bill are not unprecedented as evidenced by policies enacted by a growing number of states and the U.S. Department of State.

HB2227 will give transgender individuals more privacy and control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition ... recognition we take for granted that fosters dignity and enables us to participate as full citizens in society.

I respectfully request that this committee pass HB2227.

Donald L. Bentz

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Monday, February 27, 2012 8:28 AM
To: FINTestimony
Cc: amandals@hawaii.edu
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Amanda Schaefer
Organization: Individual
E-mail: amandals@hawaii.edu
Submitted on: 2/27/2012

Comments:
Testifying in Support of HB2227

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Amanda Schaefer and I testify in strong support of HB2227, relating to birth certificates.

This bill represent critically important legislation to our community. It seeks to remove unfair requirements that encumber a transgender individual's ability to change the gender marker designation on his or her birth certificate. It also attempts to align policy with contemporary medical knowledge and practice.

Barriers imposed by existing legislation which this bill seeks to remedy include: the requirement to undergo a sex change operation; lack of explicit language that prohibits government officials from requiring additional documentation not specified in policy; the absence of a clear mechanism by which individuals can update their names concurrently with or before or after they update their gender.

This bill appropriately defers to personal physicians - rather than to state officials - the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. HB2227 also does not task the Department of Health with the responsibility of defining gender, but asks that it update the gender marker ("M" or "F") on birth certificates according to clinical - not bureaucratic - assessments and expertise.

Furthermore, the proposals in the bill are not unprecedented as evidenced by policies enacted by a growing number of states and the U.S. Department of State.

HB2227 will give transgender individuals more privacy and control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition ... recognition we take for granted that fosters dignity and enables us to participate as full citizens in society.

I respectfully request that this committee pass HB2227.

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Monday, February 27, 2012 8:20 AM
To: FINTestimony
Cc: einoue808@gmail.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Micah Inoue
Organization: Individual
E-mail: einoue808@gmail.com
Submitted on: 2/27/2012

Comments:

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is _____ and I testify in strong support of HB2227, relating to birth certificates.

This bill represent critically important legislation to our community. It seeks to remove unfair requirements that encumber a transgender individual's ability to change the gender marker designation on his or her birth certificate. It also attempts to align policy with contemporary medical knowledge and practice.

Barriers imposed by existing legislation which this bill seeks to remedy include: the requirement to undergo a sex change operation; lack of explicit language that prohibits government officials from requiring additional documentation not specified in policy; the absence of a clear mechanism by which individuals can update their names concurrently with or before or after they update their gender.

This bill appropriately defers to personal physicians - rather than to state officials - the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. HB2227 also does not task the Department of Health with the responsibility of defining gender, but asks that it update the gender marker ("M" or "F") on birth certificates according to clinical - not bureaucratic - assessments and expertise.

Furthermore, the proposals in the bill are not unprecedented as evidenced by policies enacted by a growing number of states and the U.S. Department of State.

HB2227 will give transgender individuals more privacy and control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition ... recognition we take for granted that fosters dignity and enables us to participate as full citizens in society.

I respectfully request that this committee pass HB2227.

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Monday, February 27, 2012 12:30 PM
To: FINTestimony
Cc: andreatischler@yahoo.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Andrea Tischler
Organization: Individual
E-mail: andreatischler@yahoo.com
Submitted on: 2/27/2012

Comments:

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Andrea Tischler and I live in Hilo. I testify in strong support of HB2227, relating to birth certificates. I have been living as a full time woman for the past 41 years and have not had the gender reassignment surgery. It is fortunate that I was able to in California and obtain identification in the 1970's that confirmed my preferred gender and the way I dressed and appeared in public and in the work place. As a result I been able to lead a productive and successful life in work and in family life.

I would have hated the horror of being in the work force where my employer and my fellow workers would have known what my gender at birth was. That would have caused embarrassment and prejudice in a world where transgendered people are even behind gay and lesbian people in the way they are regarded. I have worked for more than 40 years as a female and never once has anyone questioned my gender or at least never made it an issue.

Another very important fact is that when a transgendered person is stopped maybe for just a traffic violation, the police officer would question whether you were the person identified on the driver's license. This could cause you to be arrested or at the very least more embarrassment.

I know of a number of transgendered people that have chosen not to go through the full surgery. The surgery is both dangerous and costly. Many have been satisfied just to live in their preferred gender. And, not all TG folks despise the genitalia they were born with. It is cruel to force people in the present world to conform to an anatomical image of what male or female is in order to receive a birth certificate.

I knew from the time I was a small child that my core identity was female. Unfortunately, it was not until I was in my 20's that I came out. And, fortunately, California was a state that allowed me to change my official documents to the gender that matched my gender identity.

