

Senate Resolution No. 70
Introduced by Senator Atkins

Relative to Transgender Day of Visibility.

WHEREAS, Originating from Indigenous communities of Turtle Island, the concept of “Two-Spirit” denotes a unique cultural identity that includes various sexual orientation and gender expressions, and intersects with Indigenous LGBTQ+ identities; the term Two-Spirit was first articulated at the Third Annual Intertribal Native American, First Nations, Gay and Lesbian Conference in Winnipeg in 1990; Two-Spirit peoples hold diverse culturally significant roles in their respective communities; and Two-Spirit is used as an umbrella term and organizing tool to center the diversity of gender identities and sexual orientation expressions, including LGBTQ+, within Indigenous communities that have rich histories, predating European colonization; and

WHEREAS, Over one million Americans, including over 300,000 Californians are Two-Spirit, Transgender, Gender Nonconforming or Nonbinary, or Intersex (2STGNCI) and have overcome significant hardships to build vibrant and thriving communities, often in the face of systemic and interpersonal prejudice, discrimination, and violence; and

WHEREAS, The International Transgender Day of Visibility encompasses an expansive community of people, including people who identify as two-spirit, transgender, gender nonconforming, nonbinary, and/or intersex; and

WHEREAS, While Transgender Day of Remembrance was established in 1998 to honor the trans community’s pain and memorialize trans people we have lost due to trans hate and gender violence, the International Transgender Day of Visibility was subsequently founded over a decade later to celebrate 2STGNCI people and center joy, hope, and 2STGNCI identities; and

WHEREAS, 2STGNCI people have existed throughout history, held prominent cultural and spiritual positions within their communities, and greatly contributed to societies all across the world; and

WHEREAS, 2STGNCI people throughout history have included the Gala, androgynous and transgender priests of the Sumerian goddess Inanna from 5,000 to 3,000 B.C.; Anastasia the Patrician of Alexandria, formerly a lady-in-waiting to an empress who transitioned to presenting masculinely and living as a monk in the fourth century; We'wha, a celebrated Two-Spirit Zuni spiritual leader, cultural ambassador, and Native American advocate in the 1800s; and

WHEREAS, Visibility for 2STGNCI people comes in diverse forms, such as showcasing 2STGNCI stories through art, storytelling, and media; 2STGNCI people sharing their affirmed names with their families, loved ones, and colleagues; pushing back against attempts to erase the 2STGNCI community by organizing demonstrations and moving throughout the world openly and authentically; and uplifting the power and beauty of 2STGNCI people by elevating positive narratives that highlight trans joy, love, and community; and

WHEREAS, As a result of community activism, determined advocacy, resilience, and undeniable talent, 2STGNCI people continue to reclaim and tear down systemic barriers set up to exclude them and serve as community and educational leaders, reach all levels of athletics, star in award-winning film and television, and hold prominent government positions; and

WHEREAS, In California, across the country, and territories, 2STGNCI people have courageously and powerfully organized in response to increased hate and violence directed at the 2STGNCI community, especially towards trans women of color, yet continue to receive a lack of basic needs and services, mainstream media visibility and coverage, recognition, and respect; and

WHEREAS, Celebrating visibility must also come with a recognition that visibility and representation are not substitutes for justice and 2STGNCI people, particularly 2STGNCI youth, trans women of color, individuals with transmasculine identities, and 2STGNCI refugees, immigrants, and asylees continue to face profound threats to their safety and well-being; and

WHEREAS, The Senate acknowledges that for many, visibility can mean an increased likelihood of harm, and for each 2STGNCI person killed and/or lost this year and in years past we mourn them, we honor them, and we say their names; and

WHEREAS, The Senate recognizes and respects that people live in varying levels of being visible in themselves and their 2STGNCI identities; and

WHEREAS, The 2STGNCI community continues to experience structural and institutional discrimination in all areas of life, including, but not limited to, in the workplace, in medical settings, in carceral settings, in housing, and in schools, and moreover 2STGNCI people continue to face disproportionately high rates of violence, poverty, homelessness, and negative health outcomes and premature death, and we furthermore recognize how the intersectional lived experiences of these issues exacerbate oppressive conditions for 2STGNCI people of color; and

WHEREAS, Within a year's span of Transgender Day of Remembrance 2022 to Transgender Day of Remembrance 2023, at least 33 known and reported 2STGNCI people were killed in the United States; and

WHEREAS, The aforementioned data on 2STGNCI people who were killed during the year's span is likely incomplete and under reported because, for instance, there are victims who are deadnamed and misgendered; and

WHEREAS, The Senate also celebrates the beauty and resilience of 2STGNCI people today and throughout history, and recognizes that 2STGNCI people have a rich tradition of contributing in myriad ways to the betterment of our society and our state, often working at the forefront of social justice activism and human rights; and

WHEREAS, 2STGNCI people, and in particular trans women of color, including, but not limited to, Sylvia Rivera and Marsha P. Johnson, were instrumental in the foundation of the modern LGBTQ+ rights movement in the United States, from the 1965 Dewey lunch counter protests in Philadelphia to the Stonewall uprising in 1969 to the creation of groundbreaking new civil rights organizations; and

WHEREAS, 2STGNCI people, and in particular trans women of color, including, but not limited to, California trailblazers Miss Major, Felicia Elizondo, or Felicia Flames, and Donna Personna, who were also instrumental in the modern LGBTQ+ rights movement in the State of California and the United States, from the 1966 Compton's Cafeteria riot in San Francisco to the 1958 Cooper Do-nuts riot, 1966—67 Black Cat Tavern protests, and the 1968 The Patch Bar "Flower Power" protest all in Los Angeles; and

