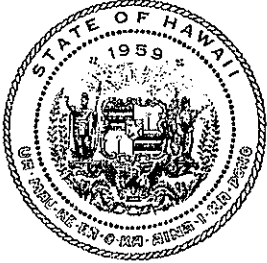


HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

ELENA CABATU
ADRIENNE KING
CARMILLE LIM
AMY 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 2, 2012

Testimony in Support of HB 2227, Relating to Birth Certificates

To: Representative Ryan I. Yamane, Chair
Representative Dee Morikawa, Vice-Chair
Members of the House Committee on Health

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

Re: Testimony in Support of HB 2227

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, 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A statutory requirement for an actual surgical gender change is outdated and unnecessary.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and recognize the need for transgender individuals to live their lives in their new gender, without retaining an outdated notion of what it means to be transgender. 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.

The Commission respectfully asks that this Committee pass HB 2227.

Thank you for this opportunity to testify.

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



Committee: Committee on Health
Hearing Date/Time: Friday, February 3, 2012, 9:00 a.m.
Place: Room 329
Re: Testimony of the ACLU of Hawaii in strong support of H.B. 2227,
Relating to Birth Certificates

Dear Chair Yamane and Members of the Committee on Health:

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

Current law presents numerous barriers to transgender individuals seeking to correct gender markers on birth certificates, including requiring that transgender individuals undergo costly and potentially dangerous surgical procedures without regard for whether a 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 gender. Incorrect 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 gender identity and outing him or her as a transgender individual. Transgender individuals may have trouble even cashing a check at the bank if the 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 gender.

National survey data from the World Professional Association for Transgender Health indicate that transgender people who are unable to obtain 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

American Civil Liberties Union of Hawai'i
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www.acluhawaii.org

Hon. Rep. Yamane, Chair, HLT Committee
and Members Thereof
February 3, 2012
Page 2 of 3

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 gender-congruent driver’s licenses without proof of surgery.

H.B. 2227 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 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 gender marker on driver’s licenses. We anticipate that those amendments will be heard in public hearing soon. Amending these laws and ordinances through the legislative and administrative hearing processes will avoid litigation like that recent brought in Alaska and Illinois by ACLU affiliates.¹

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

¹ 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/>.

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Hon. Rep. Yamane, Chair, HLT Committee
and Members Thereof
February 3, 2012
Page 3 of 3

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 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

American Civil Liberties Union of Hawai'i
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January 28, 2012

Friday, February 3, 2012 - 9:00 a.m.
House Committee on Health
State Capitol RM 329
415 South Beretania Street
Honolulu, HI 96813

RE: House Bill 2227 RELATING BIRTH CERTIFICATES - STRONG SUPPORT

Aloha Chair Yamane and fellow committee members,

On behalf of Honolulu Pride we would like to say Mahalo for hearing House Bill 2227.

When this bill becomes law it will mean the world to those that have gone through gender reassignment commonly know as being a member of the transgender community.

No one goes through this process lightly and it is not easy. But as members of the transgender community will tell you it is the most rewarding experience when completed. But right now it is very difficult for members of the transgender community to change their gender on their birth certificate when they have completed the medical side of the process.

This is where we need your help; on the legal side of things. Imagine going through the process but then having to be reminded of it every time you need to produce your identification. In this day and age we live in it seems that every time you turn around you need to produce identification. You have to explain when the gender on your I.D. does not match the gender on your I.D. This can even led to leaving a member of the transgender community stranded or worse yet in danger if they are in a country that is not as enlightened as the United States.

Lets take a look at Canada a very enlightened country that has in the last year said that a person that does not match the gender on their I.D. that their version of the TSA thinks they are can be barred from boarding a plane. Now imagine if they are in a country that does not even recognize transgender they could be jailed and in some cases sentenced to death. So you can help ensure a member of the transgender community never has to go through that by voting yes on HB 2227.

We urge you to support this bill because it is the right thing to do.

