



TO: The Oregon House Committee on Health Care
FR: Brook Shelley, Co-Chair, Board of Directors, Basic Rights Oregon
DA: Feb 27, 2015
RE: Testimony in Support of HB 2673

Chair Greenlick and members of the committee,

My name is Brook Shelley and I serve as Co-Chair of the Basic Rights Oregon Board of Directors. I am pleased to bring forward HB 2673 on behalf of transgender Oregonians across the state.

Basic Rights Oregon works to ensure that all lesbian, gay, bisexual, transgender, and queer Oregonians experience equality. This legislation is a necessary step in the right direction to ensure the rights of all Oregonians.

As the organizational sponsor of this bill, we strongly urge your support for HB 2673 with the -3 (dash three) amendment, because it will greatly reduce discrimination for transgender people by allowing us to safely, efficiently, and affordably obtain personal documentation that accurately reflects our gender identity.

While Oregon is on the forefront of LGBTQ equality nationally thanks to great work of the legislature, transgender Oregonians remain among our most vulnerable and misunderstood community members. For those unfamiliar, transgender is the term to describe a person whose gender is not the same as the sex they were assigned at birth. Unfortunately, because of the lack of awareness and acceptance in society, more than 40 percent of us attempt suicide in our lifetimes, and we also are four times more likely to live in poverty than other residents of our state.

HB 2673 will mitigate this crisis, as identity documents are a crucial part of personal, social, and workforce acceptance. Unfortunately, the current court process is intrusive, expensive, and hard to navigate.

Currently, updating your birth certificate requires a transgender person to go through a court to request a legal name change or gender marker amendment. Next, we take the court order to the OHA's Center for Health Statistics Department, which administers vital records. Because of the current court process, many in our community are at risk of being asked sensitive, private medical information in open court, being outed to the public and consequently being discriminated against or harmed. Considering the harassment and

discrimination transgender people continue to experience, this risk is an undue burden for many of us. Additionally, the court process is inconsistent from county to county, and quite expensive as it adds another layer of court and attorney fees. As many of us are impoverished, the price is often too high for us to access.

HB 2673 would make two simple fixes to existing Oregon law to ensure that transgender Oregonians can obtain accurate documentation that reflects their gender identity.

First, it would centralize the administrative process to change a name and gender marker on a birth certificate by creating a single, streamlined process at Oregon Health Authority (OHA) for transgender Oregonians.

This proposed change would not eliminate the court order option, but would provide a safe, effective method for transgender people and remove our barriers to access. Our records would still be subject to existing verification processes in OHA's Center for Health Statistics department. This process would closely resemble the federal process for updating social security documentation.

Second, the bill would modernize outdated public posting requirements in the court process. Currently, even if a court takes electronic petitions, a person may have to physically go to the court and post their petition on a public board twice. This onerous and outdated practice puts all Oregonians at risk of identity theft and adds logistical difficulty. However, it especially puts transgender individuals at risk of being publicly outed and discriminated against.

The -3 (dash three) amendment will allow the Health Authority and the Oregon Judicial Department sufficient time to prepare to implement the bill. It will also allow transgender Oregonians to access the court process for a gender marker amendment in any circuit court in the state and ensure that they can seal the record of their gender amendment petition for privacy and safety concerns.

As a senior engineer, I am one of the fortunate ones. When I decided to leave Texas, a state that does not recognize my gender, my skills were sought after by companies across the country. I chose Oregon because of the robust technology industry and the value our state puts on equality. However, we are not done.

Passing HB 2673 with the -3 (dash three) amendment is an important step in our effort to ensure that all Oregonians are treated with dignity and respect and can live free from discrimination. We strongly urge this committee to pass this bill.

Thank you for the opportunity to testify today.