Now it is time for Hawai'i to enter the 21st century by allowing citizens who wish to change their gender identity but maybe not have the full surgery to have identification and a birth certificate to reflect that. Please pass this measure so that transgendered people will be able to lead productive lives and fit better into a society where there are only two choices of gender. Mahalo.

FINTestimony

From: mailinglist@capitol.hawaii.gov
sent: Monday, February 27, 2012 1:11 PM
To: FINTestimony
Cc: dkk@hawaiiantel.net
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Deborah Kimball
Organization: Individual
E-mail: dkk@hawaiiantel.net
Submitted on: 2/27/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 10:07 AM
To: FINTestimony
Cc: nihipalim001@hawaii.rr.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Michele Nihipali
Organization: Individual
E-mail: nihipalim001@hawaii.rr.com
Submitted on: 2/27/2012

Comments:
Testifying in Support of HB2227

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Michele Nihipali and I testify in strong support of HB2227, relating to birth certificates.

This bill represent critically important legislation to our community. It seeks to remove unfair requirements that encumber a transgender individual's ability to change the gender marker designation on his or her birth certificate. It also attempts to align policy with contemporary medical knowledge and practice.

Barriers imposed by existing legislation which this bill seeks to remedy include: the requirement to undergo a sex change operation; lack of explicit language that prohibits government officials from requiring additional documentation not specified in policy; the absence of a clear mechanism by which individuals can update their names concurrently with or before or after they update their gender.

This bill appropriately defers to personal physicians - rather than to state officials - the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. HB2227 also does not task the Department of Health with the responsibility of defining gender, but asks that it update the gender marker ("M" or "F") on birth certificates according to clinical - not bureaucratic - assessments and expertise.

Furthermore, the proposals in the bill are not unprecedented as evidenced by policies enacted by a growing number of states and the U.S. Department of State.

HB2227 will give transgender individuals more privacy and control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition ... recognition we take for granted that fosters dignity and enables us to participate as full citizens in society.

I respectfully request that this committee pass HB2227.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 7:22 AM
To: FINTestimony
Cc: patriciablair@msn.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Patricia Blair
Organization: Individual
E-mail: patriciablair@msn.com
Submitted on: 2/27/2012

Comments:
Keep it simple!

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 6:50 AM
To: FINTestimony
Cc: dreamaloha@hawaii.rr.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Catherine Graham
Organization: First Unitarian Church of Honolulu
E-mail: dreamaloha@hawaii.rr.com
Submitted on: 2/27/2012

Comments:

Aloha, Chairman Oshiro, Vice Chair Lee and members of the Finance Committee:

My name is Catherine Graham and I testify in strong support of HB2227, relating to birth certificates.

This bill represent critically important legislation to our community. It seeks to remove unfair requirements that encumber a transgender individual's ability to change the gender marker designation on his or her birth certificate. It also attempts to align policy with contemporary medical knowledge and practice.

Barriers imposed by existing legislation which this bill seeks to remedy include: the requirement to undergo a sex change operation; lack of explicit language that prohibits government officials from requiring additional documentation not specified in policy; the absence of a clear mechanism by which individuals can update their names concurrently with or before or after they update their gender.

This bill appropriately defers to personal physicians - rather than to state officials - the competency and authority to evaluate and substantiate the qualifying conditions of gender transition. HB2227 also does not task the Department of Health with the responsibility of defining gender, but asks that it update the gender marker ("M" or "F") on birth certificates according to clinical - not bureaucratic - assessments and expertise.

Furthermore, the proposals in the bill are not unprecedented as evidenced by policies enacted by a growing number of states and the U.S. Department of State.

HB2227 will give transgender individuals more privacy and control over their personal information. Most importantly, it will remove government-imposed barriers that perpetuate discrimination and hinder social and legal recognition ... recognition we take for granted that fosters dignity and enables us to participate as full citizens in society.

This is a Civil Right Issue. Please vote to uphold the civil rights of this group.

I respectfully request that this committee pass HB2227.

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 8:46 PM
To: FINTestimony
Cc: kyle.kajihiro@gmail.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Kyle Kajihiro
Organization: Individual
E-mail: kyle.kajihiro@gmail.com
Submitted on: 2/27/2012

Comments:

FINTestimony

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 27, 2012 12:25 PM
To: FINTestimony
Cc: HHWylid@gmail.com
Subject: Testimony for HB2227 on 2/28/2012 1:00:00 PM
Attachments: Testimony to House Finance copy.pages

Testimony for FIN 2/28/2012 1:00:00 PM HB2227

Conference room: 308
Testifier position: Support
Testifier will be present: No
Submitted by: Heath Hathaway Wylid
Organization: Individual
E-mail: HHWylid@gmail.com
Submitted on: 2/27/2012

Comments:
Thank you so much for your consideration of this bill!