Mahalo for the opportunity to testify,

Rob Hatch
Legislative Representative



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

February 2, 2012

Testimony in Support: HB 2227

To: Chair Ryan Yamane, Vice Chair Dee Morikawa, and Members of the House Committee on Health
From: Katie Reardon Polidoro, Director of Government Relations & Public Affairs
Re: Testimony in Support of HB 2272, Relating to Birth Certificates

Planned Parenthood of Hawaii (PPHI) supports HB 2227, 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. 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)



Email to: HLTestimony@Capitol.hawaii.gov
Hearing on: Friday, February 3, 2012 @ 9:00 a.m.
Conference Room #329

DATE: February 2, 2012

TO: House Committee on Health
Rep. Ryan Yamane, Chair
Rep. Dee Morikawa, Vice Chair

FROM: Allen Cardines, Jr., Executive Director

RE: Strong Opposition to HB 2227 Relating to Birth Certificates

Honorable Chairs and members of the House Committee on Health, I am Allen Cardines, representing the Hawaii Family Forum. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of various Christian Churches and denominations. We strongly oppose this bill for several reasons.

STATE INTEREST IN CREATING FALSE IDENTITIES

First and foremost we do not see why the state would have an interest in promoting false identities and creating situations that could potentially force churches to provide services that are contrary to their religious tenets. The bill as written creates a strong potential for fraud or fraudulent representations by someone looking to dissociate from their past.

RELIGIOUS FREEDOM DENIED UNDER SMOKE AND MIRROR LAW

Remember the "pregnant man" that Oprah kept having on her show from a few years ago? Of course, the "man" at issue isn't a man at all, but Oregon law states that if you have a surgery, you can change your birth certificate (a VITAL RECORD). This woman had her breasts, and only her breasts, removed. She then proceeded to get her birth certificate changed. Then, although Oregon has a constitutional amendment protecting marriage as one man and one woman, she got a marriage license issued to her and her girlfriend. All because Oregon now considered her to be a "man."

In this true-life scenario above, a church could then provide marriage rites (unknowingly) to a same-sex couple under the guise of false heterosexuality. Political activists know that blurring the sexes will ultimately make marriage meaningless. Please do not pass legislation that would put the church in the position of unwittingly promoting a lifestyle that is contrary to their religious belief. Religious freedom should never be sacrificed to appease advocates of sexual confusion.

POTENTIAL FOR LEGAL QUAGMIRE

We also strongly believe that just as a person is born a distinct race, they are also born a distinct sex. No amount of surgery can ever change your DNA. If this law is passed, we may likely see years of legal cases over things even more perverse than the situation noted above.

Mahalo for the opportunity to testify.

6301 Palī Highway • Kaneohe, HI 96744-5224 • Ph: 808-203-6704 • Fax: 808-261-7022
E-mail: allen@hawaiifamilyforum.org | Website: www.hawaiifamilyforum.org



HAWAII CATHOLIC CONFERENCE
6301 Pali Highway
Kaneohe, HI 96744-5224

Email: HMS/HTHtestimony@capitol.hawaii.gov
Hearing on: Friday, February 3, 2012 @ 9:00 a.m.
Conference Room: 329

DATE: February 2, 2012
TO: **House Committee on Health**
Rep. Ryan Yamane, Chair
Rep. Dee Morikawa, Vice Chair
From: Walter Yoshimitsu, Executive Director
Re: Strong Opposition to HB 2227 Relating to Birth Certificates

Honorable Chairs and members of the joint Senate Committees on Human Services and Health, I am Walter Yoshimitsu, **representing the Hawaii Catholic Conference**. The Hawaii Catholic Conference is the public policy voice for the Roman Catholic Church in the State of Hawaii, which under the leadership of Bishop Larry Silva, represents Roman Catholics in Hawaii.

We oppose this bill because our church teaches that the altered condition of a member of the faithful under civil law does not change one's canonical condition, which is male or female as determined at the moment of birth.

Marriage between members of the same sex is not legal in the State of Hawaii. Passage of this legislation opens the door to marriage between members of the same sex. Almost 70% of the people of Hawaii made it clear that marriage is between one man and one woman.

