

OFFERED BY COUNCILORS MICHELLE WU AND MICHAEL FLAHERTY ESSAIBI-GEORGE  
O'MALLEY, ZAKIM, LAMATTINA, JACKSON, PRESSLEY, LINEHAN, MCCARTHY



CIOMMO,  
CAMPBELL AND  
BAKER

**CITY OF BOSTON**  
**CITY COUNCIL**

**RESOLUTION IN SUPPORT OF TRANSGENDER  
PROTECTIONS IN PUBLIC ACCOMMODATIONS**

*WHEREAS:* The City of Boston adopted an ordinance explicitly protecting transgender people from discrimination in public accommodations 14 years ago, making it one of the first cities in the Commonwealth to do so; and

*WHEREAS:* The City of Boston today is one of 13 cities and towns in Massachusetts and one of the over 200 cities and 17 states around the country with laws explicitly protecting the transgender community from discrimination in public accommodations; and

*WHEREAS:* The City of Boston, similar to all other cities and states with laws explicitly protecting the transgender community from discrimination, has not experienced an increase in incidents compromising the safety or privacy of Boston's residents, although these protections have improved safety for transgender residents and visitors; and

*WHEREAS:* The transgender community experiences real and significant discrimination and harassment in all aspects of daily life, and specifically within places of public accommodation, simply because they are transgender; and

*WHEREAS:* Transgender residents of the City of Boston are no longer explicitly protected from discrimination in public accommodations when they leave the City of Boston because the Commonwealth lacks explicit, statewide protections; and

*WHEREAS:* More than 200 large and small local businesses across the Commonwealth have pledged their support for passage of statewide, explicit protections for the transgender community in public accommodations because it makes local businesses more competitive and helps the local economy; and

*WHEREAS:* The Massachusetts Chiefs of Police Association, the Massachusetts Major City Chiefs, and the city chiefs of all 13 cities and towns in Massachusetts, including the Boston Police Commissioner, that have laws explicitly protecting the transgender community from discrimination in public accommodations all publicly support explicit, statewide protections for transgender people in public accommodations because they do not comprise public safety and privacy but are necessary to keep transgender youth and adults safe; and

*WHEREAS:* Transgender students have been explicitly protected from discrimination in the Commonwealth's K-12 public schools since 2012, school personnel have been able to effectively support all of their students, including those who are transgender pursuant to those protections; and

*WHEREAS:* Sixteen leading advocates for women, girls and survivors of violence, including the YWCA Boston, the Boston Area Rape Crisis Center, Boston GLOW, Crittenton Women’s Union, and Jane Doe, Inc, publicly support explicit statewide protections in public accommodations for the transgender community as necessary to ensure the safety and privacy of all women and girls, including transgender women and girls; and

*WHEREAS:* Seventeen other states and the District of Columbia have already implemented explicit public accommodations protections for the transgender community and not experienced an uptick in incidents compromising safety and privacy; and

*WHEREAS:* Massachusetts, like the City of Boston, has been a national leader on civil rights, and the Commonwealth’s leadership in passing explicit statewide protections for transgender people in public accommodations is critical not only to the Commonwealth’s transgender community but also to the ability of Congress to pass legislation protecting the LGBT community nationwide from discrimination because of who they are and who they love; and

*WHEREAS:* Public accommodations are the cornerstone of civic life, encompassing retail stores, restaurants, parks, public transit, hotels, doctors offices and banks, including government facilities and services and businesses that serve the public, and transgender youth and adults should be able to access these services free from harassment and discrimination based simply on who they are; and

*WHEREAS:* A 2011 study showed that 58% of transgender people in Massachusetts were harassed in a place of public accommodation, and a 2014 study found that transgender people who reported experiencing discrimination are 84 percent more likely to experience adverse physical effects and 99 percent more likely to experience emotional effects – like frustration, anger and sadness; Now

*THEREFORE BE IT RESOLVED*

That the Boston City Council hereby urges the Massachusetts Legislature, following the actions of the legislatures from seventeen other states and the District of Columbia, to act swiftly to pass House Bill, No. 1577, S. 735 known as the Transgender Non Discrimination bills, sponsored by Representatives Byron Rushing and Denise Provost and Senator Sonia Chang-Diaz, and cosponsored by more than 70 legislators, in order to extend basic non-discrimination protections to the transgender community and to preserve the Commonwealth’s national reputation as a leader on civil rights.

*BE IT FURTHER RESOLVED*

That the Boston City Council urges other communities and jurisdictions to join with us in this action by passing similar Resolutions.

Filed on: March 23, 2016