



**Testimony of Kimberly McCullough, Legislative Director
In Support of HB 2673
House Committee on Health Care
February 27, 2017**

Chair Greenlick and Members of the Committee:

I am Kimberly McCullough, Legislative Director for The American Civil Liberties Union of Oregon. We are a nonpartisan organization dedicated to the preservation and enhancement of civil liberties and civil rights. We have more than 28,000 members across the State of Oregon, and that number is growing as we speak.

Thank you for the opportunity to submit comments in support of HB 2673, which would create an alternative process for persons seeking to change name on vital record for purpose of affirming gender identity.

ACLU of Oregon has a long history of supporting and defending the LGBT community. Through litigation, lobbying, public education, and organizing, we seek to create a just society for all LGBT people and work to build a country where our communities can live openly without discrimination and enjoy equal rights, personal autonomy, and freedom of expression and association. It is from this frame that we fully support HB 2673.

HB 2673 also seeks to provide a policy proposal that I am proud to support, based on my personal experience during my former career as an attorney in private practice. During that time, I volunteered at a legal clinic for at-risk youth at Outside In in Portland. One of my clients at the clinic was a young woman who had experienced very serious violence and harassment from individuals who persecuted her for her gender identity. She had been rejected by parents and loved ones, and was struggling to care for herself and rebuild her life while at the same time dealing with deep trauma.

In the midst of such difficulty, she also had to deal with the very challenging and painful situation of being repeatedly misgendered and having to explain her gender identity, due to the fact that her identity documents listed the incorrect gender. When I explained the process for seeking a gender change from the county she lived in, her reaction was fear and trepidation.

Had she been located in Multnomah County, where the process is a bit more streamlined, it would have already been difficult for my client to proceed with a legal gender change.¹ Knowing that her name would be listed in the courthouse was frightening, as she had already experienced violence from people with prejudice against transgender people. She feared that someone would see her name on the list and seek her out to harm her.

¹ Multnomah County at least has gender change forms available for public use and many judges who understand and are sensitive to the difficulties that many transgender individuals face.

But my client was not located in Multnomah County, and I had to advise her that judges in the county she resided in generally require individuals petitioning for a gender change to appear in court and testify to the completion of their transition. For this young woman, such a court proceeding was incredibly daunting. It was very difficult to reassure her that we would be able to help walk her through the process, and it was a great challenge to provide her with a sense of security as we proceeded.

Throughout this entire experience, I kept thinking about how many other transgender individuals are in the same or similar circumstances to my client. I also couldn't help but think of all of those individuals who do not have access to an attorney and support to help them navigate the process. From that moment, I hoped that our legislature would craft a solution that would streamline the Oregon and eliminate the requirement for public posting of names in courthouses of those who seek a legal gender change. On behalf of the ACLU of Oregon, and on my own behalf, I am grateful that this bill has been introduced and urge you to pass it out of committee.

Thank you for your consideration of our testimony. Please feel free to contact me with any questions, comments or concerns.