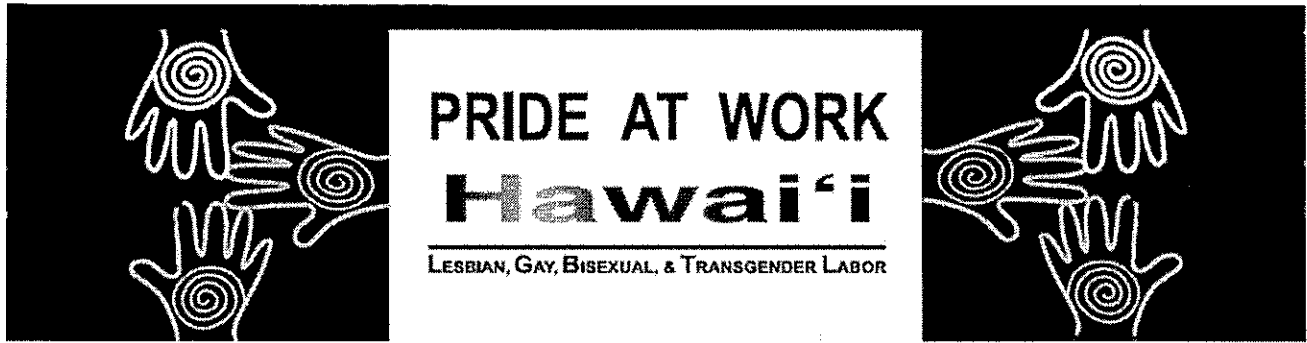
For matters like marriage, the church considers only the genetic gender of the individual. Thus a male who undergoes surgery to become female could not marry a man, even if they were able to obtain a marriage license, because the church would regard this as a same-sex marriage of two males. Further, a female who undergoes surgery to become a male will not be able to marry a woman even though the state would now consider them as an opposite-sex couple.

Language in the bill states "The new certificate shall not be marked as having been amended and shall in no way reveal the original language changed by the amendment. Thereafter, the original certificate and the evidence supporting the preparation of the new certificate shall be sealed and filed." Under this strict language, the Catholic Church, and other religious organizations, would have no way of knowing that the individual asking for marriage has assumed a different gender. That would indirectly put everyone in the position of officiating inadvertently over same-sex "marriages."

During late 2008, Pope Benedict XVI said in a speech that our gender was a gift from the creator. He denounced those who would try to change it. He said: "It is a question here of faith in the Creator and of listening to the language of creation, the devaluation of which leads to the self-destruction of man and therefore to the destruction of the same work of God."

Please do not pass this disingenuous legislation. Mahalo for the opportunity to testify.

6301 Pali Highway • Kaneohe, HI 96744-5224 • Ph: 808-203-6735 • Fax: 808-261-7022
E-mail: w Yoshimitsu@rcchawaii.org | hcc@rcchawaii.org | www.catholicahawaii.org



February 2, 2012

House Committee on Health
Chair, Rep. Ryan Yamane
Vice Chair, Rep. Dee Morikawa

Testimony in support of HB 2227 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, supports HB 2227, 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. However, 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 and fair treatment for all those born in Hawai'i by supporting this bill.

ATTN: House Committee on Health
Rep. Ryan I. Yamane, Chair
Rep. Dee Morikawa, Vice Chair, and Members

HEARING DATE: February 3, 2012
HEARING TIME: 9:00 a.m.

IN STRONG SUPPORT OF HB 2227 – Which provides amended birth certificates for persons who have undergone a gender transition.

Dear Chair Yamane, Vice Chair Morikawa and committee members,

The Coalition is in strong support of this measure. One of our members, the ACLU, has proposed this bill to make it easier for transgendered people to change their birth certificates.

Currently Hawaii's law a person can change both name and sex, and the state will issue a new birth certificate rather than amend the old one. But, it also requires an original or certified copy of the letter from the SRS surgeon.

This can be problematic for a person who has not had the complete surgery but still identifies as transgendered. Also, if the surgery was performed overseas a letter could be difficult to obtain.

