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Transgender woman sues Idaho over refusal to amend gender marker

"I just want a birth certificate that accurately reflects who I am."

By *John Riley* on April 21, 2017 @JohnAndresRiley

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STATE OF HAWAII		CERTIFICATE OF LIVE BIRTH		DEPARTMENT OF HEALTH	
		FILE NUMBER 151		[REDACTED]	
1a. Child's First Name (Type or print)		1b. Middle Name		1c. Last Name	
[REDACTED]		[REDACTED]		[REDACTED]	
2. Sex	3. This Birth	4. If Twin or Triplet	5a. Birth Date	5b. Month	5c. Day
Female	Single <input checked="" type="checkbox"/> Twin <input type="checkbox"/> Triplet <input type="checkbox"/> 1st <input type="checkbox"/> 2nd <input type="checkbox"/> 3rd <input type="checkbox"/>		[REDACTED]	[REDACTED]	[REDACTED]
6a. Place of Birth (City, Town or Rural Location)		6b. Island		6c. Hour	
Honolulu		Oahu		2:12 P. M.	
7a. Name of Hospital or Institution (If not in hospital or institution, give street address)			7b. In Place of Birth Inside City or Town Limits?		
Kapiolani Maternity & Gynecological Hospital			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
8. Usual Residence of Mother: City, Town or Rural Location		8b. Island		9. County and State or Foreign Country	
Honolulu		Oahu		Honolulu, Oahu	
10. Street Address			11. In Residence Inside City or Town Limits?		
2013 Kakela Drive			Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		
12. Mother's Mailing Address			13. In Residence on a Farm or Plantation?		
[REDACTED]			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
14. Full Name of Father			15. Race of Father		
[REDACTED]			Caucasian		
16. Age of Father	17. Birthplace (State, town or Foreign Country)	18. Usual Occupation		19. Kind of Business or Industry	
42	Woodland, California	Doctor		Private Practice	
20. Full Mother Name of Mother			21. Race of Mother		
[REDACTED]			Caucasian		
22. Age of Mother	23. Birthplace (State, town or Foreign Country)	24. Type of Occupation Outside Home During Pregnancy		25. Date Last Worked	
34	Los Angeles, California	None		[REDACTED]	
26. I certify that the above stated information is true and correct to the best of my knowledge.			27a. Signature of Parent or Other Informant		
[REDACTED]			Parent <input checked="" type="checkbox"/> Other <input type="checkbox"/>		
27b. Signature of Attendant			28. Date of Signature		
[REDACTED]			4-7-61		

Photo: State of Hawaii, via Wikimedia.

A woman is suing the state of Idaho over its refusal to allow transgender people to amend the gender on their birth certificates.

Idaho is one of only four states that refuses to amend gender designations on birth certificates, even if a person has undergone treatment for gender dysphoria or undergone transition-related surgery. Only Kansas, Ohio, and Tennessee have similar prohibitions place.

"Unlike nearly every other state in America, Idaho currently enforces a categorical ban against transgender people changing the gender on their birth certificates, which is an archaic policy that defies logic," Peter Renn, Lambda Legal's senior attorney, said in a statement. "In fact, government officials in Idaho know this, given that they allow transgender people to change the gender on their drivers' licenses."



The **complaint** — filed by Lambda Legal on behalf of the trans woman, known as F.V. — argues that Idaho’s policy regarding birth certificates is unconstitutional.

The complaint alleges that denying someone a change of gender marker is not only discriminatory, but violates their First Amendment right to free speech by prohibiting them from identifying and being recognized according to their gender identity. It also argues that there is no government justification supporting the state’s refusal to amend gender markers on birth certificates.

“This policy is not only archaic and out-of-step with the rest of America, but also dangerous,” Renn added. “Identity documents communicate to the world who you are. No one should have to represent that they are someone they are not.”

According to the 2015 U.S. Transgender Survey, almost 1 out of every 3 transgender individuals who have identity documents not reflecting their gender identity reported that they had been harassed, discriminated against, denied benefits and services, and even assaulted.

As a result, transgender people in Idaho that are unable to have their gender marker change are being placed at higher risk of mistreatment by government authorities or other people who have reason to ask for identity documents.

“I just want a birth certificate that accurately reflects who I am,” F.V., who is now living in Hawaii, said in a statement. “I hope that Idaho will give me the dignity of deciding when complete strangers get to know deeply private information about my life. Like so many transgender people, I’ve been on the receiving end of harassment and outright violence.

“It costs Idaho nothing to correct this piece of paper and recognize me as the woman that I am.”

Transgender woman sues Kansas over refusal to amend birth certificate



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John Riley is the local news reporter for Metro Weekly. He can be reached at jriley@metroweekly.com

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