



What Does Social Science Research Tell Us About . . .

DISCRIMINATION IN PUBLIC ACCOMMODATIONS AGAINST TRANSGENDER AND GENDER-NONCONFORMING PEOPLE?

Community members often express reluctance to protect transgender and gender non-conforming people against discrimination in public accommodations, particularly in their use of often-gendered spaces like restrooms, locker rooms, and dressing rooms. In contrast to these concerns, social science research demonstrates no evidence that allowing public use of public accommodations harms the community. Instead, discrimination in public accommodations against transgender and gender non-conforming people can be harmful.

IT IS SAFE TO ALLOW TRANSGENDER AND GENDER NON-CONFORMING PEOPLE TO USE THE PUBLIC ACCOMMODATIONS THAT ARE SUITABLE TO THEIR GENDERS

- There has been no documented case of a transgender or gender non-conforming person assaulting or abusing someone in public restrooms, locker rooms, or dressing rooms.

DISCRIMINATION AGAINST TRANSGENDER AND GENDER NON-CONFORMING PEOPLE IS COMMON IN PUBLIC ACCOMMODATIONS

Transgender and gender non-conforming people are often denied access to gender appropriate restrooms. In the National Transgender Discrimination Survey of 6,500 transgender and gender non-conforming people: Grant, et al. (2011).

- 54% were denied equal treatment or service in at least one of 15 places of public accommodation (e.g., restaurants, hotels, retail stores).
- More than 1 in 5 were denied access to the restroom that was consistent with their gender identity or expression at work and said they were never able to work out a suitable bathroom situation at work.
- 26% were denied access to gender-appropriate restrooms at school.

Transgender and gender non-conforming people are often the targets of verbal harassment and physical assault in public spaces:

- 53% of transgender and gender non-conforming people were verbally harassed in places of public accommodation in at least one of 15 different places (e.g., restaurants, hotels, and retail stores). Grant et al (2011)
- In a survey of 93 transgender and gender non-conforming people in Washington DC, 68% experienced verbal harassment in public restrooms, and 9% experienced physical harassment in public restrooms. Herman, J.L. (2013).

TRANSGENDER AND GENDER NON-CONFORMING PEOPLE EXPERIENCE HEALTH PROBLEMS AND QUALITY OF LIFE LIMITATIONS RELATED TO PUBLIC ACCOMMODATION DISCRIMINATION

- In the national survey of LGBT students, the *2011 National School Climate Survey*, the most common places at school that gay and transgender youth avoided because they felt unsafe were locker rooms (39%) and bathrooms (38.8%).

In studies of transgender and gender non-conforming adults, respondents report a number of negative health and quality of life consequences related to public accommodation discrimination:

- 54% reported health problems from trying to avoid using public bathrooms, including dehydration, urinary tract infections, and kidney infections. Herman, J.L. (2013)
- 6% had medical appointments attributable to avoiding the restroom or “holding it.” Herman, J.L. (2013)
- 9% avoided going to a hospital, healthcare facility, or doctor’s office because those facilities have gender-segregated restrooms (Herman, 2013), similar to another study of Virginian transgender and gender non-conforming people (115; Xavier et al., 2007).
- 13% said that verbal harassment and/or denial of access to work setting restrooms negatively affected their employment or work performance. Herman, J.L. (2013)
- 58% avoided going out in public because of a lack of safe restrooms. Herman, J.L. (2013)

REFERENCES

Herman, J.L. (2013). Gendered restrooms and minority stress: The public regulation of gender and its impact on transgender people’s lives. *Journal of Public Management & Social Policy*, 19(1), 65-80. Available at:

<http://www.jpmsp.com/volume-19/vol19-iss1>

Grant, J.M, Mottet, L.A., Tanis, J., Harrison, J., Herman, J.L., & Kesling, M. (2011). Injustice at every turn: A report of the national transgender discrimination survey. National Center for Transgender Equality and National Gay and Lesbian Task Force. Available at http://www.thetaskforce.org/downloads/reports/reports/ntds_full.pdf

Kosciw, J. G., Greytak, E. A., Bartkiewicz, M. J., Boesen, M. J., & Palmer, N. A. (2012). *The 2011 National School Climate Survey: The experiences of lesbian, gay, bisexual and transgender youth in our nation’s schools*. New York: GLSEN. Available at:

glsen.org/sites/default/files/2011%20National%20School%20Climate%20Survey%20Full%20Report.pdf

Minter, S., & Daley, C. (2003). *Trans Realities: A Legal Needs Assessment of San Francisco’s Transgender Communities*. San Francisco: National Center for Lesbian Rights and Transgender Law Center.

Xavier, J., Honnold, J. A., & Bradford, J. B. (2007). The Health, health-related needs, and lifecourse experiences of transgender Virginians. Richmond: Division of Disease Prevention through the Centers of Disease Control and Prevention, Virginia Department of Health. Available at:

<http://www.vdh.virginia.gov/epidemiology/DiseasePrevention/documents/pdf/THISFINALREPORTVol1.pdf>