We ask you to pass this bill out of committee. It is the fair and just thing to do.

Mahalo for your consideration,

Ann S. Freed
Co-Chair Women's Coalition
95-227 Waikalani Dr. A403
Mililani, HI 96789
808-623-5676

From: Heath Wyld [hhwyld@gmail.com]
Sent: Thursday, February 02, 2012 12:07 PM
To: HLTtestimony
Subject: Personal Testimony in Support of HB2227

Aloha, Chairman Yamane, Vice Chair Morikawa and members of the Health Committee:

My name is Heath Hathaway Wyld, and I testify in strong support of HB2227, relating to birth certificates. I would like to thank you with the most heartfelt appreciation for your consideration of this bill, HB2227. I have some very personal testimony that I would plead that you consider. The fact is that it is truly essential, on an emotional and on an official legal level, for TS/TV individuals to achieve official legal confirmation of their perceived gender status. Among other things, this legal recognition serves to correct their sense of gender dysphoria. I am a male, and I identify as male; however my long-term partner is a TS/TV individual. I know a great many TS/TV individuals, 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 and present my written testimony.

The fact of the matter is that MTF gender reassignment surgery frequently results in severe scarring, and it always results in an unnatural anatomical configuration. Furthermore, many post-op transsexuals are unable to achieve orgasm, whether or not they were able to achieve orgasm previously, after several years of taking hormones. As a result, there have been cases of transsexuals so dissatisfied with the results of their surgery, that they have actually committed suicide as a result. 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. Moreover, one can never assume that the surgery would take place in the USA, since many gender dysphoric individuals from all countries go to Thailand for the surgery. The policy problem is that a man, in his zeal to have the opportunity to officially marry his beloved, might encourage her to undergo surgery she feels is unsafe. Or alternatively, his t-girl partner, in her zeal to legally and officially marry the one she loves, or in her zeal simply to be publicly recognized according to the gender she considers herself to be, might be encouraged to undergo surgery she would otherwise avoid as unsafe. A policy which requires the actual completion of gender reassignment surgery prior to the issuance of a new birth certificate 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 TS/TV partner in Laos would like nothing more in life 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 transsexual individuals who have completed the surgery safely, but my partner and her friends also know of many individuals who were not so lucky. Frankly speaking, just typing this brings me to the point of tears, and I am a very masculine individual.

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 telephone number is (808) 729-0801. My Hawaii Driver License number is H01241626, expiration date 01/13/2019. I have just moved to the Big Island from Maui. My mailing address on Maui is still viable: 2020 Main Street, PMB 1103, Wailuku, HI 96793. My current address on the Big Island is: Heath Wyld, c/o Alan Reaves, 12-5321 Ala Lokelani, Kalapana Gardens, Pahoa, HI. There is no USPS delivery available at the Kalapana Gardens address, but I can receive mail forwarding from the PMB on Maui, which is located at Business, Etc. in Wailuku.

Most respectfully yours,

Heath Hathaway Wyld

morikawa2 - Grant

From: Don May [earthcorps@earthlink.net]
Sent: Thursday, February 02, 2012 11:08 AM
To: HLTtestimony
Subject: Support for HB2227

Testifying in Support of HB2227

Aloha, Chairman Yamane, Vice Chair Morikawa and members of the Health Committee:

My name is Don May and I 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 designation on his or her birth certificate.

This bill acknowledges that gender identity is not limited in scope to a surgical sex change and puts more trust in physicians and individuals, rather than in the state, to make such assessments and to substantiate them.

HB2227 will give transgender individuals more control over their own personal and private legal information.

I respectfully request that this committee pass HB2227.

Mahalo

Don and Renee May

46-240 Ahui Nani

Kaneohe 96744

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 11:34 AM
To: HLTtestimony
Cc: merway@hawaii.rr.com
Subject: Testimony for HB2227 on 2/3/2012 9:00:00 AM

Testimony for HLT 2/3/2012 9:00:00 AM HB2227

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Marjorie Erway
Organization: Individual
E-mail: merway@hawaii.rr.com
Submitted on: 2/2/2012

Comments:

Aloha Chairman Yamane, and members of the Health Committee!

