



541 Willamette St #310, Eugene, OR 97401  
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# TransPonder Demands

## *on Policing and the Trans/Gender Diverse Community*

**What is the issue** that the community is experiencing and which communities in Eugene experience this problem most strongly?

TransPonder would like to speak directly on behalf of the community we represent. Black Trans Women & Black Trans Femmes, existing at multiple intersections of oppression, are uniquely singled out for criminalization by the police and government. While all transgender women of color are more marginalized than their peers, Black Trans Women & Black Trans Femmes experience disproportionately higher rates of housing insecurity, police violence, and under/unemployment due to discrimination based in their perceived gender and race<sup>1</sup>. We know of cases where this is happening right now with current EPD officers. All of us who are not cisgender still face a dominant culture that vilifies us, ridicules us, and discredits us individually and as a classification. Our basic rights are constantly in flux with the political tides. On the whole, we do not trust the establishment to have our backs. History and personal experience have shown us that the discrimination we face is deep-rooted and institutionalized. Simple acts like going to the bathroom or being asked to show ID can be dangerous for us. We know that law makers and law enforcers are not impartial and the choices they make with the discretion they have tend to run against us. Police are often ill-informed about who we are and how cisgender bias affects them. TransPonder has offered trainings sessions to EPD, but they have thus far not accepted that offer.

Our youth experience violence in their homes, in their schools, and downtown. Family rejection and discrimination and violence have contributed to a large number of transgender, non-binary, and other gender nonconforming youth who are homeless. Social services, foster care, juvenile justice systems, and homeless shelters often fail to culturally and appropriately serve gender nonconforming youth on the streets. SROs in schools do not make schools safer, they make schools militarized and they make students criminalized. Our youth are subject to depression, suicidality, addiction, and victimization at well over 3 times the rate of their cisgender peers.<sup>2</sup>

Transgender people with disabilities are marginalized in multiple ways resulting in exacerbated disadvantages. In particular, transgender people with disabilities are more often victimized due to the vulnerability of their disability compounded with gender discrimination that tarnishes their credibility in speaking out. When approached by police, failure to respond in the expected able-bodied way can be interpreted as non-compliance and lead police to harm transgender people with disabilities. Although gender

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<sup>1</sup> <https://transgenderlawcenter.org/black-trans-women-black-trans-femmes-leading-living-fiercely>

<sup>2</sup> <https://www.thetrevorproject.org/2019/02/22/research-brief-data-on-transgender-youth/>



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dysphoria is no longer considered a psychiatric disorder, the stigma around transgenderism and the violence we face make us far more likely to experience depression, anxiety, and other mental health disabilities. Police often do not have training or experience to identify or address our needs and often exacerbate the harm.

**We propose** that the City of Eugene shift their approach in the following four broad categories:

Decriminalization, Non-discriminatory practices, Honoring our self-determination, and Accountability and transparency.

**Decriminalization** – In order to address racism and transphobia, the City cannot modify policy alone without also addressing the laws and city ordinances that the police are sworn to enforce. Both approaches must go hand in hand. Shift from punitive measures to community care models. Invest in the community instead of supporting further criminalization by funneling funding, such as the Community Safety Initiative payroll tax, into the police department.

Decriminalize poverty – Remove city ordinances that criminalize not having access to resources. This includes ending money bail and any fines or fees that allow people who can afford such fees to continue to participate in behaviors that our society doesn't approve of. On the other hand, people without the resources to pay these fines are not only held accountable to the same behaviors that affluent people get away with, the fine itself can hurl them into escalating disaster that can literally destroy lives. People who are transgender or gender nonconforming have much more difficulty achieving economic security than the rest of the population. Combined with anti-trans religious beliefs and hiring practices, social isolation, and hate crimes, it is discriminatory policies and laws such as these that institutionalize poverty.

Decriminalize addiction – Oregon has decriminalized drug possession, making it a civil violation. However, we still need to continue the work to address drug addiction as a public health concern and dispel the war on drugs. We want to ensure that the needles we may have in our possession for needed hormone treatment are not listed as drug paraphernalia and used to criminalize us. For those of us who do suffer addictions, we want an unarmed civilian crisis response to assist us in our health and recovery process.

Decriminalize homelessness – Replace vagrancy laws and routine sweeps of homeless camps with investments in mutual aid, shelter care and connections to resources. During the pandemic, we have seen the City place higher sanctions on our most vulnerable by further criminalizing the need to look for food in dumpsters, having a pet companion on the streets, and attempting to shelter in place and limit your vulnerability to a deadly virus amid constant sweeps.

Decriminalize prostitution – Sex work is not inherently dangerous, it is the shame, misogyny, racist policies, and unchecked police power that make it dangerous. We do not want regulation or rehabilitation that presumes sex work is deviant and requires intervention. We want resources invested in our communities and away from the racist, transphobic criminal legal system. As long as prostitution is criminalized, the police can profile us as being "suspected" sex workers and therefore feel justified to arrest, harass, and perpetuate violence against us. Trans migrants are at greater risk of detention and deportation for simply being suspected to be doing survival sex work.<sup>3</sup>

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<sup>3</sup> [https://www.transequality.org/sites/default/files/Meaningful%20Work-Full%20Report\\_FINAL\\_3.pdf](https://www.transequality.org/sites/default/files/Meaningful%20Work-Full%20Report_FINAL_3.pdf)



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Decriminalize national origin/migration status - We demand an end to all forms of immigration detention, incarceration, criminalization, and deportation of transgender, gender non-conforming, nonbinary, and queer migrants and call for the complete abolition of immigration enforcement, police, detention centers, jails, and prisons.