WHEREAS, The continued activism of brave 2STGNCI activists challenged social and political norms that forces many to live in secrecy out of fear, endure coercive medical and psychological treatments, and

face legal barriers in all facets of life, including, but not limited to, employment and housing opportunities; and

WHEREAS, Civil rights victories won by 2STGNCI activists have expanded judicial recognition of legal and constitutional protections for gender identity and expression, and provided a greater number of people with the basic protections needed to ensure human dignity and self-determination; however, these rights are still not being effectively implemented and enforced, and they still are not being universally guaranteed, with laws varying by state and locality and regressive measures still being pursued and passed; and

WHEREAS, The Senate recognizes and celebrates the existence, lived experiences, and the innovative ongoing work being done by 2STGNCI organizations and individuals to build inclusive restorative spaces and to fight for the safety and dignity of those who often remain marginalized in all space, especially people with disabilities, undocumented people, people living in poverty, people with access needs, people residing in rural communities, and justice-involved individuals; and

WHEREAS, While California is a leader in defending the rights and safety of 2STGNCI people, our state is not immune to the national wave of trans hate, violence, and political attacks; California's commitment to the 2STGNCI community is needed even more in the face of rising extremism and hostility here and across the nation and globe; and

WHEREAS, Nationally, there were over 500 anti-LGBTQ+ bills introduced in state legislatures across the country during the 2023 legislative year, and there are already over 400 anti-LGBTQ+ bills introduced in state legislatures across the nation during the two months of the 2024 legislative year; and

WHEREAS, The aforementioned anti-LGBTQ+ bills disproportionately target 2STGNCI people and include efforts to prohibit access to lifesaving gender-affirming medical care, prevent 2STGNCI youth from playing school sports alongside their friends, erase 2STGNCI identities from vital records and state driver's licenses, ban books that include 2STGNCI people and history, prohibit 2STGNCI people from using restrooms and facilities in accordance with their gender identity, and criminalize 2STGNCI people who bravely embrace their authentic selves amid rising hostility; and

WHEREAS, According to the Williams Institute at the UCLA School of Law, the legal landscape for trans youth shifted significantly in 2023, and 105,200 trans youth, about one-third of trans youth in the United

States, live in states that ban access to gender-affirming care; 101,500 trans youth, about one-third of trans youth in the United States, live in states that restrict access to school sports for trans students; and 32,700 trans youth live in states that ban trans students from using school bathrooms and other facilities that align with their gender identity; and

WHEREAS, California has become a safe haven for many 2STGNCI people across the United States, its territories, and beyond, including for its access to health care and robust civil rights laws allowing 2STGNCI people to live their authentic lives; and

WHEREAS, Antitrans legislation, executive actions, local ordinances, school policies, practices, misinformation, and rhetoric endanger the psychological and physical well-being of 2STGNCI youth, with 86 percent of 2STGNCI youth reporting these action negatively impacted their mental health, as well as 45 percent reporting they experienced online harassment, 24 percent reporting they were bullied in school, 27 percent reporting they have been physically threatened or harmed due to their gender identity, and 64 percent reporting that they have felt discriminated against due to their gender identity; and

WHEREAS, Discriminatory legislation, executive actions, local ordinances, school policies, practices, misinformation, and rhetoric across the country and here in California have all contributed to rising hate and violence directed against members of the 2STGNCI community, in particular Black trans women, prompting a number of civil rights organizations to declare an epidemic of violence against 2STGNCI people; and

WHEREAS, The latest Federal Bureau of Investigation (FBI) annual crime report showed that anti-LGBTQ+ hate crimes were up sharply from the prior year, with a 13.8-percent increase in reports based on sexual orientation and a 32.9-percent increase in reports based on gender identity; and

WHEREAS, The FBI reported hate crime rates among LGBTQ+ victims, particularly 2STGNCI victims, are likely incomplete as cities and states across the nation are reporting incomplete or inaccurate data, or no data at all, on hate crimes committed against the LGBTQ+ community; and

WHEREAS, The FBI reported that schools were the third most commonly known location for hate crimes against LGBTQ+ youth and community members, and that hate crimes more than doubled at elementary and secondary schools and universities from 2018 to 2022, inclusive; and

WHEREAS, The FBI noted that participation in the collection of the aforementioned data regarding hate crime reports in schools is voluntary for most agencies and is only mandatory for federal agencies, and is thus likely incomplete and under reported; and

WHEREAS, From June 2022 to April 2023, inclusive there were over 350 incidents of reported hate and extremism against the LGBTQ+ community in the United States, with California having one of the highest total number of incidents in the country; and

WHEREAS, 2STGNCI people include, but are not limited to, parents, siblings, children, family, friends, colleagues, congregants, parishioners, neighbors, and caretakers, all deserving of human dignity, safety, and support; and

WHEREAS, In California, we believe in and reaffirm the inherent value of each and every resident of our state, especially our 2STGNCI communities, individuals, and families, without exception; and

WHEREAS, In California, we believe it is ever more critical to uplift and support our 2STGNCI residents and reaffirms their right to live visibly, openly, authentically, and unapologetically, without exception; now, therefore, be it

Resolved by the Senate of the State of California, That the Senate hereby proclaims March 31, 2024, as Transgender Day of Visibility; and be it further

Resolved, That the Senate hereby proclaims the week of March 18, 2024 through March 22, 2024, as Transgender Week of Visibility in the Capitol; and be it further

Resolved, That the Senate joins communities across our nation to increase awareness about the importance of removing all barriers to 2STGNCI communities, individuals, and families and upholding human rights for all; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the author for appropriate distribution.

Senate Resolution No. 70 read and adopted by the Senate March 18, 2024.

Attest: _____
Secretary of the Senate