I urge you to fully support HB2227, relating to birth certificates. It is an important measure that will simplify and expand the process for transgender people to obtain a birth certificate that matches their identified gender. Right now, only people who have written permission from a physician after gender reassignment surgery can obtain a birth certificate that reflects their true gender identity.

It is discriminatory and cruel to those living their lives as a gender that does not match the gender recorded at birth. Even if they have the correct documentation, the Hawaii Dept. of Health has the right to deny the application.

People living full lives according to their core gender identity should not have to endure the embarrassment of having a birth certificate that reflects an incorrect gender identity.

Please support HB2227 through this committee.

morikawa2 - Grant

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, February 02, 2012 11:43 AM
To: HLTtestimony
Cc: jbegley02@hawaii.rr.com
Subject: Testimony for HB2227 on 2/3/2012 9:00:00 AM

Testimony for HLT 2/3/2012 9:00:00 AM HB2227

Conference room: 329
Testifier position: Support
Testifier will be present: No
Submitted by: Juliet Begley
Organization: Individual
E-mail: jbegley02@hawaii.rr.com
Submitted on: 2/2/2012

Comments:

I support this measure because I know people in Hawaii who would love to travel abroad - but they cannot because they are transgendered and cannot get a passport that reflects who they are today. They have to go through an incredible amount of red tape to address this problem. This legislation would allow a transgendered person to get a passport in the same fashion as I get a passport. It would end the inequity, and therefore I see this legislation as one of fairness. Please pass these measures and allow people to be who they are when they travel.

morikawa2 - Grant

From: Kitty Lyons [heartspeak.kitty@gmail.com]
Sent: Thursday, February 02, 2012 11:58 AM
To: HLTtestimony
Subject: Support for bill HB2227

To Whom it May Concern in Congress,

It's been refreshing to see the progress we've made toward gender equality and acceptance of transgender. The time is ripe, it's truly time that ALL humans are treated with dignity, respect, and equitably.

When all humans can live without fear of discrimination or reprisal, we just might be taking a HUGE positive step toward conscious evolution. Thanks for your time and attention.

--

Let Your Heartspeak . . .

Peace

Kitty Lyons

Heartspeak Card Co. Mission:

Warm greetings to you

Sweet peace, hope, inspiration

Pure soul-drenched love.

(808) 989-4583

morikawa2 - Grant

From: cludia charters [cludia.charters@gmail.com]
Sent: Thursday, February 02, 2012 11:01 AM
To: HLTtestimony
Subject: TESTIMONY FAVORING HB 2227-BIRTH CERTIFICATES.

To: COMMITTEE ON HEALTH

Rep. Ryan I. Yamane, Chair

Rep. Dee Morikawa, Vice Chair

Regarding:

HB 2227

RELATING TO BIRTH CERTIFICATES.

(Provides amended birth certificates

for persons who have undergone a gender transition.)

DATE: Friday, February 03, 2012

TIME: 9:00 a.m.

PLACE: Conference Room 329

State Capitol

415 South Beretania Street

ALOHA GREETINGS;

In my capacity as a minister, and formerly in my position as an HIV Prevention Educator and researcher with a local foundation, I have had much opportunity to interact with Local Transgendered Residents of our Hawaii, their families, schools and employers.

This commonsense Bill will directly aid such individuals in integration to society in a productive way. It will also support and bolster their family cohesion & success. I find no compelling reason to oppose this Bill and it is my prayer that you will carry out this compassionate measure that accords with latest research in the field of gender, as well as with my own understanding of the PONO.

As a scientist and community health educator I consider this to be a housekeeping measure that brings Hawaii Law into the current Century.

As a minister of God, I am pleased to see this wisdom from our Legislators.