**Non-discriminatory Practices** – We call on the City of Eugene to add gender identity to the protected classes of the Human Rights Code. The Eugene Police Department, and the City of Eugene as a whole, must commit to best practices in terms of recognizing and honoring transgender and gender non-conforming individuals in our community. This includes updating all forms and documents to include our titles, pronouns, and “current name” (separate on record from “legal name” and “alias”) as well as updating gender designations to include “non-binary” or “X” as well as “unknown” when the person has not disclosed their gender identity.

**Model Police Policy** – We provide the attached best practices from the National Center for Transgender Equality and call on the Eugene Police Department to assign a team to thoroughly examine this document and implement it fully.

**Training** – All city employees, including all EPD sworn officers and staff, should receive annual training on gender identity and best policies and practices with regards to transgender and gender nonconforming people.

**Honoring Our Self-Determination** – We are a beautiful and resilient community of autonomous and capable individuals seeking justice. Too often, even those in law enforcement and City government who intend to support the trans community view us as broken people in need of help. Efforts to regulate and control our lives and our wellness only contribute to further harm us.

**Occupation** – We call on the City of Eugene to end workplace discrimination against transgender and gender nonconforming employees and job applicants. We demand workplace accommodations to provide safe and accessible working conditions, practices, and bathrooms. We must be free to use our chosen titles, names, and pronouns on the job and when interfacing with the public in a working capacity without putting our employment at risk. We must be able to freely make decisions for ourselves, including the decision to engage in and transition out of sex work. We demand that trade unions recognize sex work as work and engage with sex workers to organize unions. We demand collective bargaining power to ensure that our work is deemed legitimate labor, that we have healthy and safe working conditions, and that we have the benefits that should be afforded to all people.

**Medical/health needs** – We call on the City of Eugene to provide access to holistic healthcare, trans-specific mental health support, addiction treatment, and other resources that affirm us and allow for healing and self-efficacy not regulation and dependency. We demand that mental health concerns be addressed as a public health issue, not a criminal/legal concern. We support a CAHOOTS that is independent from police response but that continues to be supported out of the EPD budget as it replaces and relieves police response. The Community Safety Initiative payroll tax revenues need to be invested in non-police services that address our medical and health needs through support and care and should not be invested in further criminalization of our bodies and our voices.



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Mutual aid and support networks – We demand that the City of Eugene funnel resources into community, not police. The City must value agency and self-determination over shame and stigma. The City should provide free legal support, conflict resolution and mediation services, housing, and other resources that allow for true self-determination. Do these things instead of band-aid solutions that legitimize harmful systems. Do not allow the EPD to leverage crime statistics to garner the City’s support in increased criminalization, surveillance, and incarceration. Instead, we call on the City to combat violence with healing and accountability. Trust in our agency as individuals and support us in building capacity to respond to violence in our homes with healing and collective accountability.

**Accountability and Transparency** – Violence thrives in isolation. Qualified immunity and police union protections that are purported to support police officers in their service to the community also provide a cover for police to disproportionately target us, especially Black trans people, and inflict physical, mental, and emotional violence with impunity. We must have transparency and accountability to expose these individual threats and the overall systemic institutional injustices that perpetuate them.

Civilian oversight with jurisdiction – It is not enough to have a Civilian Review Board and a Police Commission if, in the end, the final authority is still with the Chief of Police. The civilians who serve on these oversight bodies must be oriented in the specific concerns of transgender and gender nonconforming community members. They must be given authority to hold the police department accountable for misconduct. They must have means to appeal the decisions of the Chief of Police when they are deemed unjust or not in the best interest of the community by these oversight bodies.

Representation – Transgender voices need a seat at the table. The selection process for civilian oversight bodies must be reviewed for biases that screen out certain disadvantaged populations. The City should seek to promote the voices of the transgender and gender nonconforming community, especially of Black and Indigenous trans women and femmes, by investing in leadership skills-building opportunities that focus on our communities. Trust in our collective sustainability and innovation to provide necessary insights to the community at large. Be prepared to invite in new vision by expecting discomfort and showing a willingness to change entrenched systems. We call on the City to create an ongoing subsidized advisory board of representatives from marginalized communities.

Waive public records fees for complainants – Citizens require open and accessible means to public records. Poverty cannot be used to segregate civil rights away from those who most require them. We demand that the City waive all fees for public records requests from the very citizens who have been or who claim to have been harmed by the police.

Much of this document was drawn from the collaborative work of the Trans Agenda for Liberation. The Trans Agenda for Liberation is put forward by a national coalition of majority Black, indigenous, and migrant trans, nonbinary, and gender nonconforming leaders, working with Transgender Law Center, the largest transgender advocacy organization in the United States.

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**National coalition membership has shifted over time, and has included:** Dee Dee Chamblee, LaLa Zannell, LaSaia Wade, Umi Vera, Kiara St. James, Emmett Schelling, Cathy Kapua, Evonne Kaho, Janetta Johnson, Mattee Jim, Tamara Jean, Gabriel Foster, Agaiotupu Viena, Bamby Salcedo, Stefanie Rivera, AnaAndrea Molina, Jennicet Gutiérrez, Zahara Green, Tiara Gendi, Marin Watts, Andy Marra, Sasha Buchert, Isa Noyola, Ola Osaze, Chase Strangio, Gia Cordova, Yozantli Lagunas Guerrero, Sophia Kass, Oluchi Omeoga, Ash Stephens, Kayla Gore, Mariah Moore, and Shelby Chestnut.