May God Bless YOU All! Sincerely,

Reverend Cloudia W. Charters, Honolulu 96830

--

<http://www.amazon.com/ALOHA-Where-You-Like-Satisfaction/dp/1598006495/ref=sr_1_1?ie=UTF8&s=books&qid=1227747134&sr=1-1>
<www.comfortspiral.blogspot.com>

Testimony of Lisa Mottet, Esq., Regarding HB 2227, Relating to Birth Certificates

Hearing in the Health Committee

9:00am --- February 3, 2012

Aloha, Chairman Yamane, Vice Chair Morikawa and members of the Health Committee:

Thank you for receiving this testimony in support of HB 2227, Relating to Birth Certificates. For the last ten years, I have served as the Transgender Civil Rights Project Director at the National Gay and Lesbian Task Force. In this role, I am proud to say that I have been involved with Hawai'i's transgender community's efforts to successfully pass hate crimes and non-discrimination legislation, all of which passed with overwhelming majorities through the Legislature over the past several years.

For transgender people, recognition of their gender is a matter of basic human dignity. In order to live as their authentic selves in a safe and stable way, transgender people need identification that represents who they are. Unfortunately, the National Transgender Discrimination Survey indicated that only 24% of transgender people nationally had been able to update the gender marker on their birth certificate. And, for individuals who showed ID in their daily life that did not match their gender presentation, 40% reported being harassed, 3% reported being assaulted, and 15% reported being denied entry or asked to leave. Although the number of participants in the survey from Hawaii was small (about 20 people), the information from those living in Hawai'i is similar to the national data:

- Only 22% of transgender Hawaiians said they had been able to update the gender marker on their birth certificate
- 28% of Hawaiians reported being denied this update to their birth certificate
- 50% of Hawaiians reported not even trying to update their birth certificate

Hawai'i has long had a law that allows people to obtain a new birth certificate reflecting who they truly are. Unfortunately this law contains procedural barriers that make the process onerous and confusing, and it has become out-of-date with current medical standards relating to transgender people. HB 2227, Relating to Birth Certificates, is a technical bill that would alleviate the confusion around what needs to be shown to update one's birth certificate, while also updating the medical requirements as well. In so doing, the bill should also reduce the anxiety - and real danger - that transgender people face when they have identity documents that do not reflect who they are.

HB 2227 would streamline current law regarding how people born in Hawai'i can receive an updated birth certificate. HB 2227 would allow people to use a simplified process that requires medical certification from a physician that the individual has undergone appropriate treatment for them to obtain a new birth certificate to reflect their gender. This change conforms Hawai'i's

standards to the standards 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 gender marker changes on U.S. passports. Further, the bill contains information on how to indicate a name change has taken place, making the process more clear for qualified petitioners to navigate. HB 2227 also ensures that medical privacy is respected. Because it simplifies an already existing process, HB 2227 should be a cost-neutral update to this section of the law and may actually generate cost savings for the government in the long term.

Transgender people, like everyone else, deserve to live with dignity and respect. For transgender people, something as simple as government recognition of their authentic gender identity goes a long way. Thank you for considering this very technical, but important, piece of legislation.

For all of these reasons, I respectfully request that this committee pass HB 2227.

Please feel free to be in contact with me if you have any questions.

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morikawa2 - Grant

From: Darci [darci@hawaii.rr.com]
Sent: Thursday, February 02, 2012 2:16 PM
To: HLTtestimony
Subject: Testimony in Support of HB2227

Chairman Yamane, Vice Chair Morikawa and members of the Health Committee,

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

While studying for a Bachelor of Science Degree in Criminal Justice over 20 years ago, I learned that transsexuals are born identifying (believing, feeling, thinking, behaving) with the gender that is opposite of the physical gender they are born with. They will only feel whole and complete when they are able to become the gender they identify with since birth. If they grow up in an environment that is unaccepting of their gender identity, the psychological and emotional trauma that transsexuals face is significant. More than 50% of transsexuals will have attempted suicide at least once in their lifetime.

Considering the number of years that students have and continue to be educated on human sexuality, a transsexual's choice of gender should be respected and they should be allowed to state on their birth certificate their true gender identity. Anything less than this is cruel.

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

Thank you for your time and consideration.

Sincerely,
Darcianne Ernce
Kailua, Hawai'i

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